The pictorial history of Scotland, A.D.79-1746

James Taylor

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THE

PICTORIAL HISTORY OF SCOTLAND.

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Pictorial History

of

SCOTLAND.

[illegible]

PRINCE CHARLES EDWARD IN THE [illegible]
EDINBURGH AFTER THE BATTLE OF [illegible]

[illegible]

THE PICTORIAL

HISTORY OF SCOTLAND,

FROM

The Roman Invasion to the Close of the Jacobite Rebellion.

A.D. 79 — 1746.

BY JAMES TAYLOR, D.D.,

ASSISTED BY

PROFESSOR LINDSAY, D.D., PROFESSOR EADIE, D.D., L.L.D.,
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AND OTHER CONTRIBUTORS.

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LONDON:
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TO

THE REV. JOHN BROWN, D.D.,

PROFESSOR OF EXEGETICAL THEOLOGY TO THE UNITED PRESBYTERIAN CHURCH,
AND
SENIOR MINISTER OF THE UNITED PRESBYTERIAN CONGREGATION, BROUGHTON PLACE, EDINBURGH,

THIS VOLUME

IS AFFECTIONATELY DEDICATED BY

HIS GRATEFUL PUPIL AND FRIEND,

JAMES TAYLOR.

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THE PICTORIAL HISTORY OF SCOTLAND.

CHAPTER XXXI.

ECCLESIASTICAL HISTORY.

A.D. 1561—1567.

Views and efforts of Romanists and Protestants at the time of Mary's return.

AFTER the death of Francis II., King of France, the Romanists in Scotland, anticipating the speedy return of the now widowed Scottish queen to her own dominions, cherished the hope that this event would prove highly advantageous to their cause; and when the time appointed for the meeting of Parliament drew nigh—viz. May, 1561—they assembled in large numbers in Edinburgh, and made no secret of their expectations. The Reformers, also, felt that it was their duty to take some measures for the protection of their principles, which had so recently received the sanction and support of law; and they, like their opponents, appeared in considerable force in the metropolis. They paraded the streets in companies, though in a peaceable and orderly manner, taking possession in particular of the High-street, from which the bishops and their followers were thus excluded.* On the 27th of May, a meeting of ministers and laymen connected with the reformed cause was convened, which has been designated the Second General Assembly of the Church of Scotland. At this meeting it was resolved to present a humble supplication to the lords of the Secret Council, craving the ratification of certain specified points, all of which had been embraced in the Book of Discipline, and to which many of the lords, therefore, had already given their concurrence. These points had reference to the suppression of idolatry, and all its monuments; the appointment of some fixed provision for superintendents and ministers, exhorters and readers; the augmentation of the number of superintendents and ministers; the infliction of punishment on those who abused and despised the sacraments; and the adoption of means for preventing popish bulls from being promulgated and carried into effect in Scotland.

* Calderwood, vol. ii. p. 126; Knox, vol. ii. p. 161.

Supplication addressed to the Council.

These topics are exhibited at considerable length under seven different heads, which are designated Articles; and then follows the supplication, expressed in a bold and resolute tone. "Please your honours, and the wisdoms of such as are presently convened with you in council, to understand, that by many arguments we may perceive what the pestilent generation of the Roman antichrist within this realm intendeth; to wit, that they would of new erect their idolatry, take upon them empire above our conscience, and so command us, the true subjects of this realm, and such as God of his mercy hath under our sovereign subjected unto us, in all things to obey their appetites. Honesty craveth, and conscience moveth us, to make the very secrets of our hearts patent to your honours in that behalf, which is this; that before these tyrants and dumb dogs ever empire above us, and above such as God hath subjected unto us, we the barons and gentlemen professing Christ Jesus within this realm, are fully determined to hazard life, and whatsoever we have received of God in temporal things. Most humbly, therefore, we beseech your honours that such order may be taken, that we have not occasion to take again the sword of just defence into our hands, which we have willingly, after God had given victory both to your honours and to us, resigned over into your hands, to the end that God's Gospel may be publicly preached within this realm, the true ministers thereof reasonably sustained, idolatry suppressed, and the committers thereof punished, according to the laws of God and man. In doing whereof your honours shall find us not only obedient to you in all things lawful, but also ready at all times to bring into order and obedience such as would rebel against your just authority, which, in absence of our sovereign, we acknowledge to be in your hands; beseeching your honours, with upright judgment and indifferency, to look upon these our few articles; and by these, our bretheren,* to signify unto us such

* The deputation consisted of the Master of Lindsay, afterwards Lord Lindsay of Byres; Gordon, Laird of

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answers again, as may declare your honours worthy of that place whereunto God, after some danger sustained, in his mercy hath called you. And let these enemies of God assure themselves, that if your honours put not order unto them, we shall shortly take such order, that they shall neither be able to do what they list, nor yet to live upon the sweat of the brows of men, who are no debtors to them. Let your honours conceive of us nothing but all humble obedience in God; but let the papists be yet once again assured, that their pride and idolatry we will not suffer." *

Measures adopted by the Council in consequence of the above supplication.

This supplication was favourably received by the Secret Council. Lord James Stewart had by this time returned from France, bringing letters from the queen,† in which she expressed it to be her will, that whilst the Council maintained quietness, and suffered nothing to be done in violation of the treaty made at Leith, till she returned herself, they were to allow the religious system at present established to continue undisturbed.‡ Now, the articles presented by the commissioners of the Reformed Church, were considered as indispensable to the safety and unfettered operation of the new ecclesiastical body; and, therefore, an ordinance was passed by the Council, corresponding to every head of the articles above-mentioned, and concurring with all the views that were expressed in them. § At the same time it was decreed, that the remaining monuments of idolatry should be destroyed, and the Earls of Arran, Argyle, and Glencairn, were directed to carry out this object in the west, whilst Lord James was appointed to proceed with the same view to the north. In the west, the abbeys of Failfurd, Kilwinning, Crossraguel, and Paisley, were demolished;* and in the north, such changes were effected as greatly displeased the Earl of Huntly, though he feigned acquiescence in all that was done.

The uprightness and Christian integrity of Lord James Stewart, in the course he pursued, are susceptible of the most decisive proof. When he waited upon the queen, his sister, in France, she was willing to place herself entirely under his direction, and to give him a commission under her seal; but his religious principles, and his conviction that it was for the advantage of his country to remain on good terms with the Protestant kingdom of England, were the great barriers to his advancement. Strenuous efforts were made by her majesty, and by the Cardinal of Lorraine, to detach him from his religious views and associates, but he stood firm against all their solicitations and arguments; and Sir Nicholas Throckmorton affirms, in his letter to Elizabeth, that this was the reason why the formal commission promised to him was not given. "The special cause why she hath changed her opinion of my Lord James is, that she could by no means dissuade him from his devotion and good opinion towards your majesty, and the observation of the league between your majesty and the realm of Scotland. And also that she, nor the Cardinal of Lorraine, could not win nor divert him from his religion, wherein they used very great means and persuasions. Neither the fear of his sovereign's indignation could waver him, nor great promises win him." Steadfastness amid such temptations to laxity and change, is commonly regarded as the best possible proof of incorruptible integrity.†

Mary's views with regard to religious affairs in Scotland.

Mary's arrival in her own dominions, which took place on the 19th of August and called forth the liveliest demonstrations of satisfaction and joy, was an event that could not fail to exert a marked influence upon the state of religious parties in Scotland. Educated in the Romish faith, and long accustomed to consider the religion professed by her subjects as a most wicked heresy, she could not be expected to give her cordial support to an order of things which had been so recently established, and established too against her will. On the contrary, she was persuaded that it would be the crowning glory of her reign to bring back her kingdom to its ancient allegiance to the Pope; and her uncles of the house of Guise, who were parties to a league sanctioned by the Council of Trent for suppressing

Lochinvar; Kerr, Laird of Fernihirst, ancestor of the Marquis of Lothian; Douglas, Laird of Whittingham, afterwards a senator of the College of Justice; Thomas Menzies, Provost of Aberdeen; and George Lovell, Burgess of Dundee.—*Book of the Universal Kirk*, p. 6.

* Calderwood, vol. ii. pp. 127, 128; Knox, vol. ii. pp. 162, 163.

† Knox, vol. ii. p. 166; Calderwood, vol. ii. p. 129; Buchanan, vol. ii. p. 437; Cook's History of the Reformation, vol. iii. p. 14; Burnet, vol. iii. p. 313; Leslie, lib. x. p. 533.

‡ The editor of Keith's History, and some others, deny that Lord James Stewart brought any kind of commission from France to Scotland. All that Keith himself however says, is, that while Knox speaks of letters, and Buchanan mentions a commission, Leslie makes no reference to either. Mr. Lawson maintains that Buchanan's statement about a commission is disproved by her majesty's own letter to Sir Nicholas Throckmorton. But this is a mistake. What Mary says in her letter is, that Lord James brought no commission from Scotland, but not that she gave him no commission back. Her own words are these—"I shall only here tell you that the Lord James, who is presently with me, came only to pay his duty to me as his sovereign lady, without any commission whatsoever relating to anything else." Sir Nicholas Throckmorton, however, says, in his letter to Queen Elizabeth, that, although Mary had intended to give a formal commission under her seal to Lord James Stewart, yet she afterwards changed her mind, and sent after him by the messenger he left behind, not the commission he expected, but only certain letters. It cannot, therefore, admit of reasonable question, that there were at least written instructions sent by her majesty to Scotland with Lord James Stewart, with regard to the management of affairs till the period of her own return. And this is just what Knox affirms. The mere silence of Leslie is not sufficient to disprove the positive testimony of so many other witnesses; for, although he returned in the retinue of her majesty, yet, having failed in the special object of his own mission to France, he might not be cognisant of all that was done.—*Keith*, vol. ii. pp. 24—27.

§ Calderwood, vol. ii. pp. 128—130; Book of the Universal Kirk, p. 6.

* Considerable portions of the abbeys of Paisley and Crossraguel still continue in existence, and some partial remains of the other two.

† See Sir Nicholas Throckmorton's letter, as recorded in Keith, vol. ii. p. 29.

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the Reformation throughout Europe,* used all their influence to confirm her in her views, and to secure her co-operation in their scheme for the destruction of all religious liberty. That it was her fixed purpose to restore the Roman Catholic religion on the first favourable opportunity is plain, from a conference which she had before leaving Paris with Throckmorton, the English ambassador.† "'I trust,' said Mary, 'the queen, your mistress, will not encourage my subjects to continue in their disobedience, nor to take upon them things that appertain not to subjects. You know there is much ado in my realm about matters of religion.'—'Madam,' he replied, 'as you think it unmeet to be constrained by your subjects, so it may like you to consider, the matter is as intolerable to them to be constrained by you in matters of conscience; for the duty due to God cannot be given to any other without offence of His majesty.' —'Why,' said she, 'God doth command subjects to be obedient to their princes; and commandeth princes to read his law, and govern thereby themselves and the people committed to their charge.'" Subjects, in Mary's view, were bound to follow the religion of their sovereign. The designs of the queen are still more apparent from the letters of Cardinal St. Croix to Cardinal Borromeo, which describe how encouraging Mary's uncle, the Grand Prior of France, conceived the prospects of popery to be in Scotland at the time he left that country, and how favourably he considered matters were advancing for the restoration, at no distant period, of the ancient religion.‡ It was the queen's purpose to depress, by little and little, the party of the Reformers, until those who were attached to the Romish church became so strong, as to be able to regulate all things after their own mind. Meanwhile, however, it was necessary to dissemble, as the Protestants were the most numerous body in the kingdom, and were possessed of all power; and, accordingly, Mary professed that she had no intention of disturbing the settlement of religious affairs, which had been made by parliament before her arrival. The reformed church was to stand, so long as it should appear unsafe to attempt its overthrow.

The Protestant nobles who had sent Lord James Stewart to France to invite their sovereign home, were unwilling that she should be allowed more than the private exercise of her religion; and there were not a few who considered even this concession to be inconsistent with the claims of public duty, and dangerous to the welfare of the nation. The very flattering reception, however, which the queen received on her arrival in her own kingdom, and the opinion of her uncles that she should take advantage of the spirit of loyalty so highly excited in her favour,§ determined her to profess her religion, and observe its rites with more publicity than was agreeable to her subjects; and she ordered preparations to be made for the celebration of a solemn mass in the chapel of Holyrood House, the very Sunday after her arrival. The first rumour of this intention kindled a flame of dissatisfaction. It seemed as if all that had been acquired by the toilsome efforts and painful sufferings of years was now to be lost in one moment. Threatening crowds gathered around the abbey, declaring that they would not suffer the realm to be profaned by the idolatry of the mass. The Master of Lindsay, followed by a crowd as excited as himself, rushed into the court of the palace, and cried out that the idolatrous priest should die the death according to God's law. The wax candles were broken on the way to the chapel, and every thing portended a serious tumult, when some of the leading men among the Protestants exerted themselves to repress the zeal of the multitude, and to restore tranquillity. Knox did what lay in his power to dissuade his followers from employing force to prevent the service.* He tells us, that he was so concerned for the public tranquillity, and so loath to offend those of whom he had conceived a good opinion, that in secret he strove to mitigate and cool the fervency with which multitudes were animated against conceding to the queen the liberty which she desired, though he afterwards came to think that he had done wrong on this occasion. Lord James Stewart also exerted himself to preserve the public tranquillity, taking his station at the door of the chapel, under the pretence of keeping Scotsmen from witnessing the profane rites of popery, but really with the view of guarding against disturbance.† Still the dissatisfaction continued; the Protestants repaired in great companies to the abbey in the afternoon, and it was loudly demanded that there should be no repetition of an idolatrous rite, which was utterly opposed to the holy Scriptures, and forbidden under pain of death by the law of the land.

Celebration of mass in the chapel of Holyrood.

Tumult in consequence.

After a few days a proclamation was issued by the queen, with the advice of the Privy Council, for the purpose of quieting the public mind. Reference was made to the great inconveniences that might result from the religious differences of the nation, and to the intention of her majesty to take measures for effecting a settlement, that might be conducive to the honour of God and the tranquillity of the realm; and meanwhile all men were forbidden, under pain of death, to attempt any change either publicly or privately upon the religious system that existed in the country at the time of her majesty's arrival. At the same time, the proclamation strictly charged all the lieges that none should molest or trouble any of her majesty's domestic servants, or any of those who had come in her company from France, in word, deed, or countenance, for any cause what-

Proclamation issued by the queen and Privy Council.

* Calderwood, vol. ii. p. 131.
† Keith, vol. ii. p. 33; Calderwood, vol. ii. p. 134.
‡ McCrie's Life of Knox, vol. ii. p. 305.
§ Ibid. p. 24.

* Knox, vol. ii. p. 277.
† Spottiswood, p. 179; Calderwood, vol. ii. p. 148.

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soever, either within the palace or without, or make any derision or invasion of them under any pretence whatever, under pain of death.* This last clause, although it made no direct mention of liberty of conscience, was designed for the protection of the queen and her followers in the exercise of their religion, and it gave serious offence to the great mass of the Protestants. The Earl of Arran protested against it on the ground, that although her majesty's servants were not to be interfered with in the prosecution of their lawful business, yet idolatry was an offence against God, more abominable and odious than even murder, and, therefore, no more to be tolerated than that crime. John Knox, too, on the following Sunday, preached against the idolatry of the mass, and against the toleration of it that was covertly implied in the proclamation of the Secret Council, declaring that one mass was more fearful to him than if ten thousand armed enemies were landed in any part of the realm, of purpose to suppress the whole religion. "For," said he, "in our God there is strength to resist and confound multitudes, if we unfeignedly depend upon him, whereof heretofore we have had experience: but when we join hands with idolatry, there is no doubt but that God's amicable presence and comfortable defence leaveth us, and what shall then become of us? Alas! I fear that experience shall teach us to the grief of many." †

Offence taken at the proclamation.

The opposition of the Reformers to the mass, and the difficulty with which Mary succeeded in obtaining liberty to observe it even in her own chapel, have been a thousand times appealed to as exhibiting decisive evidence of the unparalleled bigotry that reigned in Scotland at the time of the Reformation. But the premises only support the conclusion, if we apply to the Scotchmen of that day the maxims of religious liberty which are now universal amongst Protestants. This, however, is manifestly unjust. The true theory of religious liberty was quite unknown in those days. Our reforming forefathers must be tried, not by the standard of the present age, but by the standard of their own times. The proper question is, did they fall behind their contemporaries, or were they quite upon a level with them, or were they, perhaps, even somewhat in advance? Were they less tolerant of Romanists than Romish nations were of Protestants in the same age? No man who is acquainted with the history of those times can for a moment doubt, that the proceedings of the Scottish Reformers will bear comparison with the proceedings of any other nation in Europe. What Roman Catholic kingdom can be mentioned, that received with open arms an avowedly Protestant prince, coming to them from a foreign country in the helpless plight in which Mary came to Scotland? Did the French nation cheerfully submit to the government of Henry IV., who had been educated in Protestant principles, and whose title to the throne was undoubted? No; they compelled him to avow himself a Roman Catholic, and to join in the observance of mass;* and even his recantation of the principles in which he had been reared never effaced the stain of heresy from his name, nor secured the affections of his Roman Catholic subjects. Now the parallel to this on the part of the Scottish Reformers, would have been their refusal to recognise the title of Mary to the throne unless she avowed herself a Protestant, and joined in the observance of Protestant worship. But, all-powerful as they were in the country, and weak and helpless as she was, they never dreamed of proposing such conditions to her: they cordially welcomed her home, and even tolerated her (although doubtless with scruples on the part of many) in the observance of her own religion. It is undeniable, therefore, that the Scottish nation acted towards Mary with unexampled liberality, and proved themselves to be decidedly in advance of their age. And this is the judgment pronounced by a French writer, who is more just to our Reformers than many sympathisers with Romanism among ourselves. "Mary," he says, "was brought up in France, accustomed to see Protestants burnt to death, and instructed in the maxims of her uncles, the Guises, who maintained that it was necessary to exterminate without mercy the pretended reformed. With these dispositions she arrived in Scotland, which was wholly reformed, with the exception of a few lords. The kingdom received her, acknowledged her as their queen, and obeyed her in all things according to the laws of the country. I maintain, that in the state of men's spirits at that time, if a Huguenot queen had come to take possession of a Roman Catholic kingdom with the slender retinue with which Mary went to Scotland, the first thing they would have done would have been to arrest her, and if she persevered in her religion, they would have procured her degradation by the Pope, thrown her into the Inquisition, and burnt her as a heretic. There is not an honest man who can deny this." †

What degree of blame our ancestors are fairly open to.

It was a favourite saying of Mary's, when she was pleading for permission to observe all the rites of her own religion, "Conscience—conscience! it is a sore matter to constrain the conscience." This is an undeniable truth. But did the Romanists remember it, when they burned Patrick Hamilton, and George Wishart, and Walter Mill? Did the Romanists remember it, when they offered to Henry IV. the alternative of the loss of his kingdom, or the abjuration of his religion? Did Mary herself remember it, when she entered into the scheme of her uncles to reduce Scotland again under the spiritual dominion of the Pope? The true test of a genuine regard to the rights of conscience, is not the liberty men are ready to claim for themselves, but the liberty they are willing to

* Knox, vol. ii. p. 272; Calderwood, vol. ii. p. 144.
† Knox, vol. ii. p. 276.

* Browning's History of the Huguenots, p. 186.
† Histoire du Calvinisme et celle du Papisme mises en parellele; ou Apologie pour les Reformateurs, pour la Reformation, et pour les Reformez, tome i. p. 334. A Rotterdam, 1683. McCrie's Life of Knox, vol. ii. p. 28

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concede to others, when they have power and are in a position to impose restrictions. Until the Romanists give us some examples of this species of regard to the rights of conscience, their outcry against disabilities laid upon themselves is unworthy of a moment's notice. Let them come into court with clean hands. The remarks of Bayle are just as applicable and as worthy of regard at the present moment, as when they were first written. "The papists themselves are the first in this country—viz. Britain—to exclaim that there is nothing more unjust than to distress conscience: a sentiment ridiculous in their mouth, and not only ridiculous, but treacherous, and marked with that dishonesty which they have uniformly discovered for so many ages. For they would not fail, in three years, to burn and butcher all who refused to go to mass, if they acquired the power, and could avail themselves of the baseness of a sufficient number of court parasites—men of venal souls, and unworthy of the Protestant name which they bear—to overturn the fundamental barriers which so salutarily restrain the royal power." *

The true nature of Mary's concern for the rights of conscience.

That Mary's concern for the rights of conscience was of the one-sided character which has always prevailed among Romanists, plainly appears from the famous conference she had with Knox, shortly after the disturbance occasioned by the celebration of mass in the chapel of Holyrood House. After calling the Reformer to account for the theoretical views he entertained regarding female government, as is recorded at length in the preceding chapter of this history, her majesty thus addressed him: "But you have taught the people to receive another religion than their princes can allow. How can that doctrine be of God, seeing God commandeth subjects to obey their princes?" Here it is assumed that subjects have no right to form their own religious opinions; that it is the conscience of the prince, and not of the people, which alone is entitled to consideration; and that if they adopt a religion not sanctioned by the civil power, they are chargeable with rebellion. Her maxim embodied the very essence of intolerance; for if subjects are bound to be of the same religion as their sovereign, then it must be his duty to compel them to abandon their own religious opinions and observances. The bold and unanswerable reply of the intrepid Reformer, so different from the smooth words generally spoken by the flatterers of princes, must have startled Mary: "Madam, as right religion took neither original nor authority from worldly princes, but from the eternal God above, so are not subjects bound to frame their religion according to the appetite of princes; for often it falleth forth, that princes are the most ignorant of all others of true religion. If the people of God had been of the religion of Pharaoh, to whom they were a long time subject, what religion should there have been in the world? The three children said expressly to Nebuchadnezzar, 'We will make it known to thee, O king, that we will not worship thy gods.'"—"Think you," said she, "that subjects having power may resist their princes?"—"If their princes exceed bounds, madam, they may be resisted even by power. If children join together against their father, stricken with a phrenzy and seeking to slay his own children, take his weapons from him, bind his hands, and keep him in prison till his phrenzy overpass, do they any wrong? or will God be offended with them for hindering their father from committing horrible murder? Even so, madam, if princes would murder the children of God, their subjects, their blind zeal is but a mad phrenzy." *

Conference between the queen and Knox.

Knox then brought forward his favourite idea, first enunciated in his famous discourse at St. Andrew's, that the Jewish people in our Lord's day had not degenerated so far from the institutions and ordinances given by Moses, as the Church of Rome had declined from the purity of the Gospel as exhibited in the writings of the Apostles. From this view Mary dissented, and alleged that she had read differently. "But have you heard any teach, but such as were allowed by the Pope and his cardinals?"—"You interpret Scripture," said she, "after one manner, and they after another: whom shall I believe, or who shall be judge?"—"Further than the Word teacheth you," said he, "ye shall neither believe the one nor the other. The Word of God is plain in itself. If there appear any obscurity in one place, the Holy Ghost, who is never contrarious to himself, explaineth the same in other places. Papists allege, that the mass is the institution of Christ Jesus, and a sacrifice for the quick and the dead: we say, it is but the invention of man, and, therefore, an abomination before God. Christ neither said nor commanded mass to be said at the last supper."—"You are too hard for me," said she; "but if they were here whom I have heard, they would answer you."—"Would to God," said he, "madam, the most learned papist in Europe, or whom you would most believe, were here present, and that ye would hear patiently the matter reasoned to the end!"—"Well," said she, "ye will, perhaps, get that sooner than ye believe."—"Assuredly," said he, "if ever I get it in my life, it is sooner than I believe: for the ignorant papists cannot reason patiently; the learned will never come in your audience to have the ground of their religion searched. They know they are not able to sustain reasoning, except fire and sword and their own laws be judges."—"So say ye," quoth the queen.—"So we have seen," said he, "to this day. For how oft have they been required to come to conference; but it could not be obtained, unless themselves were admitted judges? Therefore, madam, it behoveth me to say again, that

* Bayle, as quoted in McCrie's Life of Knox, vol. ii. p. 306.

* Knox, vol. ii. pp. 281, 282; Calderwood, vol. ii. p. 151.

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they dare never dispute, but where themselves are both judge and party."*

Knox has been blamed for the plainness with which he addressed Mary in this conference. Certainly, he brought some very unpalatable truths before her mind; and it would have been well if others too, instead of censuring him for his faithfulness, had copied his example, and spoken to her more frequently the words of truth and soberness. No persons in this world have suffered more than princes, from being kept in ignorance of important principles and facts; and those have been their greatest enemies, who have flattered their prejudices, and unduly exalted their prerogatives. Mary's own race were ultimately ruined by pertinaciously holding fast their lofty notions of arbitrary power and divine right, and no way of saving the country was left, but driving them from a throne, which they had long made the seat of tyranny and the instrument of oppression. Yet Mary herself is entitled to the deepest sympathy, for she had the unspeakable misfortune to stand in the breach when the conflict was just beginning between the rising spirit of liberty and the old ideas of the prince's power; and she had been brought up in circumstances the worst fitted that could be imagined to prepare her for her difficult duties. Hers was indeed a trying position, where hardly any course of conduct could shield her from perplexities and troubles. In a country where the great bulk of the people were of one religion, and the sovereign of another, and that too at a time when the principles of religious liberty were unknown, a conflict was inevitable; and the only question was, which party should be under the necessity of yielding. Mary thought that "the people should not be taught another religion than their prince allowed;" but the people, on the other hand, conceived that the prince should follow their religion; and succeeding generations, with one voice, have decided that this latter course affords the only practical solution of the difficulty. A people and a prince cannot long be of different religions with any reasonable prospect of good government; and as kings are made for the people, and not the people for kings, the prince must conform to the people's religion. Under a hereditary monarchy, the sovereign at least must be debarred from the full enjoyment of religious liberty, or, in words which are less offensive in appearance though the very same in substance, the nation have a right to say whether they shall be ruled by a sovereign whose religion they approve, or one whose religion they condemn. Those who blame the Reformers for adopting these so-called narrow notions, would do well to remember that they are the very notions upon which the British nation is acting at the present moment. And surely if it is right for us to continue restrictions, by which the throne is made inaccessible to certain sentiments and views, it could not be wrong in our forefathers to establish these restrictions at first. Nor can it be said that the sovereign is unfairly or harshly dealt with, for restrictions of some kind or other are necessarily connected with the privilege of hereditary succession to office. And when the restrictions cannot be conscientiously complied with, by no means let the prince violate his conscience; but let him, as an immortal being, who hopes to wear a heavenly crown, copy the godlike example of Moses, and sacrifice that earthly greatness, which could only be a snare and a temptation to him.

Knox himself maintained his principles with unflinching faithfulness, and, whether in the pulpit, or among the nobles, or in private conference with her majesty, he was always the same single-minded, truth-speaking, fearless man. But all connected with the Protestant interest were not actuated by the same exalted and unselfish views as the great Reformer, and all were not equally able to resist the blandishments of a court. The zeal of not a few began to evaporate after Mary's return from France; their interest in those religious doctrines, which they had professed before the world and vowed to maintain, suffered a sensible diminution; and this change became very apparent, when the time arrived for holding the next General Assembly of the Reformed Church. A considerable number whose duty it was to have been present absented themselves, and when some superintendents and ministers were sent to them to inquire into the reason, they complained that secret meetings had been held without their knowledge. The ministers, on their part, denied that anything had been done contrary to the order which had been agreed upon, and reproved them for not meeting with their brethren, according to an appointment in which they themselves had concurred. Some of the courtiers then questioned the propriety of holding conventions without the knowledge of the prince. To this it was replied, that the queen knew well enough that there was a Reformed Church within the realm, and that they had rules and regulations and appointed times for meeting. "True," rejoined Maitland of Lethington, "the queen knows all this well enough, but the question is, whether the queen allows such conventions." This was the remark of a selfish and time-serving man, who was prepared to sacrifice all the fruits of the long struggle, through which the nation had passed, to the will of a single individual. Knox replied, with a clearness and force which were irresistible: "If the liberty of the Church is to stand upon the queen's allowance or disallowance, we are assured we shall be deprived, not only of assemblies, but also of the public preaching of the Gospel. Take from us the freedom of assemblies, and take from us the Gospel; for without assemblies, how shall good order and unity in doctrine be kept? It is not to be supposed that all ministers shall discharge their office so duly, or behave themselves so well in their conversation, as that they shall not need admoni-

Change in the feelings of many Protestants connected with the court.

* Knox, vol. ii. pp. 284, 285; Calderwood, vol. ii. pp. 152, 153.

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tion. It may be, also, some refractory persons will not admit the admonition of simple ministers; for remedy whereof, it is necessary that there be general assemblies holden, in which the judgment and gravity of many may correct and repress the follies and errors of a few." *

These remarks carried conviction to the minds of the great majority of the nobility and barons who were present, and it was agreed to counsel her majesty not to interfere with the Assembly; but if she were jealous of what might be done at the meeting, to send commissioners to attend in her interest.

Ratification of the Book of Discipline refused.

An attempt was also made, at this time, to procure her majesty's ratification of the Book of Discipline; but Lethington sneered at the idea. "How many," said he, "of those who subscribed the book will be subject to it?"—"All the godly," it was answered.—"Will the Duke?" said he.—"If he will not," replied Lord Ochiltree, "I wish his name were not only scraped out of that book, but also out of our number and company; for why should men subscribe, if they mean not to do what they promised?" Lethington then affirmed that many subscribed *in fide parentum*, as children are baptised. But Knox rejoined, "that the remark was as untrue as it was unseasonable; for the book had been read in public audience, as they all knew, and its heads discussed for a number of days, and no man was asked to subscribe what he did not understand." The secretary, however, and the courtiers were immovable on this subject, and the ministers were given to understand, that the ratification of the Book of Discipline was a point that would never be conceded to them.†

Application to the Council for a suitable provision for the ministers.

Having failed in procuring the ratification of the Book of Discipline, the friends of the Reformed Church presented certain Articles to the Council, craving the suppression of idolatry, the settlement of faithful ministers throughout the country, and the appointment of a suitable provision for them. Reference was made to the promise of her majesty not to alter the religion which she found established in the country at the time of her arrival, but a church could not exist without ministers, and ministers could not exist without some provision for their support. Hitherto, however, the revenues of ecclesiastical benefices had gone either into the hands of noblemen and barons, or into those of the Romish clergy; and the church which had been established by parliament had received almost nothing. This was a difficult question for the Council to deal with. If the Reformed Church was to be upheld as the established church of the land, it must be supported: on the other hand, the parties who had possession of the church revenues were numerous and powerful, and would not relinquish them without a struggle. Many of the Romish bishops and abbots, when they began to see that their possessions were likely to go out of their hands, had granted perpetual leases to their friends and relatives, with the concurrence of the Pope; and many had made arrangements with powerful nobles in their neighbourhood, and had transferred their lands and revenues to them. And if the parties who were in possession of the church lands held them with a tenacious grasp, there was another party that really needed an accession of income as well as the Protestant ministers. The properties belonging to the crown had been greatly dilapidated during the long minority, and it was indispensable that some provision should be made for maintaining the queen and her court in suitable dignity. A compromise was the result of all these competing claims, and it was determined, at last, with the consent of the bishops and others interested, who felt that it was better to give up a part than run the risk of losing the whole,* that two-thirds of all ecclesiastical revenues should remain in the possession of the Romish clergy, or the "auld possessors," as they were designated, and that the remaining one-third should be conferred upon the crown, with the understanding that out of it the Protestant ministers should receive a suitable maintenance.†

Distribution of church revenues.

Commissioners were accordingly appointed, to whom it was ordained that returns of the rentals of all benefices should be transmitted, from places within the "Mount," or the Grampian range, before the 24th of January ensuing, and from places beyond that boundary, before the 10th of February; but the returns transmitted to the commissioners were exceedingly few, and repeated injunctions required to be issued in order to ensure attention to the question. And while some neglected altogether to send returns, others made fraudulent valuations, and thus the gross amount of church revenues was represented to be far inferior to what it really was.‡

Defects of the proposed arrangement.

This whole arrangement gave great dissatisfaction to the Protestant ministers, and certainly it was open to serious objections. It was unreasonable that the Romish clergy, who were set aside by act of parliament from being the authorised instructors of the nation, should receive two-thirds of the ecclesiastical revenues, and that those upon whom the duty of preaching the Gospel to the community was laid by the government, should receive not even the remaining one-third, but only an uncertain fraction of it. Much better would it have been to secularise the whole mass of ecclesiastical property at once, converting it into a revenue for the support of the state and thereby lightening the public burdens, and leaving the teachers of religion to be supported by the voluntary offerings of those to whom they ministered.

* Knox, vol. ii. pp. 294, 296; Calderwood, vol. ii. pp. 159, 160.

† Knox, vol. ii. p. 297; Calderwood, vol. ii. p. 160.

* Spottiswood, p. 183.

† Tytler, vol. vi. p. 292.

‡ Knox, vol. ii. pp. 300—306.

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The very idea that the government had undertaken the support of the Church, however imperfectly the duty might be performed, prevented the congregations from feeling that they had any special concern with that matter. If all support had been refused by government, the members of the various churches would have been trained to habits of liberality; and many evils that resulted subsequently from undue dependence upon the state, and from the exclusion of the people from an active concern in church affairs, would have been avoided. The people of Scotland were just as able, had they been thrown upon their own resources, to maintain religious ordinances, as the poor and persecuted churches of primitive times; and we know that in those early days the Gospel spread with a rapidity unexampled at any subsequent period. But the idea of the absolute necessity of public support to a church was an error of the age, which had become firmly rooted during the days of popish darkness, when the people hardly received any religious instruction at all, and when they were not recognised as having anything else to do with the church, but to observe her rites and ceremonies.

Knox's view of the distribution of ecclesiastical revenues.

Knox expressed himself with great and merited severity regarding the distribution of the ecclesiastical revenues of the kingdom into three parts, and the appropriation of but a fragment of one of those parts to the support of the church now established by law. "If the end of this order pretended to be taken for sustentation of the ministers be happy, my judgment faileth me, for I am assured that the spirit of God is not the author of it; for first I see two parts freely given to the devil, and the third must be divided betwixt God and the devil. Well, bear witness to me that this day I say it, before long the devil shall have three parts of the third, and judge you then what God's portion shall be." *

Modification of ministers' stipends.

Besides the parties commissioned to ascertain the amount of ecclesiastical revenues, there were others appointed under the designation of "Modificators," whose province it was to modify the stipends that should be paid to ministers; and certainly, if the excellence of modification lay, as the etymology of the word might suggest, in circumscribing within narrow limits, they discharged their duty with singular ability and success. It seems to have been their chief concern that the ministers should be well kept down, and have no opportunity of "being over wanton," to use the words of Knox, "in their living;" for to some they assigned but one hundred marks, and three hundred marks was the highest sum they allocated to any, excepting superintendents and a few others. And what added to the evil was, that even these miserable sums were not faithfully and regularly paid. The Laird of Pittarrow, who had been all along a warm friend of the Reformation, was the individual appointed to pay the stipends according to the modification made; and hence arose a satirical proverb, reflecting upon him: "The good Laird of Pittarrow was an honest, earnest professor of the true religion; but the devil may run away with the comptroller, for he and his collectors are become greedy factors." *

* Knox, vol. ii. p. 310.

Complaints of ministers.

Not a few complaints were made by the ministers about the impossibility of their living upon the small sums allocated to them; but they were coolly told that many lairds had not so much at their disposal. To this it was replied, that the function of ministers craved books, quietness, leisure, and travail, to edify the kirk; whilst lairds could employ their time in waiting upon their worldly business. The stipends of ministers, who had no trade, should not be modified according to the rents of other men, who might, and daily did, augment their income by divers means. Their complaints, however, neither excited sympathy at court, nor obtained redress. One day, the Secretary Lethington, when the support of ministers was the subject of conversation, exclaimed in anger †—"The ministers have this much paid them yearly, and which of them all has ever yet thanked the queen for it, or thanked God for her majesty's liberality towards them?" Knox tells us that one smiled, and answered—(doubtless it was Knox himself)—"Assuredly, I think that such as have received anything gratis of the queen are unthankful, if they acknowledge it not. But ministers are not in this position. I am persuaded that neither third part, nor two parts, ever appertained to any of her predecessors within this realm these thousand years past. The queen hath no better title to what she usurps, either in giving to others, or taking to herself, than those who crucified Christ had to divide his garments; yea, not so much, for the soldiers parted not the garments of our Lord till he was crucified. But the queen and her flatterers part the spoil, while poor Christ is preaching amongst us. Let the Papists who have got the two parts, and some the thirds, free, and others who have gotten abbacies and kirk-lands in feu thank the queen: the poor preachers will not yet flatter for the feeding of their bellies." ‡

How far Mary deserves credit for the distribution of ecclesiastical revenues.

Tytler avers that the arrangement regarding ecclesiastical revenues, when fairly considered, must be allowed to have been creditable to Mary, as involving a valuable and important concession, as legally recognising the right of Presbyterian ministers to be supported by the state, and as indicating her acquiescence in the reformed religion as the established faith of the country. § But certainly this is building a huge structure upon a narrow foundation. No man can blame Mary for adhering, as an individual, to her

* Calderwood, vol. ii. p. 172; Knox, vol. ii. p. 310; Tytler, vol. vi. p. 293.
† Knox, vol. ii. p. 312.
‡ Ibid.
§ Tytler, vol. vi. p. 293.

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own religion; but to claim credit to her for not overturning the established religion of the country is an absurdity, when she must have felt that this was a thing utterly beyond her power, and that the very attempt to do it would have involved the immediate loss of her crown. It is plain from her conversation with Knox, already referred to, that she considered the maintenance of the Protestant religion as a painful necessity. "Ye are not the kirk," said she, "which I will nourish; I will defend the kirk of Rome, which I think to be the true kirk." * About this time, too, she received letters from the Pope and from her uncles in France, whose counsel she was always disposed to follow when she could do so with safety, advising her to show favour to the Earl of Huntly, who had most power, and was best inclined to advance the interests of the Romish faith; and it is a well authenticated fact that Huntly, before her majesty's northern expedition took place, made various attempts to assassinate the Earl of Mar, afterwards Moray, who was the principal support of the reformed cause. And Archbishop Spottiswood mentions that, about this time, when certain petitions were presented to the queen at Stirling for the abolition of mass, and other superstitious rites of the church of Rome, her reply was, "that she would do nothing in prejudice of the religion she professed, and that she hoped, before a year was expired, to have the mass and Catholic profession restored through the whole kingdom." †

Now, this was all natural enough on the part of Mary, and she can hardly be blamed for it. It was an honest avowal of what there can be no doubt she felt in her inmost soul; but certainly it shows the absurdity of making it a ground of commendation, that she acknowledged the reformed religion as the established faith, and agreed to give any amount, however small, of pecuniary support to its ministers. A more reasonable view of the subject is, that Mary hoped she might be able, at no distant period, to overthrow the reformed religion, and to restore the church of Rome to its former position in the country; and in this case the two-thirds, which were left in the hands of the Romish incumbents and their friends, would remain for the support of the restored system; and the one-third might continue in the possession of the queen, and be appropriated entirely to the expenses of the court.‡ And meanwhile the utterly inadequate provision that was made for the Protestant ministers was calculated, so far as outward appearances have any influence on the respectability of men, to bring them as an order into contempt. That they maintained their influence in the country at all, is a proof of the inherent vitality of their principles, and of the energy with which they devoted themselves to the preaching of the Gospel and the discharge of their official duties.

* Knox, vol. ii. p. 283; Calderwood, vol. ii. p. 152.
† Spottiswood, p. 185; McCrie's Life of Knox, vol. ii. p. 60.
‡ Hetherington's History of the Church of Scotland, p. 34.

Meeting of the General Assembly at Edinburgh.

An assembly of the church was held at Edinburgh, on the 29th of June, in the house of Mr. Henry Lauder, comprising superintendents, ministers, elders, and barons, as commissioners from towns and shires. The whole number present amounted, according to the Book of the Universal Kirk, to thirty-five;* which shows, after every allowance is made for those who might be unable to attend, that but a small portion of the country as yet was planted with churches, and brought under the care of settled ministers. The first business that engaged the attention of the assembly was an inquiry into the doctrine, life, and diligence of the various office-bearers of the church; after which, all present were required to give an account of the state of religion in their several districts, and to mention any offences or crimes of whose prevalence they were cognisant, that a timely remedy might be applied. Measures were also adopted for securing the cordial co-operation of elders with ministers in the government of the church; and ministers were strictly enjoined to be subject to superintendents, who were to visit them from time to time, and to take notice particularly what books they had in their possession, and what evidence they gave of having faithfully and profitably perused them. On account of the great scarcity of preachers, temporary arrangements were made, to subsist till the next assembly, by which a number of ministers were required to preach at intervals in certain vacant churches. It was found that Mr. John Sharp had altogether relinquished preaching; and although he pleaded inability to continue this duty till he should have acquired further knowledge, the assembly were satisfied with his gifts, and ordained him to serve in the ministry wherever the superintendent of Lothian should place him, under pain of incurring the censures of the church. Mr. Sharp, however, followed his own course. He became an advocate, and long practised at the bar with great success; nor were the threatenings of the church ever carried into effect against him. It must be admitted that it was a stretch of power, and that if successful, it would have been pernicious to attempt to retain any man in the ministry against his will; but there can be no doubt that the assembly were actuated by the desire of doing everything that was possible for spreading the Gospel through every corner of the land.†

Supplication of the Assembly for redress of grievances.

At this assembly it was agreed to present to the queen's majesty and her most honourable council an earnest supplication for redress of grievances. The continuance of the mass was vehemently complained of; it was called the fountain of all impiety, not only because many take boldness to sin by reason of the opinion they have conceived of that idol, viz., "that in virtue of it they obtain remission of sins; but also because,

* Book of the Universal Kirk, pp. 8, 9.
† Knox, vol. ii. p. 337; Calderwood, vol. ii. p. 183; Book of the Universal Kirk, p. 8.

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under colour of the mass, whores, adulterers, drunkards, blasphemers of God, contemners of his holy sacraments, and such other manifest malefactors, are maintained and defended. For, let any mass-sayer, or earnest defender of mass, be deprehended in any of the foresaid crimes, no execution can be had; for it is alleged that all is done in hatred of his religion; and so the wicked are permitted to live wickedly, cloaked and defended by that odious idol. And if your majesty ask why we are so earnest now? we answer, because we find ourselves frustrated of our hope that your grace's heart would have been so far mollified as to hear the public doctrine taught within this realm; by which our further hope was, that you would have suffered your religion to be tried by the true touchstone of God's word." The punishment of flagrant vices was demanded—such as adultery, fornication, blasphemy, contempt of God, his word and sacraments. "If any object that the infliction of punishment cannot be commanded without a parliament, we answer that the eternal God, in his parliament, hath pronounced death to be the punishment of adultery and blasphemy; whose acts, if you put not in execution, he will not only repute you patrons of impiety, but also not fail to punish you for neglecting his judgments." The case of "poor labourers of the ground, poor destitute persons, orphans, widows, and strangers, and of poor ministers of Christ," was next brought into view. The labourers of the ground were described as oppressed by those who paid their thirds according to the recent enactment, inasmuch as they exacted from the poor an equivalent for what they paid to the queen, or to any other party. "The indigent and helpless were so despised, that it seemed a wonder God allowed the sun to shine upon the earth, where no mercy was shown to his creatures. And, as for the ministers, their livings were so modified, and so ill-paid, that most of them lived but a beggar's life. And all this cometh of that impiety, that the idle bellies of Christ's enemies must be fed in their former delicacies. We dare not conceal from your grace and honours our conviction, which is this, that neither by the law of God, nor by any just law of man, is anything due unto them who now exact from poor and rich the two parts of their benefices, as they call them. And, therefore, we most humbly require that some order may be taken with them, that they be not set up again to empire above the people of God; for we fear that such usurpation to their former state shall neither, in the end, be pleasing to themselves, nor profitable to those who would replace them in their tyranny. That a competent living should be assigned to them, we object not, provided the labourers of the ground be not oppressed, the poor utterly neglected, and the ministers of the word so sharply treated as they are now." *

This supplication was unanimously approved by the Assembly, but the courtiers, and especially Lethington, were utterly opposed to the idea of presenting such a document to her majesty. "Who ever saw it written to a prince 'that God would strike the head and the tail.'" It was answered that Isaiah used this manner of speaking, a man acquainted with the court, and said to be of the king's stock. "But why use these words, 'that if the Papists did what they list, men would begin where they left;' for I am assured the queen will never erect nor maintain Popery." "Let your assurance," it was responded, "serve for yourself, it cannot serve us, for her proceedings argue the contrary." It was concluded that the supplication should be presented in its present shape, unless the secretary would agree to frame another of similar import. To this Lethington assented; and he so remodelled it that, when it was presented to the queen by the superintendents of Lothian and Fife, she said, "Here are many fair words; I cannot tell what the hearts mean." "And so," says Knox, "for our painted oratory, we got a name very near to flatterers and dissemblers. And this was all the answer the supplication of the Assembly received."*

Supplication modified by Lethington before being presented.

On account of the scarcity of preachers, the Assembly had judged it expedient to appoint various ministers to proceed to different parts of the country, for the purpose of preaching the Gospel among the inhabitants, and supplying the various churches. In pursuance of this appointment, George Hay preached with great effect, for the space of a month, in all the churches of Carrick; and Knox himself visited Kyle and Galloway, proclaiming the unsearchable riches of Christ with his usual eloquence and power, and followed by multitudes wherever he went. It appears that Knox had some suspicion (although he acknowledges without any palpable ground) of the motives by which her majesty was actuated in visiting the northern counties of Scotland during this summer, that being the part of the kingdom where Popish principles still continued in the ascendant; and, therefore, he wrote to the Duke of Chatelherault, to whom the Archbishop of St. Andrew's and the Earl of Huntly, the leading noblemen in the Romish interest, had made some overtures for a change of public measures, warning him of the guilt he should incur by opposing the Reformation, and the ruin he would certainly bring upon his house and name. † The Reformer also communicated his fears to the nobility and barons of the west country, and exhorted them, while they were faithful in their allegiance to the existing government, to be watchful lest the religion which they professed should be exposed to danger from the machinations of its numerous and unscrupulous enemies. A meeting was accordingly held at Ayr of the barons and gentlemen of Kyle, Cunningham, and Carrick, who were attached to the doctrines of the Reformation; and, after due deliberation, they agreed to subscribe the following bond: "We, whose

Expedient for remedying the evils occasioned by scarcity of preachers.

* Knox, vol. ii. p. 338; Calderwood, vol. ii. p. 188.

* Knox, vol. ii. p. 345. † Ibid, 346.

names are under written, do promise, in the presence of God, and of his Son our Lord Jesus Christ, that we, and every one of us, shall and will maintain and assist the preaching of his Holy Evangel, now of his mere mercy offered unto this realm, and also will maintain the ministers of the same against all persons, power, and authority that will oppose the doctrine proposed, and by us received. And farther, with the same solemnity, we protest and promise that every one of us shall assist others, yea, and the whole body of Protestants within this realm, in all lawful and just actions against all persons; so that whosoever shall hurt, molest, or trouble any of our body shall be reputed enemy to the whole, except the offender will be content to submit himself to the judgment of the Kirk now established among us. And this we do, as we desire to be accepted and favoured of the Lord Jesus, and re-accounted worthy of credit and honesty in the presence of the godly. At the borough of Ayr, the ferd * day of September, the year of God, MDLXII."† This bond was subscribed by about two hundred gentlemen of property and influence in the west, which shows how deep a root the doctrines of the Reformation, so faithfully preached by Wishart some years before, had taken in that quarter.

Bond subscribed at Ayr.

While Knox was in Ayrshire, the zeal of Quintin Kennedy, brother of the Earl of Cassilis, and Abbot of Crossraguel, was stirred up to offer him battle on the disputed territory of religion; and accordingly he wrote to the Reformer, that understanding he had come to that neighbourhood seeking disputation, he would not refuse, but, on the contrary, "earnestly and effectuously coveted" to encounter him. It was arranged, after sundry communications, that they should meet on the 28th September, in the house of the provost of Maybole, forty persons on each side being admitted as witnesses of the dispute, and then as many more as the house could conveniently hold. When they met, Knox "addressed himself to make public prayer," which sorely offended the Abbot at first; but, as Knox would not allow himself to be hindered, Kennedy and his friends gave audience; and, when the prayer was concluded, he exclaimed, "By my faith, it is well said!" The subject agreed upon for conference was the sacrifice of the mass, which the abbot, after protesting that he was not to be understood as allowing that this was at all a disputable question, having been already determined by general councils, declared himself ready to defend; and Knox, on the other hand, maintained that, whether you considered the name of the mass, its form and action, the efficacy ascribed to it, or the administrator with his authority for doing what he did, it was utterly destitute of foundation in Scripture. To this the Abbot replied that it was not his purpose to defend any man's mass, yea, not even the Pope's own mass, but only the mass of Jesus Christ, conformable to the definition contained in his work, which Knox had undertaken to impugn; and he described the mass as being, in its substance and effect, the sacrifice and oblation of the Lord's body and blood given and offered by him in the Last Supper. The argument adduced in proof of this position was grounded upon the alleged oblation of bread and wine by Melchisedek to God, when he met Abraham returning from the slaughter of the kings. Christ was a priest after the order of Melchisedek, and as Melchisedek had offered bread and wine to God, therefore it followed that Christ must have made an oblation of his body and blood in the bread and wine of the Last Supper. "Your ground, my lord," said Knox, who took care to explain that he so designated him, not on account of his office, but on account of his blood, "is that Melchisedek is the figure of Christ in that he did offer unto God bread and wine, and that it behoved Jesus Christ to offer in his latter supper his body and blood in the forms of bread and wine. I answer to your argument that Melchisedek offered neither bread nor wine unto God, and therefore your conclusion is utterly unsupported." "Prove that," said the Abbot. Knox rejoined that he was not bound to prove a negative. It was incumbent upon the Abbot to point out that Melchisedek had offered to God the bread and wine which he brought along with him. The Abbot, however, insisted that Knox should show for what purpose Melchisedek carried forth bread and wine with him when he went to meet Abraham, if not to offer them to God; and then the Reformer, although protesting that it was not he, but the Abbot, who was bound in argument to prove what was done with the bread and the wine, declared his opinion to be that they were designed for the refreshment of Abraham and his servants. This opinion was now keenly assailed by the Abbot, who endeavoured to show that Abraham being loaded with the spoils of the enemy did not need any supply of food from Melchisedek; and, moreover, he remarked that the text said Melchisedek brought forth the bread and the wine, but it was very unlikely that one man, and that man a king, should carry as much food as would refresh three hundred and eighteen men.

Disputation between Knox and the Abbot of Crossraguel.

Knox would gladly have entered on a more general and comprehensive view of the subject, taking up the various points which he had indicated in his opening remarks. The Abbot, however, would not let go his hold of Melchisedek, whom he had pressed with so little reason into the service of the mass, but continued to urge a variety of objections against Knox's view of the purpose for which bread and wine were brought out by the King of Salem. And, at length, when Knox insisted that he should prove that the bread and wine were offered by Melchisedek as an oblation to God, he put into his hands a book, to which he referred him for proof of this position; and thus the disputation was brought to a close. Knox was desirous

* Fourth.
† Knox, vol. ii. p. 348.

that the conference should be continued, if not in Maybole,* where there was a difficulty of procuring entertainment for all who were assembled, at least in Ayr, where no such inconvenience would be experienced; but this the Abbot declined, saying that he would come to Edinburgh for the purpose, provided the queen's permission were obtained.†

Proceedings of the General Assembly in Dec., 1562.

Another meeting of the General Assembly was held at Edinburgh, on the 25th December, in the old Council-house; at the opening of which prayer was offered up by John Knox, for the presence and help of God's Holy Spirit. The first business which engaged the attention of the Assembly, was an inquiry into the manner in which all the office-bearers of the Church had discharged their duties since last meeting; and the impartiality and strictness with which the scrutiny was conducted, are apparent from the fact, that charges were brought against some even of the superintendents. The Superintendent of Fife was accused of being slack in preaching, rash in excommunicating, and too much given to worldly affairs; the Superintendent of Angus was blamed for admitting unqualified persons to be ministers, exhorters, and elders, and not taking sufficient pains to secure, on the part of those under his inspection, the faithful discharge of their official duties. There were many popish priests residing in their former parishes, who, without being examined or admitted by the authorities of the Reformed Church, took upon them the office of parish ministers. It was therefore ordained by the Assembly, that all who had before been "slanderous in doctrine," and had not satisfied the "Kirk," or who had not been presented by the people to the superintendent, and examined and appointed by him to their charges, as well those called bishops as others, should be inhibited from preaching, unless they signified their readiness to appear before the superintendents, or before commissioners appointed by the Assembly for this purpose, that they might receive admission from them in the usual form. A copy of this act was to be affixed to the doors of all the principal churches.

Planting of kirks.

Complaint was made that the north country was for the most part destitute of ministers, and, therefore, measures were taken for the appointment of a superintendent in Aberdeen. Three individuals were nominated by the Assembly as candidates, any one of whom the church in Aberdeen might choose to the office; and the Superintendents of Fife and Angus, and such learned men as they might associate with them, were appointed to complete the settlement in due form in the kirk of Old Aberdeen. Similar measures were taken for the appointment of a superintendent over Dumfries, Galloway, and Nithsdale; two individuals being nominated as candidates for the office, and, meanwhile, one of them, who had formerly been Bishop of Galloway, was commissioned to admit ministers, exhorters, and readers, and to do all that was urgently needed for the planting of kirks. This case proves that bishops converted from popery were not allowed to exercise ecclesiastical jurisdiction in virtue of the episcopal office with which they had formerly been invested. If the Scottish Reformers had attached importance to the so-called apostolic succession, they had the means of preserving it among them; but, in their view, the true successors of the Apostles were those who held the same doctrines, exhibited the same zeal in the promulgation of them, and manifested the same Christian uprightness and integrity of life. Successors of the Apostles, holding different doctrines from those which they held, not troubling themselves to preach any doctrines at all, living in gross and notorious immorality, and yet having power to communicate a divine influence and authority by imposition of their hands, constituted an anomaly and an absurdity, which our reforming forefathers had too much earnestness of purpose, and too much appreciation of the spiritual character of the Gospel, to tolerate for a moment.

Translation of ministers.

Power was given by this Assembly to superintendents, in their synodical conventions, with the concurrence of a majority of the ministers and elders present, to translate ministers from one church to another within their own bounds; and ministers were charged to obey the appointments thus made.

Synods.

It was also ordained that synods should be held twice every year, viz. in April and October, on such days as the superintendents might fix, and that due intimation should be made by them to the churches, that the minister, with an elder or a deacon from each church, might repair to the appointed place, and take part in deliberating on those affairs which were of common interest to all.

Celebration of the supper.

Enactments were made with regard to a uniform order to be observed in the administration of the sacraments, the solemnisation of marriage, and the burial of the dead, in accordance with the book of Geneva; and it was appointed that the communion should be observed four times each year in boroughs, and twice in rural parishes.

Extent of the jurisdiction of the Church.

In this assembly, the superintendents of Angus, Lothian, Glasgow, and Fife were appointed as a commission, along with David Forres, to consult with the Lords of the Secret Council, for the purpose of ascertaining what causes were to come under the jurisdiction of the Church, and what order should be followed in deciding them. This commission was also entrusted with the task of endeavouring to procure the discontinuance of markets that were held on the Lord's day, and of bringing under the notice of her majesty the urgent necessity of

* There was a great scarcity of provisions, and Dr. McCrie remarks, that if bread and wine had been brought into the room where they were assembled, there would have been no difficulty in deciding what could be the purpose of such a phenomenon.

† McCrie's Life of Knox, vol. ii. pp. 66—72.

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making some provision for the support of the poor.

Stipends and manses.

Many complaints were made with regard to the inadequacy of the stipends paid to ministers, and the want of manses, which were detained by the former possessors, or let in feu to nobles and barons. The comptroller, justice-clerk, and clerk of register, promised that, where the thirds were remitted to the possessors and the queen's majesty, they would charge the principal intromitters and possessors of the tithes to pay the ministers' stipends; and, with regard to manses, they would endeavour to get them assigned to the queen's third part, that the ministers might thus come into the possession of them. Some proposals were made for the presentation of a supplication to her majesty with regard to the idolatry of the mass set up in various quarters, but the reception which had been given to the former supplication prevented any step from being taken at this time.*

Case of Paul Methven.

One very painful case occurred at this assembly, which, while it showed that scandals will sometimes make their appearance where they are least to be expected, at the same time demonstrated that the Reformers were determined to maintain Scriptural discipline in the Church. Paul Methven, who had taken so distinguished a part in promoting the Reformed doctrines, was charged with adultery; and the Assembly, although it might be supposed they would have been tempted, for the credit of the Church, to suppress the proceedings, yet threw aside all prudential considerations, and appointed John Knox to proceed to Jedburgh, in January, to investigate the evidence of the charge, and to report to the Session of the Church in Edinburgh, who, along with the Superintendent of Lothian, were commissioned to pronounce sentence as they should see cause. Methven was found guilty and excommunicated. He retired to England, where he remained for several years; but he wrote again and again to his friends in Scotland, making the deepest professions of penitence, and most earnestly craving to be received back into the fellowship of the Church. At length, his case was taken up by the Assembly, in June, 1566, and when he appeared before them, he fell on his knees, burst into tears, and said he was not worthy to appear in their presence, but desired them, for the love of God, to allow him to make a public expression of his penitence. It was his wish that the minutes relating to his case should be expunged from the records of the Church, but, although this request was decidedly refused, yet he was taken under discipline, and certain ministers were appointed to arrange the form of his restoration. A very severe course of discipline was prescribed to him. He was to appear at the principal entry of St. Giles's Church, in Edinburgh, when the bell was ringing for worship, at 7 o'clock on Wednesday morning, clothed in sackcloth, his head and his feet bare, and, after standing outside till the prayer and psalms were finished, he was to enter the church that he might hear the sermon, during which he was to be "placed in the public spectacle above the people." All this was to be repeated on Friday, and again on Sunday, on which last occasion, at the close of worship, he was to profess his sorrow before the congregation, and then resuming his wonted apparel, he was to be received back into the communion of the Church. The same process was to be gone through at Dundee and Jedburgh, as these were places where he had laboured in the work of the ministry. The ordeal was a very severe one, and Methven felt it to be a grievous burden, alleging that he was treated with overstrained severity. However, by the advice of his friends, he entered upon it, and went through the greater part of it; but his courage failed him before it was completed, and he retired again into England, deeply mortified and lamenting that he could never again recover his lost reputation.*

Few will now deny that the course of discipline prescribed to Methven was of too humiliating a character, and calculated to destroy all his influence, on the supposition that he had been restored to any office in the Church. But we must remember that the Reformers considered it one of the greatest blemishes in the Church of Rome, that all discipline for acts of immorality had been laid aside; and they had severely and justly inveighed against the gross licentiousness universally prevalent among the clergy, who, although professing celibacy, and highly extolling its virtues, yet took other men's wives and daughters, and had children openly acknowledged as their own, without ever being called in question for these flagrant breaches of morality. It was not surprising, therefore, that when the first case of this kind arose amongst themselves, the Reformers should mark their abhorrence of it very strongly, and adopt such measures as might appear best calculated to prevent any laxity of manners from creeping into their own ranks. They are often blamed for the severity and alleged coarseness with which they censured the vices of the court, but their sincerity, at least, is apparent from the fact that they were more severe upon offenders in their own ranks than upon any others. Their object was to erect an exalted standard of moral and Christian excellence in the country, and if they erred in the excessive severity of some of their plans, their error is at least one that should shield them from all sneering reproach. Of no class of men could it more truly be said, that their very failings leaned to virtue's side.

New collision between her majesty and the Protestants.

The spring of 1563 witnessed a new collision between the queen and the Protestants. At Easter, the adherents of the Romish Church, encouraged by the continued toleration of mass in the queen's chapel, and by secret promises of

* Calderwood, vol. ii. pp. 205—210; Knox, vol. ii. pp. 363—366; Book of the Universal Kirk, p. 12.

* Calderwood, vol. ii. p. 210; Knox, vol. ii. pp. 366—531; Book of the Universal Kirk, p. 23; McCrie's Life of Knox, vol. ii. p. 74.

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royal protection,* commenced the public celebration of the mass in various parts of the kingdom. This excited a great commotion; and the Protestants, despairing of any measures of coercion on the part of her majesty's Council, determined, without asking the interference of the court, to carry the law into effect wherever they had the power. This was naturally very offensive to the queen, and she sent for Knox to Lochleven, with the view of inducing him to dissuade the people, and particularly the gentlemen of the west, who were very zealous in the matter, from interfering with any man for the exercise of his religion. Knox reminded the queen what the law of the land was, and assured her that if it were faithfully executed, the Protestants would maintain the utmost quietness and submission. Mary then blamed the Protestants for attempting to take the sword of the magistrate into their own hands; but Knox rejoined that the sword of justice was God's sword, and that chief magistrates were not the only parties who had the right of inflicting punishment, for power was given by act of parliament to all judges within their bounds to search out mass-mongers and hearers of mass, and to punish them according to the laws. "Therefore it is expedient," said he, "that your majesty consider what is the thing your grace's subjects look to receive of your majesty, and what you ought to do to them by mutual contract. They are bound to obey you, but in God: you are bound to keep the laws unto them. You crave of them service; they crave of you protection and defence against evil-doers. Now, madam, if you shall deny your duty to them which openly craveth that you punish malefactors, think you to receive full obedience of them? I fear, madam, you shall not." This freedom on the part of the Reformer excited the displeasure of the queen, and she hurriedly broke off the conversation.

Conference between her majesty and Knox.

It was Knox's purpose to return immediately to Edinburgh; but next morning Mary sent for him again, and he met her at Kinross, while she was amusing herself with the favourite pastime of hawking. She received him with the utmost familiarity and condescension; all trace of displeasure had vanished from her countenance; and she entered into conversation with him on various subjects. Among other things, she mentioned that she understood there was to be a superintendent appointed for Dumfries, and that the Bishop of Athens † was desirous of filling the office. Knox allowed that he was a candidate. "If you knew him," said she, "as well as I do, you would never promote him to any office in your kirk."—"What he hath been, madam, I neither know nor yet will I inquire: for, in time of darkness, what could we do but grope and go wrong, as darkness carried us. But if he fear not God now, he deceives many more than me. And yet, madam, I am assured God will not suffer his Church to be so far deceived as that an unworthy man shall be elected where free election is; and the Spirit of God is earnestly called upon to decide betwixt the two."—"Well," replied her majesty, "do as you please; but that man is a dangerous man." Her words led Knox, who had a commission connected with the appointment, to delay the election till further proof of his sincerity should be obtained; and, in fact, it turned out that he had been guilty of corrupt practices.* The conduct of the Countess of Argyle, her own sister, natural daughter of James V., was next made a subject of conversation by the queen; and as Knox had once before been the means of producing a reconciliation between that lady and her husband, she requested, as a personal favour, that he would again interpose his best endeavours to bring their dissensions to a close. And she concluded the conversation by saying—"And now, as touching our reasoning yesternight, I promise to do as you required. I shall cause summon all offenders, and you shall know that I shall minister justice."—"I am assured then," replied Knox, "that you shall please God, and enjoy rest and tranquillity within your realm, which, to your majesty, is more profitable than all the Pope's power can be."

A second conference between her majesty and Knox.

In accordance with this promise of her majesty, the Archbishop of St. Andrew's, the Prior of Whithorn, the Parson of Sanquhar, and other Romanists, to the number of forty-seven, were summoned to appear before the Justiciary Court, charged with celebrating mass, and attempting to restore Popery. Their trial took place on the 19th of May, a very few days before the meeting of parliament. When the queen asked counsel of the old Laird of Lethington, he replied that she must see her laws kept, otherwise she could expect no obedience. It was ultimately decided by the court that the offenders should be subjected to restraint; and they were accordingly "committed to ward," some in one place, and some in another.†

Proceedings against the Archbishop of St. Andrew's and others.

Knox was not a little gratified with the conversation which her majesty had held with him; and the report which he gave of it to his brethren, coupled with the proceedings that were immediately afterwards instituted against the Archbishop of St. Andrew's and his associates, produced a very favourable impression upon the public mind. In consequence of this, Mary obtained from the Protestants whatever she desired;‡ for this was the reasoning of many—"We see what the queen has done; the like of this was never heard of within

Impression made upon Knox by the queen.

* McCrie's Life of Knox, vol. ii. p. 77.

† The titular Archbishop of Athens, Alexander Gordon, afterwards Bishop of Galloway, was the person referred to, and not the Bishop of Cathenis, or Caithness, as some have imagined.

* Knox, vol. ii. p. 374.

† Knox, vol. ii. p. 380; McCrie's Life of Knox, vol. ii. p. 83.

‡ Knox, vol. ii. p. 380.

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the realm; we will bear with the queen; we doubt not but all shall yet be well." Knox, however, soon changed his mind. He became persuaded that her sole purpose had been to disarm him by a display of familiarity and condescension, and to deceive the Protestants by a partial execution of the laws against mass, that she might induce them to abstain, at the meeting of parliament which was now close at hand, from urging their demands with regard to religion; and the result was exactly in accordance with this view of the subject. For, though some of the Protestants were deeply impressed with the conviction that in this, the first parliament held since her majesty's return, it was indispensable to obtain a ratification of the treaty of peace made in July, 1560, and a confirmation of the establishment of the Protestant church; yet others, although perhaps equally concerned about these important objects, conceived that it would be better not to urge them upon her majesty's attention at present. Let this parliament pass over, it was said, and a more favourable opportunity will be found, when the queen's marriage comes under consideration, for making a final settlement with regard to religion. It was answered by Knox, that poets and painters were right in representing occasion with a bald hind-head; that an opportunity once offered, and allowed to pass by, was seldom recovered again. It was on this occasion that the intimate friendship which had so long subsisted between Knox and the Earl of Moray was interrupted, and they became so much estranged from each other, that for a year and a half they scarcely exchanged words. Knox had a soul elevated above all worldly considerations of mere policy, and he could not bear that the cause of God should be pushed aside to make room for matters of earthly and passing interest. It touched him to the quick, that men who had contended so long for a good cause, and had been the means of raising it to so high an elevation, should allow their zeal to cool, and lose the most favourable opportunity for completing the work which they had begun. Knox was not a man who could suppress his feelings, or was ever afraid to utter them. Before parliament separated, he took occasion in a discourse, at which many of the nobility were present, to exhibit the mercy which God had showed to the realm, in delivering it from a degrading bondage, and to describe the ingratitude with which this mercy had been received. "And is this then your thankfulness to God, to betray his cause, when you have it in your own hands to establish it as you please? The queen, say you, will not agree with us. Ask from her what by God's word you may justly require, and if she will not agree with you in God, you are not bound to agree with her in the devil. Let her plainly understand so much of your minds, and steal not from your former stoutness in God, and he shall prosper you in your enterprises. But I see nothing but recoiling from Christ Jesus. Yea, some say that we have nothing of our religion established by law or parliament. Albeit the malicious words of such can neither hurt the truth of God, nor yet us who depend thereon; yet the speaker, for his treason committed against God and against this poor commonwealth, deserves the gallows." And before he concluded, he made a reference to the rumours current regarding the queen's marriage. "This, my lords, will I say, that whenever the nobility of Scotland, professing the Lord Jesus, consent that an infidel (and all Papists are infidels) shall be head to your sovereign, you do what lies in your power to banish Christ Jesus from this realm; you bring God's vengeance upon the country, a plague upon yourselves, and perchance you shall do small comfort to your sovereign." *

His change of view.

Breach between Knox and Moray.

Knox's reproof of the Protestant nobles.

The freedom with which Knox expressed himself regarding the marriage of the queen, gave great offence both to Protestants and Romanists, and, above all, to the queen herself. He was summoned into the royal presence to answer for his conduct. So far was he, however, from retracting what he had said, that he expressed to her majesty the same sentiments which he had uttered in public. Knox was a stranger to fear. He always spoke as his conscience dictated, and in no circumstances would he stoop to the mean artifice of denying or explaining away what he had really said. He was ready to bear anything in the shape of reproach or suffering, but "he dared not hurt his conscience, or betray the commonwealth, through his silence."†

Whatever may be thought by some of the prudence of Knox, in taking upon him to give an opinion respecting the marriage of his sovereign, there can be no reasonable doubt that his sentiments were correct and judicious. It is easy to depict in moving terms the hardship of imposing restraints upon the choice of a queen in a matter so personal to herself; but the marriage of a sovereign, particularly if a female, is a very different thing from the marriage of a subject, and it concerns the community just as much as it concerns the sovereign. And, in fact, the correctness of Knox's view has been confirmed by the judgment of all succeeding times; and it is now the established law and practice of this country, to guard the throne from the infection of Romish principles. It comes with an ill grace, therefore, from men of the present generation to condemn Knox for the bigotry of his sentiments, when they have themselves adopted them. Rather is he to be admired for the forecasting sagacity which enabled him to anticipate what the bitter experience of subsequent times compelled the country to establish with all the solemnity of law. The marriage of a British queen to an avowed Romanist would not be tolerated at the present day, though it cannot be said that such a connexion would

Correctness of Knox's view.

* Knox, vol. ii. pp. 384—386.
† Ibid, p. 389.

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be attended with more danger now, than in the unsettled times of the Reformation. Yet there are persons who would themselves disapprove of the marriage of our sovereign to a Romish prince, who charge Knox with intolerance and bigotry for the view which he took of the anticipated marriage of Mary, as if he should have been in advance, not only of his own time, but also of the boasted enlightenment of the nineteenth century.

If it be said that Knox, as a minister of the Gospel, had no right to intermeddle with such matters, let it be remembered that there was no newspaper press in those days, through which public feeling could be expressed, or public opinion moulded and regulated. The pulpit combined within itself the functions which are now divided between pulpit and press; and Knox was both the master intellect of his age, and the special guardian of those very interests which were most likely to be injured by the marriage of the queen to a Romish prince. It was, therefore, undoubtedly his duty to lift up a warning voice when he saw danger approaching. Those who imagine that there was no danger to the religion of the country, should remember that in this very year, on the 10th of May, the Cardinal of Lorraine presented letters to the Council of Trent from the Queen of Scotland,* submitting herself to the council, and promising to bring both England and Scotland under subjection to the Apostolic See, so soon as she should be advanced to the crown of England. If this design had been accomplished, (and who will say that Mary would not have rejoiced to accomplish it, if she had been able?) it is only necessary to look to Spain and Portugal, and other Romish countries, to see a picture of the state we should have been in at the present moment. It is strange perversity, and something like ingratitude, for men who enjoy the precious blessings of liberty and prosperity so profusely scattered abroad in this highly favoured land, to raise a cry of bigotry and officiousness against the very persons whose untiring efforts, patient watchfulness, and far-seeing sagacity, were the means, under God, of laying the foundations of that superstructure of freedom and greatness which is now the wonder of the world. Do they mean that it would have been worth while to sacrifice all these blessings, for the sake of allowing Mary entire liberty to do as she pleased?

Meeting of the General Assembly.

A General Assembly of the Church was held at Perth, in June. After the usual trial of superintendents, and other office-bearers, commission was given to sundry ministers to plant kirks, to suspend, deprive, and transplant ministers, to confer vacant benefices, and to procure the eradication of all monuments of idolatry within the bounds assigned to them. Their authority was equal to that of the superintendents, but it was limited to a year's duration, requiring to be renewed from time to time; and the purpose of their appointment was to hasten forward the work of bringing the Church into a position of settled and complete efficiency throughout the whole country. The right of appeal from sentences of ministers, elders, and deacons, to synodal conventions, and from synodal conventions to the general assembly, was established; although, for the purpose of preventing unnecessary and factious appeals, it was ordained that the synod and the assembly should have the power of imposing a fine, which was to be distributed among the poor, upon parties whose appeals were found altogether unwarranted. Measures were also adopted for the advancement of a sound moral and religious education, and for the prevention of publications calculated to corrupt the purity of gospel truth. It was decreed that no work should be published on any religious topic without being first submitted to the superintendent of the district, and approved by him and such learned men as he thought proper to consult. This was an arbitrary measure, calculated to do more harm than good, which shows how defective were the views of liberty entertained by the Reformers, and how slow our forefathers were to discover the benefits of a perfectly free press.

Reversal of an old sentence pronounced by the Bishop of Ross.

A sentence which had been pronounced by the deceased Bishop of Ross, acting under a commission from the Archbishop of St. Andrew's, on the 26th August, 1534, against James Hamilton of Kincavell, Sheriff of Linlithgow, was brought under the notice of this assembly, and pronounced null and void; and all that had followed upon that sentence was reversed, Mr. Hamilton being restored to his honours, fame, and dignity. The charges on which the Bishop of Ross's sentence had been grounded were, that Mr. Hamilton had said that Patrick Hamilton died a good Christian, and he was content to die the same death; that there was no purgatory; that we ought not to pray for the dead; that man hath not free will in the Popish sense; also, that he said the Lord's Prayer in the vulgar tongue; that he had books in his possession condemned and suspected of heresy; and that he despised, and led others to despise, the preaching of the friars.*

Offence taken at the celebration of mass in Edinburgh.

While the queen was making a progress through the western counties, her French servants and attendants, whom she had left in Holyrood-house, observed mass with greater publicity than usual. This gave serious offence to the inhabitants of Edinburgh, many of whom repaired to the palace, and some of the more zealous Protestants entering the chapel, charged those who were present with transgressing the laws.† Intel-

* Calderwood, vol. ii. p. 216.

* Book of the Universal Kirk, p. 14; Calderwood's History, vol. ii. p. 223; Cook's History of the Reformation, vol. iii. p. 147.

† Spottiswood says that the Protestants forced the gates, and that some of the Papists were thrown into prison, while others, with the priest himself, escaped by the back way. But Knox, whose opportunities of knowing what took place

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ligence of these proceedings having been transmitted to Mary, Patrick Cranstoun and Andrew Armstrong were accused of forethought felony, hamesucken, violent invasion of the queen's palace, and spoliation of the same; and the 24th of October was appointed as the day of their trial for these offences. The brethren in Edinburgh, becoming apprehensive that it was intended to proceed to extremities against these men, authorised John Knox to write to the Protestants throughout the country, informing them how matters stood, and craving their assistance. This commission was duly executed by Knox, who wrote a circular letter, describing the dangerous circumstances in which the two brethren were placed, and pointing out the necessity of measures being taken for their defence. "My good hope is," he concludes, "that neither flattery nor fear shall make you so far decline from Christ Jesus, as that, against your public promise and solemn bond, you will leave your brethren in so just a cause. And though there were no danger, yet cannot your assembly be unprofitable, for many things require consultation, which cannot be had unless the wisest and godliest convene. Doubting nothing of the assistance of our God, if we uniformly seek his glory, I cease further to trouble you, committing you heartily to the protection of the Eternal."*

A copy of this letter falling into the hands of Mr. Henry Sinclair, President of the College of Justice, he immediately transmitted it to her majesty, at Stirling, with his opinion that it contained grounds for instituting proceedings against Knox himself. The letter was immediately laid by the queen before the Privy Council, who, to the great joy of her majesty, pronounced it to be treasonable; and, accordingly, the Reformer, instead of having the opportunity of defending others in their day of need, was placed himself in the position of a culprit, and summoned to stand trial for treason. The Earl of Moray and Secretary Lethington endeavoured to persuade him to acknowledge his offence, and to throw himself upon the queen's mercy, otherwise the consequences might be very alarming. "I praise my God," said Knox, "through Christ, that I have not learned to cry conjuration and treason at everything the godless multitude condemn, nor to fear what they fear. I have the testimony of a good conscience that I have done nothing but my duty; and my hope is that, whatever ensues, God will give me patience to bear it."—"But how can you defend yourself?" said Lethington. "Have you not convoked the queen's lieges?"—"If I have not a just defence," said Knox, "let me smart for it."—"Let us hear your defences," said they, "for we would be glad you were found innocent."—"No," said he, "I am informed by divers, that I am already condemned, and my cause prejudged: therefore, I might be reputed a fool, if I should make you privy to my defences."*

Proceedings against Knox for writing this letter.

When the day of trial arrived, which was about the middle of December, Knox appeared before the Council, and the brethren of Edinburgh attended in such numbers, that all the stairs and passages were filled. The queen herself was present; and when she saw Knox standing at the end of the table bareheaded, she first smiled, and then laughed outright, saying, "Yon man made me weep, and never shed a tear himself: I will see now if I can make him weep."† The secretary then handed to Knox the letter on which the charge of treason was grounded, that he might inspect it, and acknowledge whether it was written by him. Having briefly examined it, the Reformer replied—"I remember I indited a letter in October to brethren, in diverse quarters, of such things as displeased me; and good conviction have I that the scribes would not willingly adulterate my original, although I left several blanks with them; so I acknowledge both the handwriting and the ditement."—"You have done more," said Lethington, "than I would have done."—"Charity," replied Knox, "is not suspicious."—"Well," said the queen, "read your own letter, and then answer as you shall be demanded." The letter having been read by Knox in a loud and distinct voice, the queen exclaimed—"Heard you ever, my lords, a more despiteful or treasonable letter!"—"Are you not sorry," inquired Lethington, "that such a letter hath escaped your pen, and come to the knowledge of others?"—"My lord secretary," replied Knox, "before I repent I must be taught my offence."—"Offence!" said Lethington, "if there were no more than convocation of the queen's lieges, the offence cannot be denied."—"But there is a difference," rejoined Knox, "between a lawful and an unlawful convocation. If I be guilty in this, I have offended often since I last came into Scotland; for what convocation of the brethren hath been to this hour to which my pen hath not served?"—"What is this?" said the queen. "Methinks you trifle with him. Who gave him authority to convocate my lieges? Is not that treason?"—"No, madam," said Lord Ruthven. "He convoketh the people to hear prayer and sermons almost daily, and there is no treason in this."—"Hold your peace!" said the queen; "let him answer for himself."—"I began," said Knox, "to reason with the secretary, whom I take to be a far better dialectician than your grace, that all convocations are not unlawful; and my Lord Ruthven hath given an instance."—"I will say nothing," said the queen, "against your religious meetings;

Trial before the Council.

were far superior to the Archbishop's, gives no countenance to this statement; but, on the contrary, affirms that nothing further was done or said, than entering the chapel and addressing the priest. That Knox's account is correct is clear from this consideration, that if he had misrepresented any of the facts in his circular letter, this would have been laid to his charge at his trial; but, although the letter was produced, it was not alleged that it contained any unfair statement of the facts of the case. (Spottiswood, p. 188; Knox, vol. ii. p. 393.)

* Knox, vol. ii. p. 393; Calderwood, vol. ii. p. 232.

* Calderwood, vol. ii. p. 235; Knox, vol. ii. p. 402.

† Calderwood, vol. ii. 236.

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but what authority have you to convocate my subjects when it pleaseth you, without my warrant?" —"Madam, to satisfy your grace, I answer, that at my pleasure I never convocated four persons but according to the order appointed by the brethren. I have given diverse advertisements, and great multitudes have assembled thereupon. If your grace complains that this hath been done without your commandment or warrant, I answer, so hath all that God hath blessed within this realm from the beginning of this action. Therefore, madam, I must be convicted by a just law that I have done against the duty of God's messenger in writing this letter, before I can be sorry or repent. What I have done, I have done at the commandment of the Kirk within this realm. Therefore, I think I have done no wrong."

Another ground of accusation against the Reformer was now brought forward, and it was alleged that one sentence of his letter charged the queen with cruelty of disposition. "This fearful summons is directed against them (viz. the two brethren) to make, no doubt, a preparation upon a few that a door may be opened to execute cruelty upon a greater multitude." In reply to this charge, the Reformer denied that he had represented the queen as possessed of a cruel nature. He was speaking of Papists generally, and he referred to the experience of the whole assemblage, whether the supporters of the Romish faith were not deadly enemies of those who professed the Gospel, and thirsted for their extermination? "God forbid," exclaimed the lords, almost with one voice, "that ever the lives of the faithful stood in the power of Papists, for just experience hath taught us what cruelty lieth in their hearts!"—"Think you, then, my lords, that the insatiable cruelty of the Papists within this realm shall end in the murdering of these two brethren, now unjustly summoned, and more unjustly to be accused? I think no man of judgment can so esteem, but rather judge that by these two they intend to prepare for their bloody enterprise against the whole number. Therefore, madam, cast up when you please the Acts of Parliament. I have offended nothing against them, for I accuse not in my letter your grace of a cruel nature."

Acquittal of Knox.

After a good deal more reasoning and investigation, Knox received permission to retire to his house for the night. "I thank God," said he, "and the queen's majesty. I pray God, madam, to purge your heart from Popery, and to preserve you from the counsel of flatterers." When the question was put to the cabinet whether Knox was guilty or not, the lords voted with one voice that they could find no offence. And when the queen and Lethington, displeased with this issue, put the question again to the vote, the lords were indignant at this attempt to overawe them, and re-affirmed their former decision. Even the Bishop of Ross, a zealous Romanist, voted on the same side; and, when taunted by the queen for following the example of others, he replied—"Your grace may understand that it is neither affection to the man, nor love to his profession, that maketh me to absolve him, but the simple truth, which plainly appeareth in his defence.*

Efforts were now made in private to prevail upon Knox to confess a fault and submit himself to the queen's will; and assurance was given to him that he should simply be required to enter within the Castle of Edinburgh, and be permitted immediately to return to his own house. But he was firm as a rock. "God forbid that my confession should condemn the noblemen who upon their conscience, and with the queen's displeasure, have absolved me. Besides, you cannot really wish me to confess a fault, unless you would have me cease from preaching, for how can I exhort others to peace and Christian quietness, if I confess myself an author and mover of sedition?"†

Meeting of the General Assembly.

At the General Assembly, which met on the 25th December, 1563, Knox, to the surprise of many, maintained a profound silence till it should be decided whether he had exceeded his commission in issuing the circular letter, for which he had been brought to trial before the queen's council. Having defended himself before the council, on the ground that he was acting not as a private individual, but under authority received from his ecclesiastical superiors, he now called upon the Assembly to say whether they acknowledged the justice of this ground of defence. The Assembly at once decided that Knox had received a charge from the whole Kirk convened at Edinburgh to call meetings of the brethren in cases of emergency, and it was testified by Lord Lindsay, the lairds of Kelwood, Abbotshall, and Cunninghamhead, the superintendents of Angus, Fife, Lothian, the West, and Galloway, and the great bulk of the meeting, that they remembered well that Knox had desired to be relieved from the aforesaid charge, and that the Assembly would not accept his resignation of it, but required him to continue advertising the brethren from time to time as occasion should require.‡ Thus Knox was acquitted both by the civil tribunal and by the General Assembly, to the great disappointment of many, who had assured the queen that they would be able to procure his condemnation before both tribunals.

Other proceedings of this Assembly.

At this Assembly the usual trial of superintendents and commissioners took place, when several of them were accused of remissness in preaching, and other deficiencies in the discharge of duty. Commissions were renewed for the planting of additional churches. Ministers, exhorters, and readers were enjoined to visit the sick, and to use the co-operation of elders and deacons in this duty, and several ministers were suspended or censured for sundry faults or omissions of duty. Touching

* Calderwood, vol. ii. p. 241; Knox, vol. ii. p. 411; Heylin's History of the Presbyterians, book iv. p. 177.
† Calderwood, vol. ii. p. 239; Knox, vol. ii. p. 412.
‡ Calderwood, vol. ii. p. 244.

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the burial of the poor, it was ordained that a bier should be provided in every country parish, and that persons living adjacent to the house where the dead lay should follow the corpse to the grave, and bury it six feet under the earth.*

The Book of Discipline was again brought under the consideration of the Assembly. A revision of it was agreed to, and Earl Marischal, Lord Ruthven, the Lord Secretary, the Commendatory of Kilwinning, the Bishop of Orkney, the Clerk of Register, the Justice-Clerk, Henry Balnaves, David Forres, and George Buchanan, were entrusted with this important task. They were to commence their examination before the 6th of January, and to be prepared for reporting to the next General Assembly, or to the Lords of Articles, if a parliament should be held in the meantime.

The year 1564 was one of comparative quietness.

Meeting of the General Assembly.

When the Assembly convened in June, most of the Protestants who were connected with the court at first absented themselves. This attracted observation in the Assembly; and, on the motion of the Laird of Lundie, certain members were appointed to wait upon them for explanation, and to desire them to assist their brethren with their presence and counsel. On the day following, accordingly, they did attend; but the Duke of Chatelherault, the Earls of Argyle, Moray, Morton, Glencairn, Marischal, Rothes, the Master of Maxwell, the Secretary, the Justice-Clerk, the Clerk of Register, the Comptroller, and others, met by themselves in the inner council-house; and after consultation, they requested that the superintendents and some of the more learned ministers should be sent to confer with them. To this request the Assembly replied, that, being convened to deliberate upon the common affairs of the Kirk, they could not want the individuals with whom the Lords desired a conference; and, besides, it was not to be expected that the whole body would rest satisfied with conclusions that might be adopted in a private conference, where the arguments and reasons were heard by but a few. At length it was promised by the Lords that no decision should be come to, till the whole matter was brought before the Assembly in open court; and, on this condition, the superintendents of Angus, Fife, and Lothian, together with a few of the leading and more influential ministers were appointed to meet with the Lords, for conference on the topics which they were desirous of bringing under the notice of the Church.†

This conference was conducted almost entirely by Maitland and Knox. The secretary claimed credit to the queen for the religious liberty which she granted to the Protestants, although she herself held different religious principles, and blamed the ministers, particularly Knox, for the manner in which they prayed for her in their public services, and for the doctrines which they taught concerning the obedience due to her authority. Knox, in reply, recited what he designates the most vehement manner of prayer he was in the habit of using in public. "O Lord! if it be thy good pleasure, purge the heart of the Queen's Majesty from the venom of idolatry, and deliver her from the bondage and thraldom of Satan, in which she hath been brought up and still remaineth for lack of sound doctrine. And let her see by the illumination of thy Holy Spirit that there is no means to please thee but by Jesus Christ thine only Son, that she may avoid eternal damnation awaiting the finally impenitent, and that this poor realm may escape the vengeance that inevitably follows idolatry when maintained against the manifest word."* And he avowed that he could not, consistently with his conscientious convictions, adopt a form constructed on different principles, and such as would be pleasing to the secretary. "But why pray with a condition, 'if it be thy good pleasure?'"—"Because," replied Knox, "the Scripture saith, 'If ye shall ask anything according to his will he shall hear you.'"—"But in so doing you insinuate a doubt into the people's hearts with regard to her conversion."—"Not I, my lord, but her own obstinate rebellion causeth more than me to doubt of her conversion."—"Wherein rebelleth she," said he, "against God?"—"In all the actions of her life," replied Knox; "but in these two things especially, that she will not hear the preaching of the blessed Gospel, and that she maintains the idolatry of the mass."—"But she thinketh not that rebellion."—"Neither so thought they that offered their children to Moloch, and yet the Spirit says they offered them to devils."—"But yet why pray you not for her majesty without a doubt?"—"Because I have learned to pray in faith, and faith dependeth upon the word of God. Do you think the Apostles prayed themselves as they command others to pray?"—"Who doubteth of that?" exclaimed the whole company.—"Well, then, Peter said to Simon Magus, 'Repent, and pray to God that, if it be possible, the thought of thine heart may be forgiven thee.' And to speak freely, my lord, I wonder if you yourself doubt not of the queen's conversion, for more evident signs of induration have appeared in her, than Peter outwardly could espy in Simon Magus."†

Conference between the Lords and some leading ministers.

With regard to the very delicate subject of the resistance that may be given to the civil power, Maitland blamed Knox for teaching that a distinction should be made between magistracy as an ordinance of God, and the persons placed in authority, and therefore affirming that subjects were not bound to obey princes when they commanded unlawful things. "My lord," replied Knox, "the plain words of the Apostle affirm that the powers that be are ordained of God, for the preservation of quiet and peaceable men, and for

Knox blamed for his doctrine regarding resistance.

* Book of the Universal Kirk, p. 18.
† Knox, vol. ii. p. 425.

* Calderwood, vol. ii. p. 255; Knox, vol. ii. p. 428.
† Calderwood, vol. ii. pp. 256, 257; Knox, vol. ii. p. 430.

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the punishment of malefactors. Whence it is plain that the ordinance of God, viz., the office, is one thing, and the person clothed with power is another, for God's ordinance is the preservation of mankind and the punishment of evil-doers, which is holy, just, and perpetual; but men clothed with authority are commonly profane and unjust. 'I have said, Ye are gods, and all of you children of the Most High; but ye shall die like men, and you, princes, shall fall as others.'* Here the persons of rulers are threatened with death, but not the authority itself, which is holy and permanent. The prince, then, may be resisted, and yet the ordinance of God not be violated. For the people resisted Saul when he had sworn that Jonathan should die, and they delivered Jonathan, so that not a hair of his head fell to the ground."—"I doubt," replied Maitland, "if they did right."—"The Spirit of God," replied Knox, "accuseth them not of any crime, but rather praiseth them, and condemneth the king for his foolish vow and cruel mind. The same Saul commanded Ahimelech and the priests of the Lord to be slain, because they had committed treason by holding communication with David. His guard would not obey the unjust command, but Doeg became the executioner of the king's cruelty. I will not ask whether the servants of the king, in refusing to obey, resisted God, or whether Doeg, in murdering the priests, obeyed a just authority; for the Spirit of God, in the fifty-second Psalm, condemns the deed as a cruel murder, and affirms that God would punish not only him who commanded, but also him who did it. Therefore, I conclude that they who withstood Saul's command were not guilty of resisting the ordinance of God."†—"Then will ye," said Lethington, "have subjects to control their princes and rulers?"—"What harm," replied Knox, "should the commonwealth receive, if the corrupt affections of ignorant and godless rulers were moderated, and so bridled by the wisdom and discretion of godly subjects, that they do no wrong nor violence to any man?"—"All this reasoning," exclaimed the secretary, "is out of purpose; for we speak as if the queen should become such an enemy to our religion as to persecute and put innocent men to death for it, which I am assured she will never do. If she should attempt this, I should be as forward to oppose her as you are or any in this realm; but there is no such thing. Our question is, whether we may and ought to suppress the queen's mass, or whether her idolatry shall be laid to our charge."—"Idolatry," replied Knox, "ought not only to be suppressed, but the idolater ought to die the death, unless we are prepared to condemn God's law."—"I know," said Maitland, "the idolater ought to die the death, but by whom?"—"By the people of God," rejoined Knox, "for the commandment was made to Israel. Yea, commandments are given that if it be heard that idolatry is committed in any city, inquisition shall be made; and, if it be found true, then the whole body of the people shall gather together and destroy that city, sparing neither man, woman, nor child."—"But there is no commandment," replied the secretary, "given to the people to punish the king if he be an idolater."—"I find no privileges," responded Knox, "granted by God to kings, more than to the people, to offend God's majesty."—"Granted," said Maitland, "yet the people may not be judge to their king, to punish him though he be an idolater."—"God," said Knox, "is the common judge of both; and what his word commandeth to be punished in the one, is not to be forborne in the other."—"We agree in that," said Maitland, "but the people must not execute God's judgments, but leave it to himself to do so, who will either punish by death, war, imprisonment, or other kind of plagues."—"I know," replied Knox, "that the last part of your reason is true, but for the first, you have no other warrant but your own imagination, and the opinion of such as fear more to offend princes than God."

The case of Uzziah and Azariah.

Another example adduced by Knox in defence of his principle was the case of Uzziah, who, when he presumptuously entered the temple of the Lord to burn incense, was withstood by Azariah and eighty of the priests, valiant men, and obliged to retire from the sanctuary. "But the priests," said Maitland, "only spoke to the king, and used no further violence."—"The text," says Knox, "declares that they withstood him, and caused him to depart hastily."—"They did that," replied Maitland, "after he was seen to be leprous."—"They did so before; but even this last act confirms my proposition; for my assertion is, that kings have no more privilege than the people to offend God's majesty, and, if they do so, they are no more to be exempted from punishment. So that, if the king be a murderer, adulterer, or idolater, he should suffer according to God's law, not as a king, but as an offender. That the people may carry God's law into execution, this history proveth; for, as soon as the leprosy was espied in Uzziah's forehead, he was not only compelled to depart from the sanctuary, but he was also removed from all public society and administration of the kingdom, and compelled to live in a house apart, according to the law. None resisted the execution of the sentence pronounced in God's law with regard to the leprous. Therefore, yet again say I, that the people ought to execute God's law even upon their princes, when their known crimes deserve death, and

* Ps. lxxxii. 6, 7. The translation given by Knox of this passage is somewhat different from the authorised English version. It is a translation, however, which has been adopted by Gataker and others. But, according to either version, the passage is equally suitable to the Reformer's argument. The idea expressed in it is, that princes are exceedingly exposed to the danger of being removed by a violent death. According to one version, there is a doom threatened; according to the other, this doom is referred to as a well-known fact. There was a saying of similar import current among the Romans:—"Ad generum Cereris sine cæde et sanguine pauci descendunt reges et sicca morte tyranni." The Hebrew verb translated "fall," in the verse quoted from Ps. lxxxii., when applied to death, always indicates a violent death.

† Knox, vol. ii. p. 436; Calderwood, vol. ii. p. 262.

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especially when they are such as may infect the rest of the multitude. And now, my lords, I will reason no longer, for I have spoken more than I intended."—"And yet," said Lethington, "I cannot tell what can be concluded."—"Albeit you cannot, yet I am assured what I have proven:—1. That subjects have delivered an innocent man from the hands of the king, and have not in this offended God. 2. That subjects have refused to strike innocents when the king commanded, and in so doing have not denied just obedience. 3. That those who struck innocents at the command of the king were reputed murderers before God. 4. That God has armed subjects against their natural king, that they might take vengeance upon them according to his law; and lastly, that God's people have executed God's law against their king without blame. And therefore I am assured that not only God's people may, but are bound to do the same, where the like crimes are committed and the like power is given."*

This conference, while it displays the logical skill and acuteness of Maitland, and the fearless intrepidity and vigorous intellect of Knox, gives a striking exhibition of the unripe, yet expanding, views which prevailed regarding great constitutional questions, and some fundamental principles of Christian theology. Both of the disputants held that the penalties affixed by the ancient Hebrew legislator to idolatry, and some other transgressions of the moral law, were still binding, and ought to be inflicted by Christian nations upon offenders; and on this principle, with regard to which they were both in error, it is obvious that the argumentation of Knox was but little shaken by anything that Maitland advanced. The great principle of religious liberty was as yet unknown; and if Knox and his Protestant brethren did not hold it, they were at least not inferior in this respect to their opponents. They did not occupy a lower ground with regard to the principle of religious liberty, and they stood immeasurably higher with regard to the practice of it; for never in one single instance, even when they had the power, did they carry out their ideas about idolatry to the extent of shedding blood. This is acknowledged even by Lesley, the Bishop of Ross, who declares that the humanity of the Protestants ought not to be concealed, for they never put any to death for their religion, drove but few into exile, and threw fewer still into prison.† They were wrong in theory, as all classes and sects then were; but their spiritual elevation, and Christian benevolence and mercy, prevented them from erring in practice. "God," says Knox, addressing persecutors, "will not use his saints and chosen children to punish you; for with them is always mercy, yea, even although God have pronounced a curse and malediction, as in the history of Joshua is plain. But as you have pronounced wrong and cruel judgment without mercy, so will he punish you by such as in whom there is no mercy."*

Estimate of the conference.

The most vulnerable part of Knox's share in the conference is what he says about the form of prayer he was in the habit of using for the queen. He might entertain the doubts which he mentions about the likelihood of her majesty's conversion; but it was not requisite that he should give public expression to these doubts in the pulpit, to the manifest detriment of the royal authority. True, Peter suggests a doubt with regard to the forgiveness of Simon Magus; but his was a case of shocking hypocrisy and wickedness, disclosed on the very spot; and, after all, it is by no means clear that, if Peter had been praying himself for Simon, and not merely appealing to his conscience to make him feel his guilt, he would have embodied the same doubt in his own address to God. And, besides, there is unquestionably more need of caution in making public reference to a sovereign than to a private individual, for unguarded reflections and suggestions in this case may be productive of wide-spread mischief. When Paul exhorted Christians to pray for kings and for all in authority, at a time when heathen princes occupied the highest seats of power, it could hardly be his idea that the prayers might be thrown into a shape calculated to expose them to suspicion, and thus to weaken their influence.

With regard to the remaining point handled in the conference, it cannot now be made a subject of dispute in the British dominions, whether resistance to princes ever be allowable in any case. Knox undoubtedly had hold of a sound principle, which it required the spirit of a hero to promulgate in the times in which he lived, and the bold avowal of which constitutes one of his claims to the veneration of posterity. What would have been the position of Britain at the present moment, if no resistance had ever been made to the arbitrary rule of the Stewarts? It must be acknowledged, however, that the Scottish Reformer does not exhibit the principle of resistance with all the requisite limitations and conditions. Nor is this much to be wondered at. The world was but awakening to a sense of the absurdity and ruinous tendency of arbitrary power, as it had long been exercised; and if the new principle was not stated in sufficiently guarded terms, this is only what takes place in the case of every new principle, whether in science, or art, or politics. Knox also exposes himself to misconception by not separating the case of justifiable resistance to the entire authority of a government, when it is chargeable with incorrigible and destructive tyranny, from the case where opposition is given to a ruler on the ground of some single violation of law, and with the sole view of securing redress of the special grievance complained of. It is not every illegal act, or even every course of illegal acts, that will justify the

* Knox, vol. ii. p. 452.

† "Humanitas non est reticenda, quod eo tempore, paucos Catholicos de religionis re mulctarint exilio, pauciores carcere, morte nullos."

* Answer to the Cavillations of an Anabaptist, p. 449.

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attempt to subvert a government; nor does Knox mean to say this, though his neglect of the distinction above adverted to might suggest such a conclusion to some minds. What he evidently means is, that the ruler is as much bound by the law of the land as the subjects are, and should be held amenable to it when he offends. This was a novel conception in Knox's time, for practically the sovereign had been above the law; but it is no novelty now—it is a universally recognised principle in our day. The statutes enacted in parliament bind those who enact them as much as they bind the rest of the community; and members of either branch of the legislature—yea, the very occupant of the throne—may be cited before the courts of law. The supremacy of law over all persons, supreme and subordinate, is the keystone of British liberty; and that supremacy is the very thing for which Knox, although sometimes using language unguarded and calculated to offend, does battle so valiantly with the learned secretary. We have all reason to bless God that such a man as the Reformer preceded us in the land: he sowed seeds which are now yielding precious fruits in the security and well-being of all classes of the community.

It does not appear whether any formal report was made to the Assembly of what was done in the conference, or whether any decision was pronounced at all with regard to the disputed points. Lethington having omitted to write to Calvin and other learned men on the Continent for their judgment, as he had long before engaged to do, the request was made to Knox, before the conference broke up, that he would write to them, in order to ascertain their mind; but he declined, on the ground that he had already consulted them, and would therefore expose himself to a charge of ignorance or forgetfulness if he should do so again. "But I will show you a surer way; write and complain of me that I have taught and maintained constantly such doctrine as offendeth you; so shall you know their minds plainly, whether they and I agree in judgment or not." *

The effect of this conference was to exasperate the courtiers against the ministers, who were charged with being over-scrupulous and precise.

Complaint against the ministers.

And certainly there was some ground for this complaint; for not only were the prayers which many of them offered up for the queen in their public ministrations clogged with the unseemly qualifications already described, but, at the Assembly in connexion with which the conference conducted by Maitland and Knox took place, they agreed to petition for the complete and universal suppression of mass, so that but one form of religion should be suffered to appear in the country. After the queen's mass had once been tolerated, it was hardly fair to ask that she should agree to be deprived of it, and at the same time to expect that she would cordially co-operate in strengthening the foundations of the Protestant church. Accordingly, it was not judged prudent by Moray, Argyle, Glencairn, and the secretary, who attended the Assembly in order to observe its proceedings, that such a document should be presented to her majesty; but they engaged that, while declaring to her grace the good mind and obedience of the Assembly they would use their utmost endeavours to effect the full and final establishment of the Protestant worship, and to procure a suitable fixed maintenance for the ministers.* A special request was also presented to the queen for a gift of the friars' kirk in Kirkcudbright, that it might be occupied in time coming as the parish kirk of that place.

Similar propositions were again brought before the Assembly which met in December, with the view of being presented to her majesty. It would appear that no effectual measures had been taken for satisfying the reasonable requirement of the ministers, that suitable provision should be made for supporting the ordinances of the Gospel.† This demand was therefore again renewed, and at the same time complaint was made that the law against the celebration of mass was suffered to be violated with impunity, and that the transgressors of this law had now become so numerous, that apprehensions were to be entertained of some sudden judgment of God alighting upon the land. Thus, continual applications were made by the Reformers for the complete establishment of their system, and for the suppression of mass; while these demands, whatever promises might be made at the time, were continually evaded.

Meeting of the Assembly in December.

Mary cannot be blamed for adhering to the religious system which she believed to be best; nor is it marvellous that she postponed from time to time the full and final ratification, so often asked from her, of the form of worship set up by the Reformers. But undoubtedly it was a signal misfortune to herself, and to the country at large, that her religious views were so utterly at variance with those held by the great body of her subjects. This was a principal source of her perplexities and troubles. In an age when the idea of religious liberty was as yet undeveloped among any party, it was impossible that the conflicting claims of a Popish queen and a Protestant community could be satisfactorily harmonised. In other circumstances, Mary might have been a prosperous and happy sovereign, for she possessed many of the qualifications requisite for securing public respect, and for managing the affairs of government; but the position of matters in Scotland was such at the time, that nothing but jealousy and mutual distrust could exist between her and her subjects. The continual demands which were made by the Protestants for the full and final establishment of the reformed church, and for the suppression of what they designated the

Difficult and perplexing position of Mary.

* Calderwood, vol. ii. p. 280; Knox, vol. ii. p. 461.

* Calderwood, vol. ii. p. 280.

† Calderwood, vol. ii. p. 283; Book of the Universal Kirk, p. 24.

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idolatry of the mass, were no doubt primarily grounded upon their thorough conviction of the truth and value of their system; but, at the same time, they derived all their asperity and harshness from the fears which were entertained that the Protestant Church was in hourly danger of subversion. Nor could this be regarded as a visionary or groundless alarm, although many positive assurances were given by the queen that she had no such hostile intentions. The continued postponement of the promised ratification of the Acts, passed in 1560 before her return in favour of the Reformed Church, was itself a suspicious circumstance. In fact, the Protestant worship existed merely by sufferance, for all that was done by the queen in its favour was declared to be obligatory merely "till she should take some final order in the matter of religion." * It is a well-authenticated fact, too, that she had given many assurances to her friends on the Continent of her purpose to overthrow the reformed system as soon as possible, and to replace the Romish Church upon its ancient foundations. At the beginning of this very year she had written a letter to the Pope himself, lamenting that she had found her kingdom overrun with damnable errors, and declaring that it had been her unfaltering purpose, from the day she left France, to re-establish the ancient religion in her own dominions. These designs of the queen, which with her convictions it is not wonderful that she entertained, by no means escaped the watchful eye of the Reformers; and they explain and palliate much of that severity in their language, which would have been altogether inexcusable if she had really made up her mind, as Tytler † insinuates was the case, to allow the Protestant Church to remain undisturbed.

The jealousies springing from these causes were greatly augmented, when the subject of the queen's marriage with Darnley began to engage the attention of the country. It was understood that this favoured nobleman was a Papist, or quite ready to become one. And, although some persons argued that a queen should have the same liberty of choice in regard to marriage which was conceded to the meanest subject, yet others maintained that the heir of a kingdom stood in peculiar circumstances, "for, in choosing a husband, she appointed at the same time a king over the people; but it was more reasonable, they thought, that the whole people should choose a husband for one woman, than that one woman should elect a king to rule over the whole people." ‡ Mary was placed in very perplexing circumstances. Her negotiations with Elizabeth, in reference to her marriage, had been protracted beyond all endurance by the artifices of the English queen, and she had experienced nothing but duplicity and deceit at the hands of her so-called loving sister, whose object seemed to be to throw every possible barrier in the way of her marrying at all. At length, her impetuous nature burst through all the toils which artful and unprincipled negotiation had woven around her, and she determined on a marriage with Darnley, to which at length, although great dissatisfaction continued to be felt by multitudes, she succeeded in securing the consent of the Estates of the realm.

* Robertson, vol. i. p. 280. † Tytler, vol. vi. p. 361.
‡ Spottiswood, p. 189.

Religion the main objection to the queen's marriage with Darnley.

The religion of Darnley was the main reason on account of which so many disapproved of his elevation to the honour of being the queen's consort. It was conceived that if the Reformed Church, so dear to the great bulk of the nation, was exposed to peril from the views of the queen herself, who had hitherto delayed giving to the act of 1560 the ratification that was so much desired, and was supposed to be contemplating the re-establishment of Popery, the danger would be vastly augmented when the influence of a Popish consort was conjoined with that of the sovereign.

Demands of the Reformers more strongly urged.

All these causes conspired to augment the fears of the Reformers for the stability of their church; and their increasing alarm, which had but too solid grounds to rest upon, led them, at their meeting in June, to employ far stronger language in presenting their claims to her majesty than they had ever yet ventured to do. They now required, in certain articles which were drawn up by Erskine of Dun, John Willock, Christopher Goodman, and John Row,* that the blasphemous mass, with everything pertaining to Popery, should be suppressed throughout the whole realm; that the celebration of mass for the queen in her own chapel should also be discontinued; and that the sincere word of God, and the true religion now adopted in the land, should be established and ratified everywhere, as well in the queen's own person as in the subjects. With regard to the ministry, they craved that sure and definite provision should be appointed for their support; that vacant benefices should be conferred upon qualified persons, whose fitness for preaching the Gospel, and discharging all the duties of the ministry, was to be determined by the superintendents; that no bishopric, abbacy, priory, deanery, or provostry, having many kirks annexed to it, should ever again be granted to any single person; but that the kirks should be severally assigned to different individuals, with a suitable maintenance and place of residence. Request was also made that only individuals found qualified by the superintendents, "sound and able in doctrine," should be permitted to act as instructors of the young in schools and colleges; that provision should be made for the support of the poor and of schools, out of lands which had been set apart for charitable purposes, and out of rents and emoluments pertaining to the different orders of friars; that the law should be carried into effect, by judges appointed for the purpose in every province, against parties guilty of any of the horrible crimes which abounded in the land; and that some means should

* Knox, vol. ii. p. 484.

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be devised for diminishing the burden which the rigorous exaction of tithes imposed upon the poor labourers of the ground.*

Alleged causes of the Assembly's procedure.

Some have supposed that the strong language employed by the Assembly in their address to the queen on this occasion, particularly with regard to the discontinuance of her own mass, is to be ascribed to the influence of Moray and other discontented lords, who, having refused their consent to her marriage with Darnley, and having thus lost their position at court, stirred up the church against her as a means of exciting popular discontent, and with this view suggested demands so utterly unreasonable, that it was certain they would meet with a denial.† But there is no need of such an hypothesis to account for the procedure of the Reformers. The fact is, that all along they had demanded substantially the same things, and, so far were they from ever needing to be stirred up to present strong claims in favour of their system, that it had been repeatedly found necessary by Moray to restrain their ardour and to soften their language. The views of the Reformers themselves, their increasing alarm at the prevalence of the mass, the continual postponement of the promised ratification of the Reformed worship, and the apprehension, justified by various circumstances, that it was her majesty's design to restore Popery on the first favourable opportunity, are quite sufficient to explain the augmented severity of tone apparent in the articles adopted on this occasion. Nor, if we except the single sentence where it is required that the queen herself should give up her mass and become a Protestant, can it be truly said that there is anything contemptuous or unreasonable in the whole document.

Others have alleged that it was the hope of obtaining a favourable answer from the queen, grounded upon the friendly interview she had recently held with some of the superintendents, which led the Assembly to express their demands more fully and pointedly than they had ever done before. With the view of allaying the wide-spread dissatisfaction that was felt with her intended marriage, Mary had sent for Willock, Winram, and Spottiswood in the month of May, had assured them there was nothing she desired more earnestly than the glory of God, had promised to them that she would be ready to listen to a discussion with regard to the doctrines of Scripture, and had even said that she would attend the public preaching when such persons were in the pulpit as pleased her, particularly the superintendent of Angus, who was a mild and sweet-tempered man. Not unlikely this conversation might lead some to suppose that there was ground for expecting the queen's speedy relinquishment of Popery, and spontaneous accession to the Protestant cause; but there could not be many who would attach much importance to sentiments and promises that were manifestly uttered with the view of gaining an immediate end. It was the fear of approaching days of darkness, alarm at the long delay of the promised ratification of the act establishing their church, and dread that Popery would be restored to its former power in the land, that dictated the strong language in which the Reformers addressed the throne at this time.*

Apprehensions prevalent among the Protestants.

The feelings and apprehensions entertained by the Protestants during this eventful year, appear, from certain expressions in a church testimonial given by Erskine, Spottiswood, Winram, and Knox to two brethren who were leaving their native country to reside for a period abroad. "The one," it is said, "hath so purely taught the word of salvation, and the other hath so uprightly administered justice in civil actions subjected to his charge, that the godly with us cannot but lament the absence of two such notable instruments, who were lights in the Church of Christ, comfortable to the afflicted, and fearful to the wicked doers. If then you ask, why are they ejected from us? we answer, because that now, to the grief of many, iniquity commands, tyranny reigns, and the cause of the righteous is utterly suppressed among us. For albeit of God's great mercy we have yet the Evangel of Jesus Christ openly preached, yet dare not the principal men that travailed for God's glory in these last troubles—other than they that have determined to offer their bodies a sacrifice for witnessing of his truth—appear before the magistrates that now for our humiliation are placed above us: for causes of treason are laid to the charge of innocent men, their substances are spoiled, and their lives are sought, because they have travailed for maintenance of virtue and suppression of idolatry, of which number these two brethren are chief men."†

The queen's answer to the articles of the Assembly.

At length, after sundry delays, the queen's marriage with Darnley having in the meantime taken place, an answer was returned to the requests of the Protestant Church. What was said in reply to the first part of their memorial was perfectly fair and reasonable, although, according to the views which prevailed in those times, it would not be judged at all satisfactory. The queen avowed her conviction of the truth of Popery, and declared that she neither would nor might abandon the religion in which she had been brought up, as such a step would both do violence to her own conscience, and also deprive her of the friendship of the King of France and other princes, her confederates. And she added, that she had no intention of interfering with the conscientious convictions of any of her subjects, but would leave them to worship God in the way they considered best. With regard to

* Calderwood, vol. ii. pp. 287—289; Knox, vol. ii. pp. 485, 486.

† Cook's History of the Reformation, vol. iii. p. 181.

* Hetherington's History of the Church of Scotland, p. 36; Cook's History of the Reformation, vol. iii. p. 179; Knox, vol. ii. p. 481.

† Miscellany of the Wodrow Society, vol. i. p. 287.

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the final ratification of the privileges of the Protestant Church, which had been established by the Parliament of 1560, her majesty's answer was by no means so explicit or honest. She declared, what was no doubt quite true, that she had not the power herself of granting the ratification which was demanded, for such a measure necessarily required the consent of all the Estates of the realm; but here there was obvious insincerity, for the fact was that nothing but her own opposition had delayed the ratification for the last five years. With regard, again, to the sustentation of the ministers, and the appointment of qualified persons to vacant charges, there was the same want of honesty in the queen's reply: "Her majesty thinks it no way reasonable that she should defraud herself of so great a part of the patrimony of her crown as to put the patronages of benefices forth of her own hands, for her own necessities in bearing of her great and common charges will require the retention of a great part in her own hands." Here there are several flagrant mistakes. The thirds of ecclesiastical revenues were not the patrimony of the crown: they had indeed been assigned to the queen by recent arrangements, but under the burden of providing a suitable maintenance for the Protestant ministers, so that, according to the existing law, these ministers had the same right to their share of the revenues in question as Mary herself had. The retention of them, therefore, by the queen, and the neglect to appoint ministers to vacant charges with the view of diminishing the expenditure needed for the Church, were an obvious violation of law, and it was easy to see that it was only necessary to carry on this process for a few years to sweep the Protestant Church, in so far as it was a state-church, from the face of the land. The reference to patronages, too, was altogether irrelevant, and only fitted to perplex the subject, by throwing the real matter of complaint out of view; for the Assembly, in their address, had not expressed the slightest intention, or even wish, to deprive the crown of the patronages belonging to it, but had only requested that measures should be taken for filling up vacancies, some of which were of seven years' standing, with men qualified to preach the Gospel, and to discharge all ministerial duties.*

Grounds of dissatisfaction with the queen's answer.

It could not be expected that the queen's reply would be satisfactory to the Reformers; in fact, it was only calculated to strengthen the apprehensions which were already entertained by many, that it was her majesty's fixed purpose (although she assured the Protestants that she had no intention to deprive them of their religious liberty) to undermine their ecclesiastical system by gradual steps, and in the end to restore the Romish Church to its ancient position in the land. It was a dangerous game that Mary was playing, and she did not sufficiently estimate the vigour and determination of the men with whom she had to contend. If she had honestly, in accordance with the declarations so frequently made by her, abstained from interfering with the religious institutions chosen by her subjects—if she had paid to the ministers of the Protestant Church that amount of pecuniary support which by the law of the land they were entitled to receive—and if she had filled up vacancies as they occurred with suitable men,—she might have adhered to her own religion, exposed perhaps to an occasional outcry against her idolatry, and she might also, with ordinary prudence, have retained her crown to the day of her death; but her procedure was such as could not fail—particularly in an age when the connection between Church and State was conceived to be as indispensable as the existence of civil government itself—to suggest the question, how can a Popish queen efficiently discharge the duties which necessarily devolve upon the sovereign of a Protestant country? And this is a question which it is far more difficult to answer than those imagine, who see nothing but bigoted intolerance and unwarrantable rebellion in the whole conduct of the Reformers towards Mary.

Views expressed by the Assembly.

The queen's answers were brought before the Assembly in December, and it is not wonderful that they were judged altogether unsatisfactory. Mr. John Row, minister of Perth, was appointed to prepare a reply to them, which, after being considered and approved by the Assembly, was put into the hands of the sovereign. In this document, after an expression of deep sorrow and grief that her majesty continued unconvinced of the truth of the Protestant doctrines, and of the impiety of the mass, which is designated nothing but a mass of impiety from beginning to end, the question of benefices is handled, and the misconceptions of the queen with regard to their nature and the claims of the Assembly are very clearly pointed out. "It is not our meaning that her majesty or any other patron within the realm should be defrauded of their just patronages; but we mean that, whensoever her majesty or any other patron doth present any person to any benefice, the person presented shall be tried by learned men in the Kirk, such as presently are the superintendents appointed for that use. And as the presentation of the benefices pertaineth to the patron, so the collation, by law and reason, pertaineth to the Kirk, whereof the Kirk should no more be defrauded than the patrons of their presentation. For otherwise, if it shall be lesum* to the patrons absolutely to present whomsoever they please, without trial or examination, what then may we look for but mere ignorance without all order in the Kirk? As to the second point, concerning the retention of a good part of the benefices in her majesty's own hands, this point abhors so far from good conscience, as well of God's law as the public order of our common laws, that we are loath to open up the ground of the matter

* Knox, vol. ii. p. 488; Calderwood, vol. ii. p. 295.

* Lawful.

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by any long circumstances. And, therefore, we most reverently wish that her majesty would consider the matter with herself and her wise council, that however the patronages of benefices may appertain to herself, yet the retaining of them in her own hands, undisponed to qualified persons, is ungodly, and contrary to all public order, and brings confusion to the poor souls of the common people, who should thus be provided with teachers to instruct them in the way of salvation. And where her majesty concludeth in her second answer, that she is content that a sufficient and reasonable sustentation be appointed for ministers, by assignations in places most commodious, consideration being had of her own necessity; as we are very desirous that her grace's necessity be relieved, so our duty urgeth that we notify to her grace, the right order which should be observed by her in this behalf, which is this:—The tithes are to be reputed properly the patrimony of the Kirk, wherewith, before all other, those that travail in the ministry, and the poor indigent members of Christ's body, ought to be sustained, kirks repaired, and the youth brought up in letters. Which things being done, other necessities may be reasonably supplied, according as her grace and her godly council shall think expedient. Always we cannot but thank her majesty most reverently for her liberal offer of assignation to be made to ministers for their sustentation, which nevertheless is conceived in such general terms, that without condescending more specially upon the particulars no execution can ever follow thereupon. And so, to conclude at the present, we desire earnestly her majesty's answer to the said articles to be reformed; beseeching God that as they are reasonable and godly in themselves, so her majesty and the Estates presently convened may be inclined and persuaded to approve and accomplish the same."*

Poverty of the ministers.

In this Assembly complaints were made of the extreme poverty and distress with which the ministers of the Gospel were encompassed, and of the violent obstruction which was not unfrequently given to them in the discharge of their duties; and a supplication was presented to her majesty and the council for the more faithful payment of the stipends which had been assigned to them. At the same time, an earnest appeal was made by the Assembly to ministers to continue faithful in the discharge of their duties under all trials, and on no account to allow themselves to be tempted by any inducements or difficulties to change their vocation. "Seeing that our Master Christ Jesus pronounces, that he is but a mercenary shepherd who seeing the wolf coming fleeth for his own safeguard; and that the very danger of life cannot be a sufficient excuse for such as fall back from Jesus Christ; we noways think it lawful that such as have once put their hands to the plough, shall leave the heavenly vocation and return to the profane world for indigence or poverty. Lawfully they may leave an unthankful people, and seek where the Evangel of Christ may bring forth better fruit, but lawfully they may never change their vocation."*

The privations and sufferings of the ministers at this time were very great, and some of them, seeing no likelihood of any improvement in their position, were hesitating whether they might not quit their posts, and betake themselves to worldly callings. With the view of preventing such a painful and pernicious result, not only did the Assembly pronounce the judgment that a minister was bound, under all difficulties, to adhere to his vocation, but they also appointed Knox to pen "a comfortable letter," in the name of the Assembly, for the encouragement of ministers, exhorters, and readers. This letter describes the whole ministry of the realm as standing in extremity, for want of reasonable provision for themselves and their poor families. It next brings into view the eminent success which had attended the preaching of the Word in Scotland, the manner in which idolatry had been exposed and wickedness rebuked, and the comfort which the ministrations of the Gospel had brought to many consciences oppressed with ignorance and impiety. And then it admonishes the ministers to perseverance amid all dangers and difficulties. "Consider, dear brethren, what slander and offence shall we give to the weaker, what occasion of rejoicing shall the enemies have, and to what ignominy shall we expose the glorious Evangel of Jesus Christ, if for any occasion we shall desist and cease from public preaching of the same. We that admonish you are not ignorant, neither altogether without experience, how vehement a dart poverty is, and what troublesome cogitations it is able to raise, yea, even in men of greatest constancy. But yet, dear brethren, we ought earnestly to consider with what conditions we entered into this most honourable vocation: for if we lay before us other conditions than Jesus Christ laid before his Apostles, when he sent them forth to preach the glad tidings of his kingdom, we either deceive ourselves, or else we declare ourselves not to be the true successors of those whose doctrine we propose to the people. They were sent forth as sheep among wolves. And think we that the same Evangel which they preached can have any other success in our ministry than it had in theirs? In gifts we must confess ourselves far inferior to these lights of the world; in diligence and painful travail we cannot be compared; and yet we look to be partakers of the kingdom which God hath prepared for such as patiently abide the coming of Christ. And shall we in nothing communicate with them? They were sometimes whipped, sometimes stoned, oft cast into prison, and the blood of many sealed up their doctrine. And shall we for poverty leave the flock of Jesus Christ before that it utterly refuse us? God forbid, dear brethren; for what shall dis-

* Keith, vol. iii. p. 125; Calderwood, vol. ii. p. 298; Book of the Universal Kirk, p. 37.

* Keith, vol. iii. p. 130; Book of the Universal Kirk, p. 40.

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tinguish us from mercenaries and hirelings, if not our constancy in adversity? We deny not but that, if in one city we be persecuted we may flee to another; yea, if one realm cast us off, we may receive the benefit of another; but ever still with these conditions, that we cast not from us the profession that publicly we have made, nor cease to feed the flock of Jesus Christ. May we whom God hath called unto the honour of being the ambassadors of His good will desert from our vocation, because we cannot be provided with reasonable livings as God hath commanded and our travails deserve? The Spirit of God gives us for answer in the Scriptures, that Elias was sent to be fed by the ravens, that Elisaeus and his fellow-scholars were compelled to gather herbs to make pottage, that Paul did oft live by the work of his own hands. Let us, therefore, stand fast not only in the truth, but also in the defence and advancing of the same, which we cannot do if we cease from our public vocation; and let us commit our bodies to the care of Him who feedeth the fowls of the air, and who hath declared that He knows what we need, and will provide for us. It is but poverty that is threatened to us, which, if we be not able to contemn, how shall we abide the fury and terror of death, which many thousands before us have suffered for the testimony of the same truth which we profess and teach, and have despised all worldly redemption as the apostle speaketh? This is but a gentle trial which our Father taketh of our obedience; which, if we willingly offer to him, the bowels of his fatherly compassion will rather cause the heavens, yea, the rocks and rivers, to minister unto us things necessary to the body, than he will suffer us to perish if we dedicate our whole lives to him. Let us be frequent in reading, earnest in prayer, diligent in watching over the flock committed to our charge, and then there is no doubt but the Eternal God will remedy this extremity. He will confound our enemies, and convert our tears and mourning into joy, to the glory of his own name, and to the comfort of posterity, through the merits of Jesus Christ our Lord, whose Holy Spirit comfort you and us to the end."*

Questions relating to baptism and marriage.

The question was brought under the consideration of this Assembly, whether, in cases where baptism had been administered by a Popish priest, it was requisite to repeat the ordinance when the parties applied for admission to the Protestant Church; and it was decided that it was only necessary to instruct such persons in the Gospel, and to make them fully sensible of the errors of Popery, but not at all to rebaptize them. And this decision has been very generally acquiesced in by the Protestants of Scotland as sound and judicious. Another important question engaged the attention of the meeting, whether a man might marry his wife's brother's daughter, or his wife's sister's daughter; and it was declared that such marriages were unscriptural, and that where they were contracted they were null, and ought not to stand.*

* Calderwood, vol. ii. p. 307.

Appointment of a public fast.

At this Assembly it was judged necessary, on account of the threatening aspect of the times, to appoint a public fast, during which confession might be made of the sins of the nation, and earnest prayer be presented to God for the turning away of his wrath; and Knox and Craig, the ministers of Edinburgh, were commissioned to draw up a form of service suitable for the occasion. The reasons assigned for this solemn observance were—the wickedness and impiety that prevailed in the land, the lukewarmness and carnal wisdom of many of the professed adherents of the Gospel, the publicity with which mass was celebrated in many places, and the small ground there appeared to be for expecting a favourable change in the queen's sentiments. Another main reason, too, by which the Assembly were swayed in making the appointment was the critical position of Protestantism through the whole of Europe. The Council of Trent had recently enacted a decree for the extirpation of the Protestant name, and the Popish princes had entered into a combination for the purpose of carrying this decree into effect. The cardinals and bishops were to contribute large portions of their revenues for defraying the expenses of the new crusade; and it was confidently anticipated that the Lutheran and Calvinistic sects would be everywhere rooted out, and not only France and Germany, but all other realms, be brought under the dominion of one apostolic governor and pastor. "If any think," say Knox and Craig, in the treatise of fasting which they issued, "that such cruelty cannot fall into the hearts of men, we send them to be resolved by the fathers of the last Council of Trent, who, in one of their sessions, have thus concluded:—All Lutherans, Calvinists, and such as are of the new religion, shall be utterly rooted out. The beginning shall be in France, by conducting of the Catholic king, Philip of Spain, and by some of the nobility of France; which matter put into execution, the whole power of both, together with the Pope's army and force of the Duke of Savoy and Ferrara, shall assault Geneva, and shall not leave it till they have sacked it, saving in it no living creature. And with the same mercy shall so many of France as have tasted of the new religion be served. From thence expedition shall be made against the Germans, to reduce them to the obedience of the Apostolic See. And so shall they proceed to other realms and nations, never ceasing till that all be rooted out that will not make homage to the Roman idol. How fearful a beginning this determination had, France will remember more ages than one. For how many—above a hundred thousand men, women, babes, virgins, matrons, and aged fathers—suffered, some by sword, some by water, some by fire, and other torments, the very enemies themselves are compelled to acknowledge. And albeit that God in his mercy in part disappointed their cruel enterprises, yet let us not

* Book of the Universal Kirk, pp. 38—41.

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think that their will is changed, or their malice assuaged. No; let us be assured that they abide but opportunity to finish the work that cruelly against God, against his truth, and the true professors of the same, they have begun—the whisperings whereof are not secret, neither yet the tokens obscure. For the trafficking of that dragon now with the princes of the earth, his promises and flattering enticements, tend to no other end but to inflame them against Jesus Christ, and against the true professors of his Gospel. For who can think that the Pope, cardinals, and horned bishops, will offer the greatest portion of their rents for sustaining of a war, from which no commodity should (as they suppose) redound to themselves?" *

Mary's accession to the League of Bayonne.

If there was ground for alarm in December, at the time when the public fast was appointed, an event occurred in February which shows that the cause of the Reformed Church, and the persons of its adherents, were exposed to more immediate peril than their worst fears had suggested. While Mary was deliberating upon the course to be pursued with regard to Moray and the other banished lords, two gentlemen, De Rambouillet and Clernau, arrived on a mission from the French court, accompanied by Thornton, a messenger from Beaton, the Scottish ambassador in France. Besides the ostensible occasion of their visit, which was to invest Darnley with the Order of St. Michael, commonly called the Order of the Cockle, they were entrusted with a far more important business, which they secretly brought under Mary's consideration. They informed her of the league which had been entered into at Bayonne, between France and Spain and the emperor, for the suppression of heresy, and the extermination of the enemies of the Romish faith; and producing a copy of this infamous document, which the Cardinal of Lorraine had sent to her, they urged her to affix her name to it, and to become a member of the coalition. It was represented to her, that fidelity to her religious principles, the relation in which she stood to the Romish princes upon the Continent, as well as a regard to the peace and well-being of her own dominions, and the consolidation of her shattered authority, all demanded of her to take this decisive step. These views were warmly seconded by Riccio, whose influence at this time was unbounded; and although she could not be ignorant of the shock which her conduct would give to the religious feelings of her subjects, and of the opposition which it would excite against her authority as soon as it became known, yet, yielding to the advice and entreaties of her foreign friends, and supposing that she might be able with their assistance to crush the Reformed Church in Scotland, she affixed her signature to the league, and thus committed herself to a mortal struggle with the Protestant portion of her subjects.†

* Dunlop's Confessions, vol. ii. pp. 662–664; McCrie's Life of Knox, vol. ii. p. 140.

† Keith, vol. ii. p. 391; Robertson, vol. i. p. 312; McCrie's Life of Knox, vol. ii. p. 143; Melvil's Memoirs, p. 64.

Mary's accession to the League of Bayonne has been denied by some of her partisans; but the evidence upon which it rests is quite decisive. Randolph, in a letter to Cecil, dated 7th February, 1566, thus writes:—"There is a band lately devised, in which the late Pope, the Emperor, the King of Spain, the Duke of Savoy, with divers princes of Italy are the leaders (and the Queen-mother is suspected to be of the same confederacy), to maintain Papistry throughout Christendom. This band was sent out of France by Thornton, and is subscribed by this queen, the copy thereof remaining with her, and the principal to be returned very shortly, as I hear, by Mr. Stephen Wilson, a fit minister for such a devilish device. If the copy hereof may be gotten, that shall be sent, as I conveniently may." Nor can it be doubted that all Mary's previous conduct had been such as to render it by no means unlikely that she would join such a confederacy. Her continued refusal to ratify the Act establishing the Reformed Church, could only be explained on the supposition that she was waiting for some favourable opportunity to restore the Church of Rome to its ancient position. Her letters to the Pope, and to her uncles, the Cardinals of Lorraine and Guise, express in very strong terms the hope which she entertained of being able to bring Scotland once more under the dominion of the Papal hierarchy. In a letter written to the Archbishop of Glasgow, her ambassador in France, dated 9th March, 1566, she informs him that she had placed the spiritual state in their ancient position in parliament, and that she had intended to have done some good with respect to restoring the "auld religion." The documents preserved in the Medicean archives, at Florence, prove that the Italian princes took a deep interest in the affairs of Scotland at this time, and were expecting its reconversion to Popery; and Cosmo I., Grand Duke of Tuscany, maintained an agent at Edinburgh, with the view of helping forward this object. Randolph too states, in the letter above referred to, that it was moved in the Queen's Council that mass should be restored in St. Giles's Church; and it is affirmed in Knox's history, that the altars were already prepared which were to be set up in that Protestant place of worship. Strenuous efforts, also, were made at this time to prevail upon sundry noblemen to attend mass along with the queen; and some actually did yield to her majesty's solicitations, although others positively declined to be present at such a service, among whom Randolph mentions Fleming, Livingston, Lindsay, Huntley, and Bothwell. Now the adhesion by the Scottish queen to the League of Bayonne was in perfect consistency with all these views and proceedings. With the desire which Mary had for the restoration of Popery, and with the hopes which she entertained of succeeding in this object, it was to be expected that she would co-operate in a scheme for the extension of Popery, which the Pope himself had sanctioned, and which her most valued friends so strongly recommended; and therefore

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not only is the external evidence in support of the fact of her signing the league quite in harmony with all the antecedent probabilities of the case, but all pretext also is taken away for describing her signature as the act of an unguarded moment.*

Fatal effects of Mary's accession to the League of Bayonne.

Mary's accession to the conspiracy of the Romish princes for the extermination of the Protestant cause throughout Europe, was the most fatal step she ever took.† It convinced the Protestants not only that there was no hope that their church would be maintained in its position, but also that times of darkness and persecution were again to be expected in the country. The burnings and drownings by which popish supremacy had been signalised, were sufficiently recent to make the Scottish people sensitively alive to the dangers with which they were threatened; and it is not marvellous that many of them came to the conclusion that the limits of submission to the queen's authority were now reached, and that they were justified in adopting measures for excluding from office one who could accede to a plot which, if successful, involved the destruction of multitudes of her own subjects. The idea of Mary's dethronement was now entertained by many as the only expedient by which the country could be delivered from the convulsions and troubles that seemed approaching. Doubtless there were other influences conspiring to the same result, with regard to some of which Mary deserved more pity than censure; but there can be no question that the religious element was the most powerful means of her overthrow; and it is difficult to discover what other course the Protestants of Scotland could have pursued, unless they had made up their minds to see all the dearest interests of their country trampled for ever in the dust. Were they to wait quietly till the exterminating sword of the confederates of Bayonne assailed their liberties, and destroyed the church which they had erected with so much toil, and labour, and suffering? Were they to stand patiently by till a system was established that rekindled the flames in which Patrick Hamilton, George Wishart, and Walter Mill had expired, for their refusal to acknowledge the truth of popish doctrines?

Difference between Romanists and Protestants in regard to persecution.

It may be said that the league of Bayonne was not worse in principle than what was openly avowed by the Protestants themselves, when they spoke of the duty of putting idolaters to death. Now this is quite true. The fact is, that neither Romanists nor Protestants, at that period, had any just conception of the true nature of religious liberty. But still there was an enormous difference between the two parties. The Protestants held the principle of persecution; but they held it merely as a theory, which they never, on any occasion, reduced to practice to the extent of putting any man to death simply for his religion. Their instinctive tendency to a right practice, springing from the influence which the Gospel had over them, always got the better of their wrong principle when any case occurred for carrying it into effect; while, on the other hand, the Romanists never scrupled to employ fire and sword in order to overcome the obstinacy of those who could not believe as they did. A Romish confederacy of powerful princes for the suppression of heresy was a terrible engine, which all experience demonstrated would be productive of incalculable mischief and sorrow. It was not Mary's popery, considered simply in itself, that roused her subjects to attempt her overthrow; but it was the evident disposition which she manifested to restore popery to that public authority and power, which had been the source of so much misery in days whose memory was still fresh throughout the length and breadth of the land.

Influence of the French envoys on Mary's counsels.

The influence of the French envoys who had brought the league of Bayonne to Scotland, produced an immediate effect upon the counsels of Mary, and she determined to proceed to extremities in the Parliament which was now fast approaching, against Moray and the other banished lords. Her plans, however, were defeated by the assassination of David Riccio, who was her principal adviser at this time. The origin, design, and execution of this barbarous plot have been minutely traced and described in the preceding chapter; and the charge which has been recently brought against John Knox of being one of the conspirators, has been fully considered, and shown to be altogether destitute of foundation. Yet there can be no doubt that the Reformer rejoiced in the temporary deliverance and security which it was the means of procuring for the Church: and it is probable, also, that he would not greatly condemn the conduct of the parties who had perpetrated the deed. In those troublous times the removal of an obnoxious individual by private violence, if it was only believed that he deserved to die, was not looked upon with the same abhorrence as such an atrocity would excite in our day. The age was familiar with blood, the ideas of public justice and of private revenge were only disentangling themselves from one another, and the very best of men were not altogether free from the errors and feelings characteristic of the times.*

The assassination of Riccio produced an immediate change in the aspect of public affairs.

* Knox, vol. ii. pp. 524, 540; Keith, vol. ii. pp. 392, 411; Robertson, vol. i. p. 312; Tytler, vol. vii. p. 20.

† Tytler, vol. vii. pp. 21—25.

* It seems to have been the purpose of the parties who assassinated Riccio to bring him to a public trial; but the impatience of the king hurried on his death. Douglas of Lochleven, who was implicated in the proceedings, says that it was their purpose "to have punished him by order of justice, but men proponit and God disponit udir wais, be sic extraordinar means, quhilk truly my aune hart aborit quhan I saw him; for I never consentit that he suld haiff been usit by [beside] justice, nather was it in any nobleman his mind."—*M.S. Papers of the Laird of Lochleven.*

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Effect of Riccio's death.

Parliament did not meet for the transaction of business at the time appointed; and the plans which the queen had imagined she would be able to carry out were rendered altogether abortive. The relative position of parties was completely altered, for while the banished lords returned from England, and thus strengthened the Protestant interest, the Popish counsellors of her majesty were struck with alarm, and sought security by removing from court. And although Mary, escaping from Edinburgh with Darnley, whom she had gained over to her views, and retiring to Dunbar, defeated the schemes of the conspirators and recovered her authority, yet she was unable to replace matters in their former position. Other affairs now engaged her attention; and for the present nothing could be done towards the restoration of the old religion. The ministers of the Reformed Church prosecuted their labours with unabated zeal; the people crowded with boldness to the public prayers and preaching of the word; and great numbers of the nobility also made their appearance in the churches. The dangers with which the cause of the Protestant faith had been threatened resuscitated the religious fervour of the people, and confirmed their attachment to the pure doctrines of the Gospel. Prosperity and peace tempt to indifference in religion, but dangers and difficulties awaken men to a sense of the importance of spiritual concerns. The great end of trials is to dispel the dream of carnal security, and they form part of God's plan of dealing both with individuals and communities.*

Increasing embarrassment of the ministers.

The renewed zeal that was felt in the cause of the Reformed Church did not prevent the ministers from sinking into still deeper poverty. If her majesty formerly had been but little disposed to bestow upon them a suitable portion of the thirds of benefices, according to agreement, her own necessities, now augmented by recent occurrences, rendered it more difficult than ever for her to do justice to them. They were reduced to so great an extremity, through the neglect of the court to pay their allotted stipends, that the superintendents and other ministers felt themselves necessitated, before the next meeting of the Assembly, to present a supplication to the queen. In this supplication reference is first made to the Act passed by her majesty's council and nobility in December, 1562, for the maintainance of ministers out of the thirds of benefices, and subsequent confirmations of this Act are also brought into view. It is mentioned, that for a period of about three years payment of the allotted proportion had been made to the ministers of the Church; but complaint is made that, for some time past, their claims had been altogether disregarded. "Notwithstanding all this, now of late, we your majesty's poor orators aforesaid, are put wrongfully and unjustly from their aforesaid part of the above specified thirds by your majesty's officers, and thereby brought to such extreme penury and extreme distress, that we are not able any longer to maintain ourselves. And albeit we have given in divers and sundry complaints to your majesty herein, and have received divers promises of redress, yet have we found no relief: therefore we most humbly beseech your majesty to consider our most grievous complaint, together with the right above specified, whereon the claim is grounded."*

This supplication was not attended with any immediate benefit. The queen promised that so soon as the nobility and council convened, it should be taken into serious consideration and redress afforded. Meanwhile, the period of her majesty's confinement was drawing nigh, and it was said by the courtiers, for the encouragement of the ministers, that after that event she would establish religion upon a solid footing, and provide all things suitably for its support. Earnest prayers were presented during the month of May, in all the Protestant churches, for the queen's safe delivery; and, on the 19th of June, she brought forth a son, who afterwards ascended the throne as James VI. The lords and the people assembled in vast multitudes in the great kirk of Edinburgh to render thanks unto God for the birth of a prince, and to pray that he might be endowed with all gifts and graces from on high. There were great public rejoicings in the metropolis, the artillery of the castle was fired, and bonfires were kindled in all parts of the city and through the country.†

* Knox, vol. ii. p. 527; Calderwood, vol. ii. p. 321.

* Knox, vol. ii. p. 529; Keith, vol. iii. p. 134.
† Calderwood, vol. ii. p. 321.

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CHAPTER XXXII.

MARY.

A.D. 1566—1567.

Fresh quarrels between Mary and Darnley.

THE conjugal harmony which had been restored between the Scottish queen and her husband, by the birth of an heir to the throne, was not of long continuance. The cause of the fresh quarrel which now broke out, was the dissatisfaction of Darnley at the course which Mary resolved to pursue with respect to the banished lords. Finding it impossible to restore the tranquillity of her kingdom, or to form a vigorous government, as long as so many of the most eminent and powerful of her nobles were hostile to the crown and at enmity amongst themselves, she resolved to sacrifice her own feelings and to adopt a lenient course towards the murderers of Riccio. This prudent policy was powerfully recommended by Moray, whom the queen now treated with great confidence; but it was violently opposed by Darnley, who declared openly that these men "were in no wise to be trusted from the experience he had had of their false, disloyal practices, and knowing them to be without fear of God or pity towards men." He hated Moray's very shadow, he said, and even went the length of assuring the queen "that he saw no security for his own life or her government, so long as Moray was in existence—that the death of such a traitor would be a public benefit, insuring the repose of the whole realm and the comfort of well-disposed people; for which reasons he had made up his mind to have him slain as soon as opportunity might serve for the execution of his purpose." This statement, indeed, rests on the authority of Blackwood,* which is not entitled to much weight; but it is corroborated by the evidence of Bedford, who, in a letter to Cecil, says:† "The queen has declared to Moray that the king bears him evil will, and that he said to her that he is determined to kill him, finding fault that she doth bear him so much company; and, in like manner, she wills Moray to speak of it to the king, which he did a few nights since in the queen's presence and in the hearing of diverse. The king confessed that reports were made to him that Moray was not his friend, which made him speak that thing he repented; and the queen affirmed that the king had spoken such words unto her, and confessed before the whole house that she would not be content that either he or any other should be unfriendly to Moray. Moray inquired the same stoutly, and used his speech very modestly. In the meantime, the king departed very aggrieved." In spite of Darnley's opposition, Lethington and the lairds of Brunston, Ormiston, Hatton, and Calder were pardoned and restored to favour, and the queen was urged to extend her grace also to Morton and Lindsay, who were still under sentence of outlawry. Darnley was enraged at this act of clemency, and alarmed at the return to court of men whom he knew to be his personal enemies; he foolishly began to intrigue with the Roman Catholic party, in the hope of gaining their support, and, says Knox, "by the advice of foolish *cagots* he wrote to the Pope, to the King of Spain, and to the King of France, complaining of the state of the country, which was all out of order, all because that mass and popery were not again erected, giving the whole blame thereof to the queen, as not managing the Catholic cause aright." This secret correspondence with the Pope was discovered, and a copy of the letters having been placed in the hands of the queen, widened the breach between her and her foolish husband, who now began to suspect that a plot had been formed against his life, and even threatened to leave the country and proceed to the continent. An interesting letter from De Croc, the French ambassador to the queen-mother of France, throws considerable light on the relation between Mary and her husband at this crisis. After mentioning that the lords connected with both parties were now "so well reconciled together with the queen, through her wise conduct, that he could not perceive a single division," De Croc goes on to say, "But if the queen and these lords are well together, the king, her husband, is as ill both with the one side and the other; nor can it be otherwise, according to the manner in which he deports himself, for he wants to be all in all, and the paramount governor of everything, and for that end he puts himself in the way of being nothing. He often bewails himself to me; and one day, when I told him that if he would do me the honour of informing me what it was he complained of in the queen and the nobles, I would take the liberty of mentioning it to them, he said—as he has often done—that he wished to return to the same state he was in when he first married. I assured him he could never return to that, and if he had found himself well off then, it behoved him to have kept so; that he must perceive that the queen, having been outraged in her person, could never re-instate him in the authority he had before; and that he ought to be very well contented with the honours and benefits she gave him in treating him as king-consort, and supplying him and his household very liberally with all things requisite."* Darnley, it appears, had communicated to the French ambassador his resolution to go abroad, "as he felt himself in a state of despair." De Croc, "a wise, aged gentleman," as Holinshed calls him, "attempted, but without effect, to divert him from this insane project. His father, Lennox, to whom the infatuated

Darnley's hatred to Moray.

Pardon of Lethington and his friends.

Darnley's intrigues with Rome.

Grounds of the king's discontent.

He threatens to leave the kingdom.

* History of Mary Queen of Scots, p. 22; Miss Strickland, vol. iv. p. 354.

† Letter in State Paper Office, quoted by Raumer.

* Labanoff, vol. i. pp. 374-5.

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youth had also confided his intention of leaving Scotland, having vainly endeavoured to shake his determination, wrote to inform the queen that "he found his son had made up his mind to leave the realm, and had got a ship ready to convey him beyond seas; that he had said all he could to alter his determination; but finding he had not sufficient influence to induce him to change his obstinate purpose, he besought her majesty to take it in hand, and try what she could do."* The queen immediately laid her father-in-law's letter before her Privy Council, who, in the official record of these proceedings drawn up by Lethington, state that "if her majesty were surprised by this advertisement from the Earl of Lennox, these lords were no less astonished to understand that the king, who may justly esteem himself happy on account of the honour the queen has been pleased to confer upon him, and whose chief aim should be to render himself grateful for her bounty, and behave himself honourably and dutifully towards her, should entertain any thought of departing after so strange a manner out of her presence; nor was it possible for them to form a conjecture from whence such an imagination could take its rise. Their lordships, therefore, took a resolution to talk with the king, that they might learn from himself the occasion of this hasty determination of his (if any such he had), and likewise that they might thereby be enabled to advise her majesty after what manner she should comport herself in this conjuncture. The same evening," continues the narrative of the Privy Council, "the king came to Edinburgh, but made some difficulty to enter into the palace, by reason that three or four lords were at that time present with the queen, and peremptorily insisted that they should be gone before he would condescend to come in; which deportment appeared to be abundantly unreasonable, since they were three of the greatest lords of the kingdom, and that those kings who by their own birth were sovereigns of the realm, have never acted in that manner towards the nobility. The queen, however, received this behaviour as decently as was possible, and condescended so far as to go to meet the king without the palace, and so conducted him into her own apartment, where he remained all night; and then her majesty entered calmly with him upon the subject of his going abroad, that she might understand from himself the occasion of such a resolution; but he would by no means give or acknowledge that he had any occasion offered him of discontent."†

"The Lords of Council being acquainted early next morning that the king was just a going to return to Stirling, they repaired to the queen's apartment, and no other person being present except their lordships and Mons. de Croc, whom they prayed to assist them. "Early next morning," says de Croc himself, "the queen sent for me, and for all the lords and other councillors. As we were all met in their majesties' presence, the Bishop of Ross, by the queen's desire, declared to the Council the king's intention to go beyond sea, for which purpose he had a ship lying ready to sail; and that her majesty's information hereof proceeded not from the rumour of the town, but from a letter written to her by his own father, the Earl of Lennox, which letter was read in the Council. And thereafter the queen prayed the king to declare, in the presence of the lords, and before me, the reason of his projected departure, since he would not be pleased to notify the same to her in private between themselves. She likewise took him by the hand, and besought him for God's sake to declare if she had given him any occasion for this resolution, and entreated he might deal plainly and not spare her." The Lords of the Council then addressed him with all humility and reverence, and told him that the "occasion of their meeting was to understand whether he had formed a resolution to depart by sea out of the realm, and on what ground, and for what end. That if his resolution proceeded from some discontent, they were earnest to know what persons had afforded an occasion for the same. That if he could complain of any of the subjects of the realm, be they of what quality whatsoever, the fault should be immediately repaired to his satisfaction. And here," they continued, "we did remonstrate to him that his own honour, the queen's honour, the honour of us all, were concerned; for if, without just occasion ministered, he would retire from the place where he had received so much honour, and abandon the society of her to whom he is so far obliged, that in order to advance him she has humbled herself, and from being his sovereign had surrendered herself to be his wife—if he should act in this sort, the whole world would blame him as ingrate, regardless of the friendship the queen bare him, and utterly unworthy to possess the place to which she had exalted him. On the other hand, that if any just occasion had been given him, it behoved the same to be very important, since it induced him to relinquish so beautiful a queen and noble realm; and the same must be afforded him either by the queen herself or by us, her ministers. As for us, we professed ourselves ready to do him all the justice he could demand; and for her majesty, so far was she from ministering to him occasion of discontent, that, on the contrary, he had all the reason in the world to thank God for giving him so wise and virtuous a person as she had showed herself in all her actions."

His interview with the queen and the Lords of the Privy Council.

"Then her majesty," so the narrative proceeds, "was pleased to enter into the discourse, and spoke affectionately to him, beseeching him that, seeing he would not open his mind in private to her the last night, according to her most earnest request,

* De Croc to the French ambassador and to the Queen-mother of France. Keith, vol. ii. p. 456.

† "When he and the queen were a-bed together, her majesty took occasion to talk to him about the contents of his father's letter, and besought him to declare to her the ground of his designed voyage; but in this he would by no means satisfy her."—*De Croc to the Archbishop of Glasgow.*

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he would at least be pleased to declare before these lords where she had offended him in anything. She likewise said that she had a clear conscience; that in all her life she had done no action which could any way prejudice either his or her own honour; but, nevertheless, that as she might perhaps have given him offence without design, she was willing to make amends as far as he should require, and therefore prayed him not to dissemble the occasion of his displeasure, if any he had, nor to spare her in the least matter. But though the queen and all others that were present, together with Monsieur de Croc, used all the interest they were able to persuade him to open his mind, yet he would not at all own that he intended any voyage, or had any discontent, and declared freely that the queen had given him no occasion for any." According to the French ambassador, the lords added, that "they could see plainly, by the bad countenance with which he had received them, that they were the cause of his intending to go away, and prayed him to let them know in what they had displeased him." "For my part," continues de Croc, "I told him that his voyage would affect either the honour of the queen or his own. If he went with just occasion, that would touch the queen's; if without, it would not at all redound to his praise; and that I could not fail to give my testimony, both as to what I had formerly seen and did at present see. At last, he declared that he had no ground at all given him for such a determination; and thereupon he went out of the chamber of presence, saying to the queen, 'Adieu, madam, you shall not see my face for a long space.' After which, he likewise bade me farewell; and next, turning to the lords in general, he said, 'Gentlemen, adieu.'" De Croc then adds this remarkable sentence respecting the general opinion entertained of Darnley's foolish and wayward conduct:—"It is in vain to imagine that he shall be able to raise any disturbance; for there is not one person in all this kingdom, from the highest to the lowest, that regards him any farther than is agreeable to the queen. And I never saw her majesty so much beloved, esteemed, and honoured, nor so great a harmony amongst all her subjects as at present is by her wise conduct, for I cannot perceive the smallest difference or division." *

His stubborn and unreasonable behaviour.

A few days after this scene before the Privy Council, Darnley, who was as unstable as he was wayward and headstrong, requested De Croc to meet him at a place between Edinburgh and Glasgow, where he was staying with his father, and intimated his desire that the queen would send for him. De Croc replied, that "he did not doubt of the goodness of the queen, but there were not many wives who would send in quest of him, after he had gone away, as he had himself declared, without any cause. There are but two things, as far as I can see," continues the ambassador, "that can have put him into this state of desperation. The first is, the reconciliation of the lords with the queen, because he is jealous that they hold her in higher esteem than himself; and, as he is proud and haughty, he likes not for foreigners to perceive it. The other is, that he is assured that whoever shall come to represent the Queen of England at the baptism will not make any account of him, and he is apprehensive of receiving an open slight." *

But though Darnley, with the stubborn forwardness of a petted child, had obstinately refused to state his grievances in presence of the French ambassador and the Privy Council, he thought proper, a few days later, to write a letter to the queen, telling her that he had two causes of complaint. "One is," says Secretary Lethington, "that her majesty trusts him not with so much authority, nor is at such pains to advance him and make him to be honoured in the nation, as she at first was. And the other point is, that nobody attends him, and that the nobility desert his company. To these two points the queen has made answer, that if the case be so, he ought to blame himself, not her; for that in the beginning she had conferred so much honour upon him as came afterwards to render herself very uneasy, the credit and reputation wherein she had placed him having served as a shadow to those who have most heinously offended her majesty; but, however, that she has, notwithstanding this, continued to show him such respect that, although they who did perpetrate the murder of her faithful servant had entered her chamber with his knowledge, having followed him close at the back, and had named him the chief of their enterprise, yet would she never accuse him thereof, but did always excuse him, and was willing to appear as if she believed it not. And then, as to his being not attended, the fault thereof must be charged upon himself, since she has always made an offer to him of her own servants. And for the nobility, they come to court to pay deference and respect according as they have any matters to do, and as they receive a kindly countenance; but that he is at no pains to gain them, and make himself beloved by them, having gone so far as to prohibit those noblemen to enter his room, whom she had first appointed to be about his person. If the nobility abandon him, his own deportment towards them is the cause thereof; for if he desire to be followed and attended by them, he must in the first place make them to love him, and to this purpose must render himself amiable to them, without which it will prove a most difficult task for her majesty to regulate this point; especially to make the nobility consent that he shall have the management of affairs put into his hands, because she finds them utterly averse to any such matter." †

Darnley's statement of his grievances.

The queen's reply.

* Letter from Mons. de Croc to Archbishop Beaton, dated Oct. 15, 1566. Keith, vol. ii. p. 451.

* De Croc to the Queen-mother of France. Strickland's Lives, vol. iv. p. 380.

† Letter by the Lords of the Privy Council of Scotland to the Queen-mother of France, dated October 8, 1566. Keith, vol. ii. p. 459.

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It appears, from a letter of Robert Melvil to Archbishop Beaton, dated October 22, that, besides the allegation that he was contemned by the nobility, Darnley bitterly complained that he "could not obtain such things as he sought," viz. the removal from office of Secretary Lethington, the Justice-Clerk, Bellenden, and Makgill, the Clerk-Register, whom he denounced as the principal conspirators against Riccio.*

Darnley renders himself obnoxious to all parties.

By these exhibitions of folly, fickleness, and treachery, the weak-minded and unfortunate youth had rendered himself obnoxious to all parties in the State. His bitter opposition to the pardon and restoration of Morton excited the indignation of Moray, Lethington, Argyle, and the other friends of that baron. His intrigues with Rome, and avowed desire to re-establish papal supremacy in Scotland, rendered him an object of intense dislike to the Protestants; the friends of Elizabeth suspected him of tampering with the English Roman Catholics; the Hamiltons were alienated by long-breathed family feuds, and regarded him as an obstacle between them and the crown; while "the queen bitterly repented that she was tied to a wayward and intemperate person, who had already endangered her life and her crown, and was constantly thwarting every measure which promised the restoration of tranquillity and good government."†

Rising power of Bothwell.

In proportion as the alienation between Mary and her husband increased, the Earl of Bothwell rose in her confidence and esteem. This bold, bad man, whose connection with the Scottish queen was followed by the most fatal consequences to her fortunes and reputation, was the grandson of that Earl Adam who fell at the Battle of Flodden, in a desperate attempt to retrieve that disastrous day. He had succeeded his father in 1556, while yet a youth, and, though a professed adherent of the Protestant faith, had joined the party of the queen-regent against the congregation. After Mary's return to Scotland, he was expelled the kingdom for an attempt to assassinate the Earl of Moray; but on the disgrace and banishment of that nobleman, he was recalled and received into favour, and as a reward for his faithful services to the queen, after the assassination of Riccio, he was appointed Lieutenant or Warden of the Marches,‡ an office of great trust and power, and till then usually divided into three distinct governments. He was also restored to his hereditary office of Lord High Admiral, and rewarded with the gift of the rich abbeys of Melrose and Haddington, the castle and lordship of Dunbar, together with an extensive grant of the crown demesnes.* He was notorious alike for his profligacy† and his boundless and unscrupulous ambition; and having by his profuse expenditure involved himself deeply in debt, his embarrassment made him ready to adopt the most desperate enterprises to retrieve his dilapidated fortune. "Although he was far from handsome, his martial bearing, his taste for pleasure, the undaunted resolution of his character, his air of chivalrous devotion, and easy and elegant continental manners, beneath which he concealed the wild and extravagant passions of his country, charmed the imagination of the queen, and gave him great influence over her."‡ His progress in the royal favour seems to have been exceedingly rapid, and was soon manifest to all. About the end of July, little more than a month after the birth of the prince, one of the English envoys wrote to Cecil—"Bothwell carries all the merit and countenance in court. He is the most hated man among the noblemen, and thereof may fall out somewhat to his cumber one day, if the queen takes not up the matter the sooner." A few weeks later (August 3rd) it is said that "the earl's insolence is such, as that David was never more abhorred than he is now;" and, on the 9th, Bedford writes to Cecil—"Bothwell is still in favour, and has a great hand in the management of affairs."§ He speedily acquired a complete ascendancy over the queen, all her measures were directed by his advice and authority, and all favours and preferments passed through his hands. By his marriage with Lady Jane Gordon (February, 1556) he had become allied with the most powerful family of the north; and his influence procured for his brother-in-law, the Earl of Huntley, the important office of Chancellor. Not content, however, with wielding paramount influence at the royal court, Bothwell aspired to gain the affection, and even the hand, of the queen; and audacious as the project may appear, it was formed and carried on, as Robertson remarks, under very favourable circumstances: "Mary was young, gay, and affable; she possessed great sensibility of temper, and was capable of the utmost tenderness of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with insolence, and with brutality; all these she felt and resented. In this situation, the attention and complaisance of a man who had vindicated her authority and protected her person, who entered into all her views, who soothed all her passions, who watched and improved every opportunity of insinuating his designs and recom-

His character.

His audacious project.

* Keith, vol. ii. p. 461.

† Tytler, vol. vii. p. 54.

‡ "The king and she [the queen] have been at great debate and strife for the choosing of a lieutenant. The king would have his father, and she would have the Earl of Bothwell to be lieutenant, by reason he bears evil will against the Earl of Moray, and has promised to have him dead or alive, and for that case she makes him her lieutenant, and not the Earl of Lennox."—*Cockburn to Cecil*, October 2nd, 1565. MS. State Paper Office.

* Diurnal of Occurrents; Anderson, vol. i. p. 90.

† "I assure you Bothwell is as naughty a man as liveth, and much given to the detestable vices."—*Randolph to Cecil*, April 6th, 1566.

‡ Mignet's Life of Queen Mary, vol. i. p. 236.

§ Letters in the State Paper Office, quoted by Raumer. "Now the Earl of Bothwell's favours increased, which miscontented many."—*Melvil's Memoirs*, p. 154.

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mending his passion, could scarce fail of making an impression on a heart of such a frame as Mary's."* It is not easy to determine at what precise time this profligate and unscrupulous nobleman "first allowed the sentiments of a lover to occupy the place of that duty and respect which a subject owes to his sovereign;" but Sir James Melvil, who was in constant attendance at the court, is of opinion that Bothwell's plot for the murder of Darnley and the possession of the queen's person, had its origin about the time when she dispatched him to suppress the disturbances in Liddesdale.†

On the 6th of October, Bothwell, in discharge of his duties as Warden of the Marches, left Edinburgh for the Borders, which were at this time disturbed by the feuds of the Armstrongs, Elliots, and Johnstons; and two days later the queen, accompanied by her ministers and the officers of the household, set out for Jedburgh for the purpose of holding a court of justice. On that same day, Bothwell, in an attempt to make prisoner, with his own hand, a notorious freebooter named John Elliot, of Park, was so severely wounded that, according to report, he was left for dead on the field. "I have," says Lord Scrope in a letter to Cecil, "presently gotten intelligence out of Scotland that the Earl of Bothwell, being in Liddesdale for the apprehension of certain disordered persons there, had apprehended the Lairds of Mangertoun and Whitehaugh, with sundry other Armstrongs of their surname and kindred, whom he had put within the Hermitage.‡ And yesterday, going about to take such like persons of the Elliots, in pursuit of them, his lordship, being foremost and far before his company, encountered one John Elliot, of the Park, hand to hand, and shot him through the thigh with a dag,§ upon which wound the man feeling himself in peril of death, with a two-handed sword assailed the earl so cruelly, that he killed him ere he could get any rescue or succour of his men."‖ The news of this affray reached Mary at Jedburgh, where she was detained by her judicial duties until the 15th, on which day she took horse, and, accompanied by Moray and some other nobles, rode to Hermitage Castle, from twenty to twenty-five miles distant from Jedburgh, to visit her favourite lieutenant, who lay there wounded. The object of this journey has been differently interpreted by the partizans and the assailants of Mary. According to the former, she went for the purpose of conferring with the earl on the state of that disturbed district, of which he was the governor; while the latter affirm that this visit furnished most conclusive proofs of her attachment to Bothwell.* There was no insurrection, it is said, to demand her presence, no visible circumstances to require, or even to justify, a visit from the queen, which can therefore be accounted for only on the explanation given by a contemporary altogether favourable to her cause,† that "understanding the certain report of this accident, the queen was so highly grieved in heart that she took no repose until she saw the wounded earl." We are informed by Lord Scrope, that Mary remained two hours at the Castle of Hermitage, "to Bothwell's great pleasure and contentment,"‡ and afterwards, on the same day, returned to Jedburgh.§ The fatigue of this long ride, exposure to the night air, and, adds Crawford, "the great distress of her mind for the Earl of Bothwell, threw Mary into a severe illness." Lethington, however, ascribes her sickness to mental distress occasioned by the baseness and ingratitude of her husband. "The occasion of the queen's sickness," said he, "so far as I can understand, is caused of thought and displeasure; and I trow by what I could wring further of her own declaration to me, the root of it is the king; for she has done him so great honour, without the advice of her friends, and contrary to the advice of her subjects, and he, on the other hand, has recompensed her with such ingratitude, and misuses himself so far towards her, that it is a heartbreak to her to think that he should be her husband, and how to be free of him she sees no outgait."‖ For ten days the physicians despaired of the queen's life; indeed, it was at one time reported at Edinburgh that she was dead. She believed herself dying, expressed her entire resignation to the divine will, earnestly exhorted the nobility to live in amity and peace with each other, and diligently provide for the government of the kingdom and the education of her son. She entreated that they would carefully train him in all virtue and godliness, and suffer none to approach him whose example might pervert his manners or his mind. She recommended to them the state of religion within the realm, praying them to "trouble nor press no man in his conscience that professit the Catholic religion," and to respect the rights of conscience "whilk is ane sair matter to press." Mary also sent her affectionate remembrances by De Croc to the King of France and her relatives in that kingdom, and declared her resolution to die in the faith of the Roman Catholic religion.¶ "She desired," says Knox, "the lords to pray for her to

Mary's visit to Bothwell at the Hermitage.

Dangerous illness of the queen.

* Robertson, vol. i. p. 321.
† Melvil's Memoirs, pp. 170, 173; Tytler, vol. vii. p. 56.
‡ A strong castle in Liddesdale, once the property of the Douglas family: the scene of the murder of the gallant Sir Alexander Ramsay by the "Dark Knight of Liddesdale." See vol. i. p. 196. It now belongs to the Duke of Buccleuch.
§ A pistol.
‖ Lord Scrope to Cecil, Carlisle, October 8th, 1566. MS. State Paper Office.

* Laing, vol. i. p. 14; Mignet, vol. i. p. 240; Tytler, vol. vii. p. 58.
† Historie and Life of King James the Sext.
‡ Caligula, Book iv. p. 104.
§ If we are to admit the authenticity of the famous letters said to have been found in the silver casket, Mary, notwithstanding the fatigues of the day, sat up until late at night writing to Bothwell.
‖ Letter from Secretary Lethington to the Archbishop of Glasgow. Laing's History of Scotland, Appendix, No. I.
¶ Lesley, Bishop of Ross to the Archbishop of Glasgow Kirk, Appendix, No. XIV.

God, she said the Creed in English, and desired the Lord of Moray, if she should chance to depart, that he would not be over extreme to such as were of her religion. The bruit went from Jedwart that the queen was departed this life, or at least she could not live ony time, wherefore there were continually prayers publicly made at the church of Edinburgh, and divers other places, for her conversion towards God and amendment." Her youth and good constitution, however, triumphed over the attack, and, though much weakened, she soon recovered so far as to be able to return to the capital.

Darnley did not arrive at Jedburgh until the 28th of October, two days after the queen was out of danger. He has been greatly blamed for the tardiness of his visit, but perhaps without just cause. We learn from Birrell that intelligence of the queen's illness did not reach Edinburgh until October the 25th, and as Darnley was with his father at Glasgow, and had no friend at court, it is probable that he did not receive earlier notice; and as he reached Jedburgh on the 28th, he may have set out to see his consort as soon as he was made acquainted with her extreme danger.* From whatever cause, he was received so coldly that he remained only one night in Jedburgh, and returned on the following day to his father, Lennox, at Glasgow.

On the 9th of November the queen, with her court, left Jedburgh, and proceeded first to Kelso, and thence by Berwick and Dunbar to Craigmillar, near Edinburgh, where she arrived on the 20th, and remained for nearly three weeks. During her residence at Craigmillar, she still suffered from pains in her right side, and her liver also was disordered. She fell into a profound melancholy, often heaved deep sighs, and seemed ready to sink under the burden of her cares and perplexities, and the contradictory passions by which her bosom was torn.† "The queen," wrote De Croc to the Archbishop of Glasgow, December 2nd, "is in the hand of her physicians, and I do assure you is not at all well, and I do believe the principal part of her disease to consist of a deep grief and sorrow. Nor does it seem possible to make her forget the same. Still she repeats these words, 'I could wish to be dead!' You know very well that the injury she has received is exceeding great, and her majesty will never forget it. The king, her husband, came to visit her at Jedburgh the very day after Captain Hay went away. He remained there but one single night, and yet in that short time I had a great deal of conversation with him. He returned to see the queen about five or six days ago, and the day before yesterday he sent word to desire me to speak with him half a league from this, which I complied with, and found that things go still worse and worse. I think he intends to go away to-morrow; but in any event I am much assured, as I have always been, that he wont be present at the baptism. To speak my mind freely to you (but I beg you not to disclose what I say in any place that may turn to my prejudice), I do not expect upon several accounts any good understanding between them, unless God effectually put to his hand. I shall only name two. The first reason is, the king will never humble himself as he ought; the other is, the queen can't perceive any one nobleman speaking with the king but presently she suspects some contrivance among them."*

Her great misery.

The knowledge of Mary's feelings towards her husband appears to have suggested to certain of her nobles a project for her deliverance from the miserable position in which she was placed. If we are to believe an account which was subsequently prepared in the interest of Mary, and with her knowledge and approbation, Lethington, Moray, and Bothwell hoped to obtain the pardon of Morton and his accomplices in the murder of Riccio, by pandering to the queen's hatred to Darnley. According to this document, Lethington and Moray proposed, at Craigmillar, to Argyle and Huntley, that they should unite their efforts to procure the recall of Morton and his associates, by devising some expedient to obtain a divorce between Mary and her husband. These noblemen having given their consent to the proposed expedient, they went in a body along with Bothwell into the queen's presence, and laid the proposal before her. The astute and unprincipled secretary, with whom the project seems to have originated, commenced by reminding her majesty of "the great number of grievous and intolerable offences the king, ungrateful for the honour received from her, had committed." He added, "that Darnley troubled her grace and them all," and that, if he was allowed to remain with her majesty, he "would not cease till he did her some other evil turn, which she would find it difficult to remedy." He then proceeded to lay before the queen the plan which the lords had devised, and promised that, in concert with the rest of the nobility, they would find means to separate her from her husband by a divorce, provided she would be pleased to pardon Morton, Lindsay, Ruthven, and their associates. The queen at first gave her consent to this proposal, upon condition that the divorce should be legal, and should do no prejudice to the rights of her son; otherwise she declared she "would rather endure all torments, and abide the perils that might chance her in her lifetime." Bothwell here interposed, and assured her that there was no danger that any injury could be done to

Secret conference at Craigmillar.

* "When he understood at Glasgow of this suddaine visitatioun, he addrest himself with expeditioune, first to Edinburgh, and next to Jedburgh, notwithstanding whereof he was not made welcome as appertenit."—*Historie of James the Sext.* On the other hand, the French ambassador, in a letter from Jedburgh, October 24, says, "The king is at Glasgow, and has not come to this place, although he has both received advertisement, and has had time enough to come had he been willing. This is such a fault as I know not how to apologize for it."—*Keith, Appendix*, No. XIV.

† Melvil's Memoirs, p. 170.

* Keith, Preface, p. 7.

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the rights of the infant prince; alleging "that though his own father and mother were divorced, yet his father's titles, offices, and estates, descended lawfully to him." It was remarked that, after the divorce, Darnley had better live in some part of the kingdom at a distance from the queen, or retire from the country. Mary on this expressed a hope that peradventure he might change for the better, and offered to retire for a season to France, and remain there till he acknowledged his faults. To this Lethington replied in mysterious terms, hinting that another way might be found of putting an end to her sorrows. "Madam," said he, "soucy* ye not we are here of the principal of your grace's nobility and council, that shall find the moyen [mean] that your majesty shall be quit of him without prejudice to your son; and albeit that my Lord of Moray be little less scrupulous for a Protestant nor [than] your grace is for a papist, I am assured he will look through his fingers thereto, and will behold our doings, and say nothing to the same." To this significant statement Mary replied, "I will that ye do nothing whereby any spot may be laid to my honour or conscience; and therefore I pray you rather let the matter be in the estate as it is abiding, till God of his goodness put remeid thereto, [than] that ye believing to do me service may possibly turn to my hurt and displeasure." The conference was concluded by Lethington, who said, "Madam, let us guide the matter among us, and your grace shall see nothing but good, and approved by parliament."† A widely different interpretation has been put upon this remarkable conversation by the friends and the enemies of the Scottish queen. The former affirm that Mary commanded Lethington, Bothwell, and their associates to abandon all thoughts of their nefarious design, and that she meant even to reject the plan for a divorce; while the latter assert with equal confidence that she understood the full meaning of Lethington's dark insinuation, displayed no great indignation at the idea, and offered but slight opposition to the project; and even Tytler admits that the queen was put upon her guard, and ought to have taken precautions to defeat the abominable design of the conspirators. She did nothing of the kind, however, but contented herself with merely giving an injunction which was not likely to be obeyed, and which Bothwell and his associates not improbably regarded as an indirect approbation of their design.*

Band for the murder of Darnley.

Bothwell and his associates lost no time in making the requisite preparations for the execution of their infamous plot. With a combination of legal formalities and revolting barbarity highly characteristic of the age, a solemn "band" or covenant for the perpetration of the murder of Darnley was drawn up at Craigmillar by Sir James Balfour—"the most corrupt man of his age," an unscrupulous partizan of Bothwell—and signed by Huntley, Lethington, Argyle, and Balfour himself, and placed in the hands of Bothwell. It declared their resolution to cut off the king as a young fool and proud tyrant, who was unfit to rule over them, and pledged themselves to stand by each other, and defend the deed as a measure of State.†

Baptism of the prince.

On the 11th of December Mary proceeded to Stirling, to make the necessary arrangements for the baptism of the young prince. It was remarked that the preparations for the ceremony, which were on a scale of unusual magnificence, and the reception of the foreign ambassadors, were committed to Bothwell, although he was a Protestant. Elizabeth, who had consented to be godmother to the young heir to the Scottish throne, appointed the Countess of Argyle to act as her representative, and dispatched the Earl of Bedford, her ambassador, with a font of gold to be used at the ceremony, valued at upwards of one thousand pounds. In her instructions to Bedford, she desired him to express jocularly her fear that, as the font had been made as soon as she had heard of the prince's birth, he might now have outgrown it. "If you find it so," said she, "you may observe that our good sister

* French—mind ye not, *se soucier*.

† Appendix to Keith, No. XVI. "The Protestation of the Earls of Huntley and Argyle touching the murder of the King of Scots." In forming an opinion respecting the credit due to this narrative, it must be borne in mind that it was drawn up under the eye of the queen, during the conferences at Westminster, after she was accused of complicity in the murder of her husband, and with the avowed object of throwing the guilt of this crime upon Moray and Lethington. It was transmitted to Argyle and Huntley for their signatures, and to be returned; and it is more than doubtful whether it was ever submitted to these noblemen. Moray, in reply to this or some other similar accusation, says—"If any man will say and affirm that ever I was present when any purpose was held out at Craigmillar, in my audience, tending to any unlawful or dishonourable end, I avow they speak wickedly and untruly, which I will maintain against them as becomes an honest man till the end of my life."—*Appendix to Keith*, p. 139. See Appendix A.

* See Mignet's Life of Queen Mary, vol. i. pp. 245-6; Bell's Life of Queen Mary, p. 77; Tytler, vol. vii. p. 64.

† The existence of this band for the murder of Darnley is proved by the confession of the Laird of Ormiston, who was executed for his share in this crime. He says Bothwell "let me see ane contract subscryvit by four or five handwrittes, quhilk he affirmit to me was the subscription of the Erle of Huntlie, Argyll, the Secretar Maitland, and Sir James Balfour, and alleaged that mony mae promisit wha wald assist him gif he were put at, and thairafter read the said contract, quhilk as I remember conteinet thir words in effect:—'That for sa mickle it was thought expedient and maist profitable for the commonwealth by the haill nobilitie and lords under subscryvit that sic ane young fool and proud tiranne sould not reign nor bear reull over thame; and that for diverse causes, thairfor, that they all had concluded that he sould be put off by ane way or uther; and whosoever sould take the deid in hand, or do it, they sould defend and fortifie it as themselffis, for it sould be every ane of their awin recknit, and halden dane by themselffis.' Quhilk writing, as said Erle shew unto me, was devysit by Sir James Balfour, subscryvit by them all, ane quarter of ane year befoir the deid was done."—*Laing*, vol. ii. pp. 321-322; Pitcairn's Criminal Trials, vol. i. p. 512. This statement of Ormiston is confirmed by Paris, another of the murderers, who confessed that Bothwell informed him that he was sure of Lethington, the enterpriser of the whole, and of Argyle, and Huntley his brother, whose handwrits he had for the deed; and that they were willing to have done it the last time they were at Craigmillar. (See Depositions of Paris, servant to the queen. Pitcairn's Criminal Trials, vol. i. p. 503.)

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has only to keep it for the next child, provided it be christened before it outgrow the font."* "The excessive expenses and superfluous apparel," says Knox, "which were prepared at that time exceeded far all the preparations that ever had been devised or set forth before in this country" To meet the extraordinary expenditure thus incurred, the queen levied an assessment of twelve thousand pounds, with the permission of a kind of irregular meeting of the three Estates. This meeting of the lords temporal and spiritual, and of the representatives of the boroughs, was called by the Privy Council, who stated the queen's necessities, and informed them that some of the greatest princes in Christendom had requested permission to witness, through their ambassadors, the baptism of the prince. It was therefore moved, and unanimously carried, that their majesties should be allowed to levy a tax for "the honourable expenses requisite." The tax was proportioned in this way—"six thousand pounds from the spiritual estate, four thousand from the barons and freeholders, and two thousand from the boroughs." †

The baptism for which such costly preparations had been made took place on the 17th of December, and was performed, according to the Roman Catholic ritual, by the Archbishop of St. Andrew's, assisted by the Bishops of Dunblane, Dunkeld, and Ross. The royal infant received the names of Charles James; the former, in compliment to the King of France, Mary's brother-in-law; the latter, because, as she said, her father and all the good kings of Scotland, his predecessors, had been called by that name.‡ Mary was exceedingly anxious that Moray, Huntley, Bothwell, and other influential nobles of her court, should countenance the ceremony by their presence, but they peremptorily declined. "The queen laboured much," says Knox, "with the noblemen to bear the salt, grease, and candles, and such other things, but all refused." Only two of the twelve earls and three of the barons ventured to cross the threshold of the chapel, and the Countess of Argyle had afterwards to do penance for the share she took in the business of the day. The affable and winning manner of the queen produced the most favourable impression on the minds of the foreign ambassadors, and she sent them home enriched with valuable gifts; but we learn from the letters of De Croc, that, in spite of all her efforts to throw off the melancholy by which she was oppressed, she was sometimes obliged to retire, in order to indulge her sorrow and give vent to her tears. "The queen," says the French ambassador, "behaved herself admirably well all the time of the baptism, and showed so much earnestness to entertain the goodly company in the best manner, that this made her forget in a good measure her former ailments. But I am of the mind that she will give us some trouble as yet; nor can I be brought to think otherwise, so long as she continues to be so pensive and melancholy. She sent for me yesterday, and I found her laid on a bed, weeping sore, and she complained of a grievous pain in her side. I am much grieved for the many troubles and vexations she meets with."*

Melancholy of the queen.

The principal cause of the grief of the unhappy queen was, of course, the perverse and stubborn conduct of her husband. Although he was living in the palace at Stirling, he absented himself from the baptism of his son, and amid the gaieties which accompanied the ceremony, he remained shut up in his own apartment, where he was left in absolute solitude, thus proclaiming to all both the queen's domestic unhappiness and the contempt into which he had fallen. Some have supposed that this step was taken on purpose to mortify and offend his consort, and that the causes of it are to be found in his sullen and jealous temper, and the ill-disguised hostility with which he was regarded by Moray, Bothwell, and the ruling party at court; while others maintain that no reason can be assigned for his absence but a prohibition from the queen, and that no provision was made for his appearance either at the baptism or at the subsequent festivals.† Be this as it may, it is certain that throughout the festivities which graced this joyous occasion, the father of the young heir to the throne remained in sullen seclusion, deprived of every appearance of power or respect, shunned by the nobility on account of the queen's displeasure, and even by the foreign ambassadors living under the same roof. "The king," says De Croc, "had still given out that he would depart two days before the baptism; but when the time came on he made no sign of removing at all, only he still kept close within his own apartment. The very day of the baptism he sent three several times desiring me either to come and see him, or to appoint him an hour that he might come to me in my lodgings; so that I found myself obliged at last to signify to him, that seeing he was in no good correspondence with the queen, I had it in charge from the most Christian king to have no conference with him. And I caused tell him likewise, that as it would not be very proper for him to come to my lodgings, because there was such a crowd of company there, so he might know that there were two passages to it, and if he should enter by the one, I should be

Perverse behaviour of Darnley.

Instructions to Bedford, Nov. 7, 1566; Keith, vol. ii. p. 479. The font weighed 333 ozs., and was valued by Stowe at £1,043. 19s.

† Keith, vol. ii. pp. 434-5, note.

‡ Letter from De Croc to the Archbishop of Glasgow. Keith, Preface, p. 7.

* Keith, Preface, p. 7.

† Tytler, vol. vii. p. 67; Laing, vol. i. p. 22. Camden states that Bedford was instructed by Elizabeth not to give Darnley the title of king; and this, it has been asserted was the cause of his absence; but no such thing is to be found among Bedford's instructions, and it is utterly at variance with the advice which Bedford gave the queen by Melvil—that she would entertain her husband as she had done at first, for her own honour and the advancement of her affairs. (See Robertson, vol. i. p. 333.) The "History of James the Sext" positively affirms, that "nather did King Henrie come thair, albeit he was in Striviling all that while, nather was he permitted or requyrit to cum opinly."

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restrained to go out by the other. His bad deportment is incurable, nor can there be any good expected from him for several reasons, which I might tell you was I present with you. I can't pretend to foretel how all may turn, but I will say that matters cannot subsist long as they are without being accompanied by sundry bad consequences."*

Pardon and recall of Morton and his associates.

A few days after the baptism of her son, Mary yielded to the earnest entreaty of Moray, Lethington, and Bothwell,† and granted a pardon to Morton, Ruthven,‡ Lindsay, and seventy-six of their accomplices, who had been banished for the murder of Riccio. From this act of mercy she excepted only two marked delinquents—George Douglas, who had seized the king's dagger and struck Riccio the first blow, and Andrew Ker, of Faudonside, who had presented a pistol to her breast. Darnley had throughout strenuously opposed the pardon of his former accomplices, whom he had betrayed and abandoned; and knowing well that his conduct had made them his implacable enemies, he became greatly terrified at the prospect of their speedy return. So highly indeed was he offended and alarmed at their recall, that he abruptly quitted Stirling on the very day on which the pardon of the exiles was signed, and took up his residence with his father, the Earl of Lennox, at Glasgow. It was rumoured at the time, that there was a design to apprehend and confine him to prison; while, on the other hand, the friends of the queen alleged that he had it in contemplation to seize the person of the young prince, to have him crowned without delay, and to assume the government in his name.§ The queen herself,

Mary's opinion of Darnley.

in a letter to the Scottish ambassador in France, after mentioning these rumours and the efforts she had made to trace their origin, proceeds to speak with much severity of the perverse and jealous behaviour of Darnley. "As for the king our husband," said she, "God knows always our part towards him; and his behaviour and thankfulness to us is equally well known to God and the world, especially our own indifferent subjects see it, and in their hearts we doubt not condemn the same. Always we perceive him occupied and busy enough to have inquisition of our doings, which, God willing, shall always be such as none shall have occasion to be offended with them, or to report of us anyways but honourably, however he, his father, and their fautors speak, which we know want no good will to make us have ado if their power were equivalent to their minds. But God moderates their forces well enough, and takes the means of the execution of their pretences from them; for we believe they shall find none, or very few, approvers of their councils and devices imagined to our displeasure and misliking."*

The opinion which the queen expressed in such decided terms respecting the isolation and impotence of her husband was quite correct. His conduct had stripped him alike of character, authority, and adherents; and at the time this letter was written he was confined to his bed by a dangerous illness,

The king's illness.

which attacked him soon after his return to Glasgow. The dangers to which the unhappy prince was exposed at this time must have been well known to many, and it was not unnaturally affirmed by popular rumour, that he had been poisoned by some of his servants, who had been bribed by Bothwell to perpetrate this crime. The report however was false, for the disease threw out an irruption over his body, and proved to be the smallpox. As soon as Mary heard of his illness, she sent her own physician to attend him, but she suffered nearly a month to elapse before she paid him a visit.†

Mysterious incident connected with Joseph Riccio and Joseph Lutyni.

At this period a suspicious incident occurred, which Mr. Tytler — whose laborious researches in the State Paper Office first brought the affair to light—regards as connected with the conspiracy to which Darnley soon after fell a victim. "In Mary's service," he says, "there were two Italians, Joseph Riccio and Joseph Lutyni. Joseph Riccio was brother to the unhappy secretary, David. He had arrived in Scotland soon after his brother's murder, and had been promoted by Mary to the office which it left vacant. All that we know regarding him is, that the queen treated him with favour; and Lennox, after the assassination of his son, the king, publicly named him as one of the murderers. Of Lutyni we know nothing, except that he was a gentleman in the queen's household, and an intimate friend of Joseph Riccio. This Lutyni Mary now sent on a mission to France (6th January, 1566-7), but he had only reached Berwick when she dispatched urgent letters directing that he should be instantly apprehended and brought back to Scotland, as he was a thief, and had absconded with money. Sir William Drury, Marshal of Ber-

* De Croc to Archbishop Beaton, Stirling, December 23, 1566; Keith, Preface, p. 7.

† "The queen here hath now granted to the Earl of Morton, to the Lords Ruthven and Lindsay, their relaxation and pardon. The Earl of Moray hath done very friendly to the queen for them, so have I, according to your advice. The Earls Bothwell and Atholl, and all other lords, helped thereon, or else such pardons could not so soon have been [illegible]."—*Bedford to Cecil*, 30th of December, 1566. Morton's pardon was facilitated by a promise which he transmitted from Newcastle by his kinsman, Archibald Douglas, during the baptism, that he would concur with his associates in a bond to support the queen's authority and to [illegible] her husband. (See Laing, vol ii. pp. 363—366.)

‡ The Ruthven here spoken of is the son of the Lord Ruthven who took so active a part in the murder. This sanguinary ruffian had died in exile some months previous to this.

§ These reports were attributed to William Hiegate and William Walcar, two servants of the Archbishop of Glasgow; but when interrogated and confronted they denied that they had ever made any such statements.

* Letter of Queen Mary to the Archbishop of Glasgow, Keith, Preface, p. 8.

† Carte mentions it as a proof of Mary's affection for her husband, that though she never had the smallpox herself, she ventured to attend him. But this is a mistake, for Mary is known to have had the smallpox in her infancy.

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wick, to whom these letters were addressed, on examining him appears to have found upon his person, or some way to have got possession of, a letter written to him by his friend Joseph Riccio; and its contents convinced Drury that the Scottish queen dreaded the disclosure of some important secret of which Lutyni had possessed himself. Alluding to Mary's letters, and the discrepancy between the slight reasons assigned for his apprehension and her great anxiety to have him again in her hands, Drury observed to Cecil—'And therefore giveth me to think that I can gather as well of the matter as of the gentleman, that it is not it [the money] that the queen seeketh so much, as to recover his person; for I have learned the man had credit there, and now the queen mistrusteth lest he should offer his service here in England, and thereby might with better occasion utter something either prejudicial to her, or that she would be loath should be disclosed but to those she pleaseth.'

"Riccio's letter was certainly fitted to raise these suspicions. He told Lutyni that they were both vehemently blamed, that they were accused of acting a double part, and that Lutyni in particular was railed at as having been prying into the queen's private papers; and he implored him, when examined on his return, as he valued his own safety and his friend's life, to adhere to a certain story which he [Riccio] had already told the queen. On interrogating Lutyni, Drury found him in the greatest alarm, affirming that if he were sent back to Scotland it would be to 'a prepared death.' Upon this he consulted Cecil, and received orders not to deliver him up, but to detain him at Berwick. The whole circumstances are exceedingly obscure; but it appears to me certain from Riccio's letter that Lutyni had become acquainted through him with some secret, the betrayal of which was a matter of life or death; that Mary suspected that he had stolen or read some of her private papers; that she had determined to examine him herself upon this point; and that everything depended on his deceiving the queen on his return, by adhering to the tale which had already been told her. When it is considered that at this moment Bothwell, Lethington, and their accomplices, had already resolved on the king's death—when we recollect the conference at Craigmillar, in which they had hinted their intentions to the queen, and had been commanded by her to do nothing that would touch her honour—when we know that Bothwell, who was at this time in the highest favour with Mary, was the custodier also of the written band for the murder of Darnley—there appears to me to be a presumption that Joseph Riccio, who must have hated the king as the principal assassin of his brother, had joined the plot; that his terrors arose out of his having revealed to Lutyni the conspiracy for Darnley's murder; and that the queen suspecting it had resolved to secure his person." *

The plot is made known to Morton.

Meanwhile the plot against the life of the king was steadily advancing. Bothwell, eager to obtain new accomplices, had already gained the concurrence of the Archbishop of St. Andrew's and Lord Caithness; and no sooner had Morton returned from his banishment, in the month of January, 1566—7, than he proceeded to meet him at Whittingham, the seat of Archibald Douglas, his near relative, and used every exertion to obtain the co-operation of a man of so much ability and resolution. As an inducement for him to take part in the projected enterprise, Bothwell assured him that the queen had given her consent. Morton does not appear to have expressed either surprise or disapprobation on hearing of the plot; but the banishment he had just suffered had rendered him more cautious, and he replied that as he was just relieved from exile, and was still forbidden to approach the court, he was unwilling to meddle with new troubles when he had scarcely got rid of an old offence; and on this ground declined to join the conspiracy. In a second interview, to which Lethington was admitted, Bothwell renewed his urgent solicitations, and declared that it was the wish of the queen that Darnley should be removed; but the crafty baron still refused to have anything to do with the matter, unless the queen's written consent was produced. "I desired the Earl of Bothwell," said he, in his dying confession, "to bring me the queen's handwrite of this matter for a warrant, and then I would give him an answer, otherwise I would not mell [intermeddle] therewith; which warrant he never purchased [procured] unto me." * Upon this Bothwell and Lethington returned to Edinburgh, accompanied, at Morton's request, by Archibald Douglas, "to return with such answer as they should receive of her majesty." Douglas was soon after ordered by the secretary to proceed to Whittingham, and tell Morton that "the queen would receive no speech of the matter appointed unto him." Having expressed a wish that the answer entrusted to him should be made more clear and explicit, Lethington replied that "the earl would sufficiently understand it." † Shortly after, Morton proceeded to St. Andrew's, to visit the Earl of Angus; and, a day or two before the murder was committed, Douglas was again dispatched to let Morton know that the affair was near its conclusion, and to request his concurrence and aid; but the earl replied, that since the written warrant from the queen, which Bothwell had promised, had not been produced, he would

* Tytler, vol. vii. pp. 71—74; and Proofs and Illustrations, No. II., where the documents referred to are given at length. Lutyni was sent back to Edinburgh by Drury about a week after the murder of the king. On his arrival Mary did not see him, but directed that he should be examined by Bothwell, who was apparently satisfied with the reasons the Italian gave for his flight, and permitted him to return to Berwick. The queen at the same time sent him a present of thirty crowns, and he soon after left the country, expressing the utmost satisfaction at his escape.

* Morton's confession, in Laing, vol. ii. p. 354.

† Letter from Archibald Douglas to the Queen of Scots, ibid., p. 366.

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have nothing to do with the project. Whether Bothwell had made an unauthorised use of Mary's name, in order to gain the assistance of Morton, or prudential motives alone induced Mary to refuse to give her written sanction to the plot, is one of the many disputed points connected with this atrocious affair. It is contended by Laing, that as the queen herself, previous to the conferences in England, avowed her knowledge that Lethington and Morton were privy to the murder, and declared that the former at least would be very loath to appear against her, she must have been fully apprised of the interview which Bothwell and the secretary had with Morton at Whittingham; and as that interview must have taken place during her absence at Glasgow, when Bothwell was employed to provide a house for the reception of her husband, the sole purport of the message brought by Archibald Douglas was to show to Morton that the queen would hear no speech, not of the murder,—of which the least intimation must have alarmed her, if innocent,—but of the written warrant, the matter promised or appointed unto him, which Morton demanded under her hand. This conclusion, he contends, is confirmed by the confession of Morton, after he was condemned to death as accessory to the murder. When the apparent justice of his sentence was urged by the clergy who attended him, inasmuch as he had confessed his foreknowledge and concealment of the crime, he replied, that he durst not reveal it, for fear of his life. "For at that time to whom should I reveal it? To the queen? She was the doer thereof. I was minded to have told it to the king, but yet I durst not, for fear of my life; for I knew him to be sic a bairn [such a child], that there was nothing told him but he would reveal it to her again, and therefore I durst not, for fear of my life." "It is evident," says Mr. Laing, "that Morton required the queen's warrant in writing, not to satisfy his own mind concerning her intentions (of which he could have little doubt when he considered her as the *doer*), but to retain it in his custody for his own vindication, if the murder should afterwards be laid to his charge."*

Mary's visit to Darnley at Glasgow.

On the 22nd of January Mary set out for Glasgow, to pay a visit to the king, who was now partially recovered from his illness. He appears to have received some vague warnings of the plot against his life, and had recently heard from one of his servants that the queen had expressed herself towards him in very harsh terms. He was therefore greatly surprised at this unexpected visit, and not without apprehensions as to its object. Under this feeling, he sent a gentleman named Crawford, one of his father's retainers, to meet the queen, with a message excusing himself for not waiting upon her in person, on the ground that he was afraid to do so, on account of the sharp words which she had spoken of him. To this Mary answered, that "there was no receipt could serve against fear," and that if he did not feel conscious of guilt, he would have had no apprehension of danger. On reaching Glasgow she proceeded to Darnley's bedchamber, and, after some conversation on indifferent topics, the subject of their mutual estrangement was introduced. He expressed deep penitence for his offences, complained of her cruelty in refusing to accept of his professions of regret and offers of amendment, pleaded his youth and the want of good counsel in extenuation of his errors, and, with many declarations of his unalterable affection for her, solemnly promised that if she would once more forgive him, he would never again offend her. Mary, on the other hand, reminded him of his intention to retire to the continent, and of the project ascribed to him by Hiegate and Walcar. He affirmed that he had never been serious in his threats of leaving the kingdom, and vehemently denied the truth of the other charge. He then informed her that he had learned from the Laird of Minto that she had refused to sign a paper which had been presented to her at Craigmillar, subscribed by certain others, authorising his seizure, and, if he resisted, his assassination. He added, that he would never think that she who was his own proper flesh would do him any hurt; and if any others should intend to injure him, they should buy it dear, unless they took him sleeping. He expressed his extreme delight at seeing her once more by his side, and begged her never to leave him again. Mary refused to take up her residence in the same house, as he was not yet purified from his sickness, which could not be done there. She then told him, that as he was weak and unable to bear much fatigue, she had brought a litter with her to carry him to Craigmillar; and he declared his readiness to accompany her, if she would consent that they should again live together as husband and wife. She promised that it should be as he had spoken, and gave him her hand; but added, that he must be thoroughly cleansed of his sickness first, which she trusted he shortly would be, as she intended to give him the bath at Craigmillar. She also requested that he would keep their reconciliation secret, lest it should give offence to some of the lords; to which he replied, that he could see no reason why they should mislike it.

As soon as this remarkable interview terminated, Darnley related all that had passed to Thomas Crawford, and requested him to communicate the particulars to his father, Lennox. Crawford immediately committed the conversation to writing, "as nearly word for word as his memory would serve him," and the paper, which still exists, endorsed by Cecil, was produced by him when he was examined on oath before the Commissioners at York, December 9th, 1568. He also states that he was asked by Darnley what he thought of the queen's proposal to carry him to Craigmillar. "She treats your majesty too like a prisoner," was the reply. "Why should you not be taken to one of your own houses in Edinburgh?"—"It struck me much in the same way," answered Darnley, "and I have

* Laing, vol. i. p. 30; vol. ii. p. 61.

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fears enough; but may God judge between us. I have her promise only to trust to; but I have put myself in her hands, and I shall go with her, though she should murder me." *

Reasons assigned for Mary's altered behaviour to her husband.

The question has often been asked, how is this sudden change in Mary's behaviour—this attempt to remove the suspicion and to regain the confidence of her husband—to be accounted for? Her apologists affirm, that Darnley's dangers awakened all the gentleness of her nature, and she forgot the wrongs she had endured. "Time," they say, "had abated the vivacity of her resentment; and, after its paroxysm was past, she was more disposed to weep over her afflictions, than to indulge herself in revenge. The softness of grief prepared her for a returning tenderness. His distresses effected it. Her memory shut itself to his errors and imperfections, and was only open to his better qualities and accomplishments. He himself, affected with the near prospect of death, thought with sorrow of the injuries he had committed against her. The news of his repentance was sent to her. She recollected the ardour of that affection he had lighted up in her bosom, and the happiness with which she had surrendered herself to him in the bloom and ripeness of her beauty. Her infant son, the pledge of their love, being continually in her sight, inspired her sensibilities. The plan of lenity which she had previously adopted with regard to him; her design to excite even the approbation of her enemies by the propriety of her conduct; the advices of Elizabeth, by the Earl of Bedford, to entertain him with respect; the apprehension lest the royal dignity might suffer any diminution by the universal distaste with which he was beheld by her subjects; and her certainty and knowledge of the angry passions which her chief counsellors had fostered against him,—all concurred to divest her heart of every sentiment of bitterness, and to melt it down in sympathy and sorrow. Yielding to tender and anxious emotions, she left her capital and her palace in the severest season of the year to wait upon him. Her assiduities communicated to him the most flattering solacement; and while she lingered about his person with a fond solicitude and a delicate attention, he felt that the sickness of his mind and the virulence of his disease were diminished." On the other hand, those writers who have taken an unfavourable view of Mary's character and conduct, are of opinion that the sudden transition which she made from jealousy and distrust to apparently strong affection, wears a very suspicious air, and must be regarded as the effect of artifice, not of any real change of feeling towards her husband. Her conduct, they affirm, showed that she no longer felt that warmth of conjugal affection which prompts to sympathy, and delights in all those tender offices which sooth and alleviate sickness and pain. When she heard of the king's illness, she did not even put on the appearance of this passion. Notwithstanding his danger, she amused herself with excursions to different parts of the country, and suffered near a month to elapse before she visited him at Glasgow. By this time the violence of the distemper was over, and the king, though weak and languishing, was out of all danger. The breach between Mary and her husband was not occasioned by any of those slight disgusts which interrupt the domestic union without dissolving it altogether. Almost all the passions which operate with greatest violence on a female mind, and drive it to the most dangerous extremes, concurred in raising and fomenting this unhappy quarrel. Ingratitude for the favours she had bestowed—contempt of her person—violations of the marriage vow—encroachments on her power—conspiracies against her favourites—jealousy, insolence, and obstinacy, were the injuries of which Mary had great reason to complain. She felt them with the utmost sensibility; and, added to the anguish of disappointed love, they produced those symptoms of despair which we have already described. Her resentment against the king seems not to have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambassador in France, only two days before she set out for Glasgow, no token of this sudden reconciliation appear, no indication is given of returning affection, no intimation of her intended journey, no allusion whatever is made to his sickness, or to his absence from court. On the contrary, it contains bitter reflections on his past ingratitude, on his jealous and busy inquisition into her actions, and on his inclination to disturb her government, if he were able, in conjunction with his father and their friends, whose attempts she treats at the same time with contempt and scorn. The conclusion, it is alleged, which these facts seem to warrant is strengthened by the consideration that Darnley's murder, which was perpetrated a few days afterwards, caused her no grief, inspired her with no regret, called forth in her no desire for vengeance, and induced her to take no means for bringing the assassins to justice, and, above all, when she became, shortly afterwards, the wife of her husband's murderer.*

Her letters to Bothwell from Glasgow.

Two of Mary's celebrated letters to Bothwell were written during her brief stay at Glasgow, and, if their genuineness can be relied on, certainly furnish conclusive evidence of her dissimulation.† The first of these, written two days after her arrival, was sent by a Frenchman named Nicolas Hubert, but usually called Paris, from the place of his birth, whom Bothwell, whose servant he had been, had placed in the queen's service, and who was

* Deposition of Thomas Crawford, MS. State Paper Office; Tytler, vol. viii. p. 78; Anderson's Collections, vol. iv. p. 169.

* See Dr. Gilbert Stewart's History of Scotland; Bell's Life of Queen Mary, chap. xx.; Tytler's Vindication of Mary Queen of Scots, vol. ii. p. 69; Laing's History, vol. i. p. 26; Robertson, vol. i. p. 338; Mignet, vol. i. p. 254.

† See Appendix B, in reference to Mary's Letters and Sonnets to Bothwell.

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one of the agents employed in the murder of her husband. After an account of her journey to Glasgow, she proceeds to describe her interview with Darnley, his mistrust and apprehensions of danger, and his expressions of devoted affection, exactly as they are mentioned in the deposition of Thomas Crawford, to whom, as we have seen, the particulars were communicated by Darnley. She then goes on to say—"I made as though I thought all to be true, and that I would think upon it. You never heard him speak better, nor more humbly; and if I had not proof that his heart is as soft as wax, and mine as hard as diamond, whereuntil no shot can make breach but that which comes forth of your hand, I would have almost had pity of him. However, fear nothing, for the place shall hold unto the death. Remember, in recompense hereof, that ye suffer not your heart to be won by that false race * that will travel no less with you for the same. I do here a work that I hate much; but I had begun it this morning, and you would list to laugh to see me lie so well—at the least to dissemble so well—and to tell him truth betwixt hands. We are coupled with two false races; the devil sunder us, and God knit us together for ever for the most faithful couple that ever he united. Send me word what you have determined hereupon, that we may know by the one the other's mind for marring of anything. I am weary, and am going to sleep, and yet I cannot forbear scribbling as long as there is any paper. Cursed be this pocky fellow that troubleth me thus much! for I had a pleasanter matter to discourse unto you but for him. This day I have wrought till two of the clock upon this bracelet to put the key in the clift of it, which is tied with two laces. I have had so little time, that it is very ill made, but I will make a fairer; and in the meantime take heed that none of those that be here do see it, for all the world would know it, for I have made it in haste in their presence. To be short, he will not come but with condition that I shall promise to be with him as heretofore, at bed and board, and that I shall forsake him no more; and upon my word he would do whatsoever I will, and will come, but he hath prayed me to tarry till after to-morrow. To make him trust me I must feign something unto him; and therefore, when he desired me to promise that when he should be well we should make but one bed, I told him (feigning to believe his fair promises) that if he did not change his mind between this time and that, I was contented, so as he would say nothing thereof; for (to tell it between us two) the lords wished no ill to him, but did fear lest, considering the threatening which he made in case we did agree together, he would make them feel the small account they have made of him, and that he would persuade me to pursue some of them; and for this respect should be in jealousy, if without their knowledge I did break the game made to the contrary in their presence. And he said unto me, very pleasant and merry, 'Think you that they do the more esteem you therefore? But I am glad that you have talked to me of the lords. I hope that you desire now that we should live a happy life; for, if it were otherwise, it could not be but greater inconvenience should happen us both than you think. But I will do now whatsoever you will have me do: I will love all those that you shall love, and so as you make them to love me also.' To be short, he will go anywhere upon my word. Alas! I never deceived anybody; but I remit myself wholly to your will, and send me word what I shall do; and whatsoever happen to me, I will obey you. Now, if to please you, my dear life, I spare neither honour, conscience, nor hazard, nor greatness, take it in good part, and not according to the interpretation of your false brother-in-law, to whom I pray you give no credit against the most faithfull lover that ever you had or shall have. See not also her [Lady Bothwell] whose feigned tears you ought not more to regard than the true travails which I endure to deserve her place, for obtaining of which, against my own nature, I do betray those that could lett [hinder] me. God forgive me, and give you, my only love, the good luck and prosperity that your humble and faithfull lover doth wish unto you, who hopeth shortly to be another thing unto you, for the reward of my pains. It is very late, although I should never be weary in writing to you, yet will I end, after kissing of your hands." Notwithstanding her professions of devoted attachment to Bothwell, she expressed herself disgusted at the perfidy, or "hateful deliberation," which her passion induced her to practise. "You constrain me so to dissimulate," she said, "that I am horrified, seeing that you do not merely force me to play the part of a traitress. I pray you to remember, that if desire to please you did not force me, I would rather die than commit these things, for my heart bleeds to do them." Carried away by the violence of her love, she told Bothwell that she would obey him in all things, and begged him not to conceive a bad opinion of her, "because," she continued, "you yourself are the occasion of it. I would never act against him to gratify my own private revenge." *

If we may credit the confession of Paris upon his trial, along with this communication he was charged to deliver to Bothwell a purse containing three or four hundred crowns, together with the bracelets to which the queen referred in her letter. He was also instructed to inquire of Bothwell and Lethington whether, on Darnley's return, he was to be lodged at Craigmillar or Kirk-of-Field, that he might have the advantage of good air; as it was deemed expedient that he should not take up his residence at Holyrood, lest the young prince should catch the disease.† To this matter reference is made in the letter to Bothwell: "Let me know what you have determined to do touching you know

* Lady Bothwell's family.

* Laing, vol. ii., Appendix, pp. 150—191.

† Second deposition of Nicolas Hubert, named Paris, Laing, vol. ii. p. 308; Pitcairn's Criminal Trials, vol. i. p. 503.

what, that we may understand each other, and that nothing may be done otherwise." Paris affirms that he fulfilled these commissions, and waited upon Bothwell and Lethington, who were both of opinion that it would be better to convey Darnley to the Kirk-of-Field, which was a suburb of Edinburgh, occupied by gardens and buildings, and from its airy situation well fitted for the residence of an invalid. One of the houses situated beside the town wall, in a comparatively solitary place, and belonging to Robert Balfour, a brother of Sir James Balfour, who had drawn up the bond for the murder, was selected by the conspirators as suitable for the execution of their infamous project. Paris declared that he twice perceived Bothwell in conference with James Balfour, and that he was finally sent back with the following message: "Return to the queen, and commend me very humbly to her grace, and tell her all will go well, for Mr. James Balfour and I have not slept the whole night; so we have set all things in order, and have got ready the house. And tell the queen that I send to her this diamond by your hands, and that if I had my heart I would send it to her very willingly."*

Return of the king and queen to Edinburgh.

On the 27th of January Mary and Darnley left Glasgow together, and travelled by slow and easy stages to Edinburgh, which they reached on the last day of this month. Bothwell met them with his attendants a short way from the capital, and accompanied them to the Kirk-of-Field. The largest and most commodious residence in this quarter was the duke's lodging, as it was called, the town-house of the Duke of Chatelherault. On their arrival, Nelson, Darnley's servant, was about to prepare this mansion for the reception of his master; but the queen prevented him, and informed him that the king was to take up his residence in Balfour's house, whither the necessary furniture was conveyed.† This house, which was speedily destined to become so notorious, from its connection with the fate of the unhappy Darnley, had formerly belonged to the prebendaries of the Kirk-of-Field.‡

Situation of the Kirk-of-Field.

It was small, confined, and insecure, consisting only of two stories, one of which contained a cellar and another room, and the other a gallery, which extended above the cellar, and a bedchamber, which corresponded with the room on the groundfloor. Darnley was established in this chamber, while his three servants, Taylor, Nelson, and Edward Simons, occupied the gallery. The cellar on the groundfloor was transformed into a kitchen; and the queen had a bed prepared for herself in the room immediately below Darnley's bedchamber. By her directions, the door at the foot of the staircase which communicated between the groundfloor and the upper rooms was removed, and employed as a cover for the vat in which Darnley was bathed; so that no security but the portal-doors of the gate remained.*

Behaviour of Mary to Darnley.

During the ten days which Darnley spent in this residence, Mary attended him with the most assiduous care; she passed much of the day in his society, and slept several nights in the chamber under his apartment. The marks of tenderness and affection which she showed him seem to have partially dispelled his suspicions and fears; and, though not without some apprehensions of the plot which had been formed against his life, he trusted to the queen's promises, and evidently believed that her presence would protect him from the machinations of his enemies. But while the unhappy prince was indulging these dreams of security, and the reconciliation between the queen and him seemed complete, he was on the very brink of destruction. Many persons entertained suspicions of Bothwell's murderous designs, but no one durst apprise

* Second deposition of Paris; Laing, vol. ii. p. 310.

† "It was devysit in Glasgow that the king suld have lyne first at Craigmillar; but becaus he had nae will thairof, the purpose was altered, and conclusion taken that he suld ly beside the Kirk-of-Field, at quhilk tyme this deponir believit ever he suld have had the duke's house, thinking it to be the lugeing preparit for him; but the contrare was then schawin to him by the queen, wha conveyit him to the uther house; and at his coming thereto the chalmir [chamber] was hung, and ane new bed of black figured velvet standing therein."—*Evidence of Thomas Nelson concerning the murder of King Henry Darnley.* Laing, vol. ii. p. 292.

‡ "'The Kirk-of-Field, in which,' says Melvil, 'the king was lodged, in a place of good air, where he might best recover his health,' belonged to Robert Balfour, the provost, or head prebendary of the collegiate church of St. Mary-in-the-Fields, so called because it was beyond the city wall when first built. When the wall was afterwards extended it enclosed the Kirk-of-Field, as well as the house of the provost and prebendaries. The Kirk-of-Field, with the grounds pertaining to it, occupied the site of the present college, and of those buildings which stand between Infirmary and Drummond Street. In the extended line of the wall, what was afterwards called the Potterrow Port, was at first denominated the Kirk-of-Field Port, from its vicinity to the church of that name. The wall ran east from this port, along the south side of the present college and the north side of Drummond Street, where a part is still to be seen in its original state. The house stood at some distance from the kirk; and the latter, from the period of the Reformation, had fallen into decay. The city had not yet stretched in this direction much farther than the Cowgate. Between that street and the town wall were the Dominican Convent of the Black Friars, with its almshouses for the poor and gardens, covering the site of the old High School, and the Royal Infirmary, and the Kirk-of-Field with its provost's residence. The Kirk-of-Field house stood very nearly on the site of the present north-west corner of Drummond Street. It fronted the west, having its southern gavel so close upon the town wall, that a little postern door entered immediately through the wall into the kitchen. It contained only four apartments. * * * * Below, a small passage went through from the front door to the back of the house; upon the right hand of which was the kitchen, and upon the left a room furnished as a bedroom for the queen when she chose to remain all night. Passing out at the backdoor, there was a turnpike stair behind, which, after the old fashion of Scottish houses, led up to the second story. Above, there were two rooms corresponding with those below. Darnley's chamber was immediately over Mary's; and on the other side of the lobby, above the kitchen, 'a garde-robe,' or 'little gallery,' which was used as a servants' room, and which had a window in the gavel, looking through the town wall, and corresponding with the postern door below. Immediately beyond this wall was a lane shut in by another wall, to the south of which were extensive gardens."—*Bell's Life of Queen Mary*, chap. xx.

* Evidence of Thomas Nelson; Laing, vol. ii. p. 293.

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Darnley of his danger, as "he revealed all," says Melvil, "to some of his own servants, who were not all honest;" or rather, according to Buchanan and Morton, he told everything to the queen herself. Only three days before the murder, Lord Robert Stewart, Mary's illegitimate brother, informed Darnley "that if he retired not hastily out of that place, it would cost him his life." Darnley immediately informed Mary, who sent for Lord Robert, and in the presence of her husband questioned him on the subject; but he, afraid of involving himself in danger, retracted what he had formerly said, and denied that he had ever made any such statement. "This advertisement," says Melvil, "moved the Earl Bothwell to haste forward his enterprise." That flagitious noble was now busily occupied in making all due preparations for the accomplishment of his murderous project. He had secured the active co-operation or tacit assent of the Earls of Huntley, Argyle, and Caithness, the Archbishop of St. Andrew's, Archibald Douglas, and many others of the leading lords and officers of the crown; and, in addition to these accomplices of high rank, he secured the services of a number of hardened and unscrupulous villains, of whose courage and devotedness he had ample proofs, and who readily consented to become the instruments of his crime. Four of these—Dalgleish, Wilson, Powrie, and French Paris—were merely menial retainers; the other four who were present at the "deed-doing" were the Laird of Ormiston, Hob Ormiston, his uncle, John Hepburn of Bolton, and John Hay of Tallo. The Frenchman Paris, who had been long in the employment of Bothwell, and on his recommendation was taken into the queen's service shortly before the perpetration of the murder, rendered important assistance in enabling his former master to obtain the keys of some of the doors of the Kirk-of-Field House, of which he caused counterfeit impressions to be taken. If we may credit the statement of Paris, it was not till Wednesday, the 5th of February, that the plot was revealed to him by Bothwell; and in the confession which he made on his trial, when two years later he was condemned to be executed for his complicity in the murder, he relates, in terms of striking simplicity, his feelings when he was made acquainted with the terrible secret, and his apprehensions that it would issue in his own destruction. "On hearing him," he says, "my heart grew faint; I did not say a word, but cast down my eyes." Bothwell asked him impatiently what he thought of the plan. "Sir," he replied, "I think that what you tell me is a great thing."—"What is your opinion of it?" reiterated Bothwell.—"Pardon me, sir, if I tell you my opinion according to my poor mind."—"What! are you going to preach to me?"—"No, sir; you shall hear presently."—"Well, say on." Paris then reminded him of the troubles and misfortunes of his past life, from which he was now happily delivered, and of the extraordinary favour which he had attained; and endeavoured to dissuade him from the commission of this crime, as it would certainly destroy his present tranquillity, and endanger his influence. "If you undertake this thing," he said, "it will be the greatest trouble you ever had, above all others that you have endured; for every one will cry out upon you, and you will be destroyed."—"Well," said Bothwell, "have you done?"—"You will pardon me, sir," answered Paris, "if you please, if I have spoken to you according to my poor mind."—"Fool that you are!" said Bothwell, "do you think that I am doing this all alone by myself?"—"Sir," said Paris, "I do not know how you are going to do it, but I know well that it will be the greatest trouble that you ever had."—"And how so?" said Bothwell. "I have already with me Lethington, who is esteemed one of the most prudent men in this country, and who is the undertaker of all this; and I have also the Earl of Argyle, my brother Huntley, Morton, Ruthven, and Lindsay. These three last will never fail me, for I have begged for their pardon; and I have the signatures of all those I have mentioned to you. We were desirous to do it the last time we were at Craigmillar; but you are a fool, and poor of spirit, unworthy to hear anything of consequence." * Paris finally consented to do what Bothwell required, and afforded him all the aid in his power in completing his preparations for the murder.

Bothwell's preparations for the murder of the king.

His accomplices.

Till within a few days of the deed, Bothwell had not made up his mind how Darnley was to be put to death. He held various secret meetings with his four principal accomplices, at which the plans of attacking Darnley when walking in the garden adjoining the Kirk-of-Field, and of stabbing him in his bed at midnight, were successively proposed and rejected, as alike dangerous and uncertain; and it was at length resolved to employ gunpowder, and to destroy both the house and its inmates. A quantity of powder was accordingly brought from the Castle of Dunbar, and conveyed to Bothwell's own lodgings, in the immediate vicinity of Holyrood; and Paris was instructed to admit Hay of Tallo, Hepburn, and Ormiston into the queen's bedchamber, on the evening appointed for the execution of the murder, that they might deposit the powder there beneath the room in which Darnley slept. Paris declared that having, contrary to Bothwell's orders, placed the queen's bed immediately under that of the king, Mary herself came into the room in the evening, and ordered him to change the position of the bed.† He also alleged,

* Deposition of Paris, Laing, vol. ii. p. 299.

† "The queen said to me, 'Fool that you are, I will not have my bed in that place!' and so made me remove it; by which words I perceived in my mind that she was aware of the plot. Therefore, I took the courage to say to her, 'Madam, my Lord Bothwell has commanded me to take to him the keys of your chamber, because he intends to do something in it—namely, to blow up the king with gunpowder.'—'Do not talk about that at this hour,' said she, 'but do what you please.' Upon this I did not venture to say anything more."—*Second Deposition of Paris, Laing*, vol. ii. p. 312.

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that on the Saturday evening before the murder she removed from her own chamber a rich coverlet of fur; and Nelson, one of Darnley's servants, who was found beneath the ruins of the house, says that the queen caused a bed of new black velvet to be removed from the king's apartment, and an old one to be substituted in its place.*

The night of Sunday, the 9th of February, was fixed by the conspirators for the execution of their villainous project. At dusk Bothwell assembled his accomplices in his lodgings, concerted his plan with them, and allotted to each the part he was to perform.† The queen dined that day at Holyrood, and between seven and eight o'clock went to sup with the Bishop of Argyle, in the house of Mr. John Balfour, where the bishop lodged. About nine she rose from the supper-table, and, accompanied by the Earls of Argyle, Huntley, and Cassilis, went to visit her husband at the Kirk-of-Field, where she professed her intention to remain during the night.‡ Meanwhile, three of Bothwell's retainers—Dalgleish, Powrie, and Wilson—had been employed in conveying the gunpowder in bags from their master's lodgings to the convent gate, at the foot of Blackfriar's Wynd, where it was taken from them by Hay of Tallo, Hepburn, and Ormiston, who carried it up to the house. When they had conveyed the whole, they were ordered to return home; and as they passed up the Blackfriar's Wynd, they saw "the quene's grace gangand before them with licht torches," and Powrie, as if suddenly conscience-stricken, said to Wilson, "Jesu! Pate! whatna a gait is this we are ganging? I trow it be not good." §

Bothwell, who was present at the banquet given by the Bishop of Argyle, and quitted the entertainment at the same time with the queen, kept at a distance, walking up and down the Cowgate, while his accomplices received and deposited the powder. A large empty barrel had been concealed by his orders in the garden of the Dominican convent, and into it the conspirators intended to have put all the bags containing the powder; and the barrel was then to have been carried in at the lower backdoor of Darnley's house, and placed in the queen's bedroom, where Paris was ready to receive it. But in consequence of the barrel turning out to be so large that it could not be taken in by the backdoor, it became necessary to carry the bags one by one into the bedroom, where they were emptied in a heap on the floor. Bothwell, who seems to have been alarmed at the delay caused by their proceedings, came to inquire if all was ready, and urged his accomplices to make haste "before the queen came forth of the king's house; for if she came forth before they were ready, they would not find such commodity."* At length, when all their arrangements were completed, Ormiston went away; but Hepburn and Hay remained with their false keys in the room with the gunpowder, and Bothwell went up stairs and joined the queen and her attendants in Darnley's apartment. Shortly afterwards Paris also entered the king's bedroom;† and the queen then recollected that she had promised to give a masque at Holyrood in honour of the marriage of her French servant, Bastian, to Margaret Carwood, one of her favourite women; and taking farewell of Darnley, embraced him, and left the house with her suite, including Bothwell, and proceeded by torch-light to Holyrood.

Bothwell accompanied the queen to the apartments where the festivity was proceeding; and Paris, who carried in his pocket the key of the queen's bedroom at the Kirk-of-Field, followed in his train. If we are to credit the confession which he made at his trial, the Frenchman, upon entering the apartment where the dancing and masking was going on, retired in a melancholy mood to a corner, and stood apart by himself. Bothwell, observing him, and fearing that his behaviour might attract notice, went up to him and angrily demanded why he looked so sad; adding in a whisper, that if he retained that gloomy countenance before the queen, he should be made to suffer for it. Paris replied, that he did not care what became of himself, if he could only get permission to go home to bed, for he was ill. "No," said Bothwell, "you must remain with me; would you leave these two gentlemen, Hay and Hepburn, locked up where they now are?" "Alas!" answered the unhappy valet, who felt himself completely in the power of his relentless master; "what more must I do this night? I have no heart for this business." Bothwell then put an end to the conversation by ordering Paris to follow him immediately. About midnight Bothwell quitted the palace, and came "to his own lodging in the abbey," where he changed his rich court-dress of black velvet and satin for a dress of common stuff, and wrapt himself up in his riding cloak. Taking Paris, Powrie, Wilson, and Dalgleish with him, he went down the lane which ran along the wall of the queen's south gardens, joining the foot of the Canongate, where the gate of the outer court of the palace formerly stood. As they passed the door of the queen's garden the party was challenged by one of the sentinels, who demanded, "Who goes there?"—"Friends!" answered Powrie.—"What friends?"—"Friends of

* Laing, vol. ii. p. 292.

† Deposition of Powrie, Dalgleish, and Hay of Tallo, Laing, vol. ii. pp. 261—291.

‡ "The chalmer wherein she lay the said twa nights, and promisit also to have bidden there upon the Sunday at night."—*Nelson's Deposition*, Laing, vol. ii. p. 293.

§ Deposition of Powrie, Laing, vol. ii. p. 272.

* Deposition of Powrie, Laing, vol. ii. p. 283.

† "Paris passes to the king's chalmer, where the king, the queen, and the Erle Bothwell and others were . . . and as the deponar believes Paris shew the Erle Bothwell that all things were in readiness, and syne soon thereafter the queene and the lordis returnit to the abbay."—*Deposition of Hay of Tallo.* "Sche [the queen] tuk purpoise (as it had been on the sudden) and departit as sche spak to give the mask to Bastyane, wha that night was married to her servand."—*Deposition of Nelson, Laing*, vol. ii. pp. 292-293.

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Lord Bothwell."* On this they were allowed to proceed, and going up the Canongate, they found that the Netherbow Port, by which they intended to enter the city, was shut. Wilson immediately awoke John Galloway, the porter, calling to him to "open the port to friends of my Lord Bothwell." Galloway, in surprise, asked, "What they did out of their beds at that time of night?"† They made no answer, but passed on. Proceeding up the High Street, they called at Ormiston's lodgings, intending to take him with them; but the laird, though he had assisted in conveying the powder into the Kirk-of-Field, was unwilling to take any further share in the commission of the crime, and, on knocking at his door, they were told that he was not at home. They went without him down a close below the Blackfriars Wynd (apparently Todrig's Wynd), and entering the convent gardens already mentioned, they stopped at the back wall, a short way behind Darnley's residence. Here Bothwell left Powrie, Wilson, and Dalgleish, and proceeded with Paris alone to the Kirk-of-Field, where he waited for Hepburn and Hay of Tallo in Balfour's garden.

Murder of the king.

Up to this point the proceedings of the conspirators are perfectly clear, but great obscurity rests on what followed, and it has never been ascertained with certainty how Darnley was murdered. The unhappy prince had become greatly changed since his illness: and frequently said that he knew he should be slain, complained that he was hardly dealt with, and lamented that there were few near him whom he could trust. After the departure of the queen, as though foreboding the destruction which was impending over him, he sought consolation in the sacred Scriptures, and repeated the 55th Psalm, which contained many passages adapted to his peculiar situation. After his devotion he went to bed, and fell asleep; Taylor, his young page, being beside him in the same apartment.‡ Thomas Nelson, Edward Simons, and a boy lay in the gallery or servants' apartment on the same floor, and nearer the town wall. According to one account, it was at this moment that the two murderers concealed in the queen's bedroom perpetrated their crime. By means of their false keys they gained access to the king's apartment; but the noise having awakened their miserable victim, he jumped out of bed in his shirt and pelisse, and endeavoured to escape. He was seized however by the assassins, and strangled after a desperate resistance; his cries for mercy being heard by some women in the nearest house. His page was put to death in the same manner, and their bodies were carried into a small orchard near at hand, where they were found next morning, unscathed by fire or powder, the king in his shirt only, and the pelisse by his side. The house was then blown up, in order completely to obliterate all traces of the murder.* On the other hand, Bothwell's accomplices when brought to trial, while fully admitting their share in this horrible tragedy, emphatically deny that Darnley was first strangled or assassinated and then carried out to the garden. Hepburn declared expressly that "he knew nothing but that Darnley was blown into the air, for he was handled with no man's hands that he saw." The Laird of Ormiston, before his execution, "being requirit by the minister gif he knew not that the king was otherways handilit by men's hands, for it is commonlie spoken he was brought forth and wirryit [strangled], wha answerit, 'As I shall answer to my God I know nothing, but he was blawin up, and did inquire the same maist diligentlie at John Hepburn, and John Hay, and all that tarried behind me, wha swore unto me they never knew na other thing but he was blawin up.'" And Hay deposed that Bothwell some time afterwards said to him, "What thought ye when ye saw him blown into the air?" Hay answered, "Alas! my lord, why speak ye of that; for when ever I hear such a thing the words wound me to death, as they ought to do you." And in the continuation of Knox's history it is mentioned, that medical men, "being convened at the queen's command to view and consider the manner of Darnley's death," were almost unanimously of opinion that he was blown into the air, although he had no mark of fire.†

Whatever was the precise mode in which the unfortunate prince was murdered, no doubt rests on the part acted by Bothwell. It will be remembered that when Dalgleish, Powrie, and Wilson, were left at the foot of the convent gardens, the arch-conspirator and Paris passed over the wall at the back of Darnley's residence, and joined the murderers, who had remained locked up in the queen's bedroom. On the arrival of Bothwell, Hepburn lighted the match which was connected with the gunpowder lying in a heap upon the

* Deposition of Powrie, Laing, vol. ii. p. 270.
† Ibid., p. 275; Deposition of Dalgleish.
‡ MS. Letter, State Paper Office, Drury to Cecil; Tytler, vol. vii. p. 82.

* This version of the murder is based on a despatch from the Pope's Nuncio to Cosmo I., which was found in the archives of the Medici by Prince Labanoff, and by him communicated to Mr. Tytler, who has framed his narrative of Darnley's death in accordance with its statements, and has been followed by the acute and able author of the "History of Mary Queen of Scots." (See Tytler, vol. vii. p. 83, and Mignet, vol. i. pp. 268-9.) This was also the prevalent belief in Scotland; as is proved by a proclamation published on the 20th of June, 1567, in which Bothwell is accused not only of having conspired against the life of the king, but of having killed him with his own hands. "Of the quhilk murder he is found not onlie to have bin the inventor and devyser, but the executor with his awin hands, as his awin servantis being in companie with him at that unworthie deid has testifiet." The questions which the court put to Hepburn, Hay, and the other murderers, on their trial, show clearly that it was the prevailing opinion at the time that the king was strangled. It appears that Bothwell wished it to be believed that the house had been struck by lightning. Melvil says, on the morning after the murder Bothwell "came forth and told me he saw the strangest accident that ever chanced—to wit, the thunder came out of the lift [sky] and had burnt the king's house, and himself found lying dead a little distance from the house under a tree, and willed me to go up and see him, how that there was not a mark nor a hurt on all his body."
† Knox, vol. ii. p. 550; Bell's Life of Queen Mary, chap. xxi.

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floor, and having locked the doors, they returned in a body to the convent gardens to wait the explosion. The match, however, burnt too slow for their impatience; and a quarter of an hour having elapsed without any noise being heard, Bothwell insisted on returning to look in at the back window of the bedroom, to see if the light was burning, but was prevented by Hepburn, who pointed out the danger. At length the match took effect about two o'clock in the morning.* With a loud noise, like the bursting of a thunder-cloud, the house blew up into a thousand fragments, leaving scarcely a vestige standing of its former walls; and "great stones of the length of ten feet, and of the breadth of four feet, were found blown from the house a far way." Paris, who compares the explosion to the noise of a storm of thunder condensed into one clap, fell almost senseless through fear, with his face upon the earth. Bothwell himself, "though a bold, bad man," confessed a momentary panic. "I have been at many important enterprises," he said, "but I never felt before as I do now." The assassins hurried terror-stricken from the spot, and passing out at the convent gate, they separated in the Cowgate. Bothwell himself, with part of his attendants, went up a wynd, "be east the Friar Wynd," and crossing the High Street, endeavoured to get out of the city by leaping a broken part of the town wall in Leith Wynd; but finding it too high, they were forced to rouse once more the porter at the Netherbow. They then passed down St. Mary's Wynd, and along the south back of the Canongate to the earl's lodgings in the palace. In passing the door of the queen's garden they were again challenged by the sentinels, and answered as before that they were friends of the Earl of Bothwell, carrying despatches to him from the country. The sentinels asked "if they knew what noise that was they had heard a short time before?" They told them they did not.† On reaching his lodgings, Bothwell called for something to drink, and taking off his clothes, went to bed immediately.

The cry almost immediately arose in the city that the Kirk-of-Field had been blown up, and the king slain. The tidings quickly reached Holyrood, and were communicated to Bothwell by George Hacket, one of the servants of the palace, who knocked loudly at his door, and demanded admittance. The door was opened, and "when he came in, he appeared to be in ane great effray, and was black as any pik [pitch], and not ane word to speak." Bothwell, with the greatest coolness, asked him what was the matter. "The king's house," said Hacket, "is blown up, and I trow the king is slain!" At these words Bothwell started in well-feigned astonishment and alarm, and shouted "Treason!"* He then dressed himself, and having meanwhile been joined by Huntley, a brother conspirator, and some others belonging to the court, they repaired to the queen's apartments, and acquainted her with the dreadful fate of her husband.

At daybreak, the citizens of Edinburgh crowded in great numbers to examine the scene of the murder. It was found that the three servants who slept in the gallery were all buried in the ruins, out of which Nelson alone was taken alive† the sole survivor of the five persons who were in the house at the time of the explosion. Bothwell, however, soon repaired to the spot with a guard of soldiers, and having dispersed the horror-stricken crowd, removed the bodies of the king and his page to a neighbouring house, without permitting any one to examine them. But it did not escape the notice of the spectators that the bodies displayed no wounds, and had not been scathed by fire or powder.‡

Such was the miserable fate of Henry Stewart, Lord Darnley, in the twenty-first year of his age, and only eighteen months after his disastrous union with the Scottish queen. "Had he died a natural death," says Dr. Robertson, "his end would have been unlamented, and his memory have been soon forgotten; but the cruel circumstances of his murder, and the remissness with which it was afterwards avenged, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwise no title."§ He had been to Scotland only a cause of civil war; to his nobility an object of contempt, of pity, or of hatred; and to his wife a perpetual source of misfortune. Any praise he may deserve must be given to him almost solely on the score of his personal endowments: his mind and disposition had been allowed to run to waste, and were under no control but that of his own wayward feelings and fancies. Keith, in the following words, draws a judicious contrast between his animal and intellectual qualities:—"He is said to have been one of the tallest and handsomest young men of the age; that he had a comely face

His character.

* "Thereafter the Erle of Bothwell, accompanyit with Paris and Geordie Dalgleish, came to the back-yard, and the said Hepburn, wha had twa keys of the back-door, lichtit the lunt [match], and came with the deponer, and lockit the doors after them, and fand the Erle of Bothwell in the yard, wha speerit at them gif they had done that quhilk he had bidden them, and fyrit the lunt; and they answerit that it was done. And after my lord and they tarryit in the yard ane lang time; and when my lord saw that the matter came not hastily to pass, he was angry, and wald have gane in himself into the house; and the said John Hepburn stoppit him, saying thir words, 'Ye need not.' And my lord said thir words, 'I will not gang away till I see it done;' and within ane short space it fyrit; and when they saw the house rising, and heard the crack, they ran their way."—*Deposition of John Hay, Laing*, vol. ii. p. 280.

† Laing, vol. ii p. 285; Bell, chap. xxi.

* Deposition of William Powrie, Laing, vol. ii. p. 271.

† "This deponer and Edward Symons lay in the little gallery that went direct to south out of the king's chalmir, having ane windo in the gavill [gable] thro the town wall, and besyde them lay William Tailzeir's boy, quhilk nevir knew of ony thing till the house wherein they lay was fallin about them; out of the quhilk how soon this deponer could be red he stood upon the ruinous wall till the people convenit, and then he gat claithis, and sa departit."—*Deposition of Thomas Nelson, Laing*, vol. ii. p. 294.

‡ MS. Letter, State Paper Office, Feb. 11, 1566-7, Tytler, vol. vii. p. 85.

§ Robertson, vol. i. p. 342.

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and pleasant countenance; that he was a most dextrous horseman, and exceedingly well skilled in all genteel exercises; prompt and ready for all games and sports; much given to the diversions of hawking and hunting, to horse-racing and music, especially on the lute; he could speak and write well, and was bountiful and liberal enough. But, then, to balance these good natural qualifications, he was much addicted to intemperance, to base and unmanly pleasures; he was haughty and proud, and so very weak in mind, as to be a prey to all that came about him; he was inconstant, credulous, and facile, unable to abide by any resolutions, capable to be imposed upon by designing men, and could conceal no secret, let it tend ever so much to his own welfare or detriment." *

Unsatisfactory behaviour of the queen.

It must have been evident to all that immediate investigation promised the best, almost the only hope of the discovery of the king's murderers; but to the surprise and indignation of the public, and the deep mortification of the queen's friends, she manifested none of that activity and resolution which she had displayed after the murder of Riccio, but kept her bed in a dark room, and would communicate with her most faithful servants by the medium of Bothwell alone. The murderer of her husband was the only one of her nobles who had access to her presence; and, according to the evidence of Paris, on his return from the Kirk-of-Field, was admitted to a conference under the curtain of her bed—a statement which is confirmed by Melvil, whom Bothwell met at the door of the chamber, and informed him "that the queen was sorrowful and quiet, which occasioned him to come forth." †

The task of communicating the catastrophe to the French court was left to the Privy Council, which was almost entirely composed of the instigators and accomplices of the murder; but the queen herself dispatched at the same time a letter to the Archbishop of Glasgow, her ambassador at Paris, in which she speaks with horror of "that mischievous deed," as she terms it, which had spread consternation throughout all Scotland,—"a matter so horrible and so strange, that the like was never heard of in any country." She intimates that the enterprise was directed against her as well as the king, as she lay most part of the week in the same lodging, remained there with most of the lords till midnight, "and of very chance tarried not all night, by reason of a masque at the abbey; but we believe it was not chance, but God, put it into our head." She expresses no grief or pity for the untimely fate of her husband; but speaks of the diligence which the Privy Council had already exerted to discover the murderers, and her own resolution "to punish the same with such rigour as shall serve for example of this cruelty to all ages to come." ‡ It was not till the Wednesday after the murder, however, that a proclamation appeared offering a reward of two thousand pounds Scot (£166 sterling) to any who would give information regarding the perpetrators of the crime. On the same day the body of the king was brought to the chapel of Holyrood, "very secretly;" and interred on the Saturday night following, "without any kind of solemnity or mourning heard among all the persons at court," and without the presence of any of the nobles or officers of state, except the Justice-Clerk Bellenden and Sir James Traquair.* On the same day that her husband was buried, Mary conferred upon Bothwell the reversion of the feudal superiority of Leith, which had been already mortgaged to the citizens of Edinburgh, and which gave him not only the command of the harbour, but indirectly great influence over the capital.

Shortly after the proclamation offering a reward for the discovery of the assassins had been issued, a paper was fixed during the night on the door of the Tolbooth, or common prison, denouncing Bothwell, James Balfour, and David Chambers, as the authors of the murder, "the queen herself assenting thereto." Voices, too, were heard in the streets of Edinburgh at midnight, accusing the same persons. Another proclamation was issued by the queen, calling on the author of the paper to divulge his name, and to subscribe the charge, which produced a second placard on the 19th, requiring that the promised reward should be first lodged in honest hands, and that four of the queen's servants, who were mentioned by name, should be arrested; and undertaking that, as soon as these conditions were complied with, the author and four friends would discover themselves. But Mary had already left Edinburgh on the 16th, and removed to Seton, accompanied by Bothwell, Argyle, Huntley, the Archbishop of St. Andrew's, and Secretary Lethington, who were all deeply implicated in the assassination of the king; and instead of adopting any vigorous measures to discover and secure the conspirators, she speedily seemed to have forgotten the whole affair in the pursuit of gay and festive amusements. She and Bothwell would shoot at the butts against Huntley and Seton; and on one occasion, after winning the match, they forced these lords to pay the forfeit in the shape of a dinner at Tranent.† On the very day after the second placard appeared, a pension was conferred upon Francis, one of her servants, who was denounced by name as accessory to the murder of Darnley; the vicarage of Dunlop was bestowed upon Archibald Beton, usher of the king's chamber, who kept the keys of the Kirk-of-Field; Durham, the king's porter, who was accused of betraying his master, was rewarded with a place and pension; ‡ and all inquiry into that atrocious crime was silently, yet completely, abandoned.

* Keith, vol. ii. pp. 506—509; Bell, chap. xxi. p. 88.
† Laing, vol. ii. p. 315; Melvil's Memoirs, p. 174.
‡ Labanoff, vol. ii. pp. 3-4.

* Birrell's Diary; Historie of James the Sext; Laing, vol. i. p. 50.
† MS. State Paper Office, Drury to Cecil; Tytler, vol. vii. p. 91.
‡ Laing, vol. v. pp. 35-36

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On the 20th, the Earl of Lennox, father to the murdered king, wrote to Mary in pathetic terms, earnestly imploring her to apprehend the suspected persons, and to lose no time in assembling the Estates of the realm, for the purpose of investigating the circumstances of his son's death. She replied, that the placards contradicted each other, and that she was at a loss on which to proceed; that she had already desired a parliament to be summoned, and that, as soon as it met, the death of the king should be the first subject brought forward for consideration. Lennox wrote again on the 23th, stating that when he advised her majesty to assemble her nobility, he did not allude to the meeting of parliament, which had been proclaimed before Christmas, and could not be held immediately; but, as the crime demanded prompt measures, her majesty should, for her own honour, and for the tranquillity of the realm, apprehend the accused, and commit them to prison. Their names, he added, were notorious to the world, and he marvelled they should have been kept from her majesty's ears; but, to prevent all mistakes, he should repeat them: the Earl of Bothwell, Mr. James Balfour, Mr. David Chambers, and black Mr. John Spens, were denounced, he said, in the first placard; in the second, Francis, Bastian, John de Bourdeaux, and Joseph, David Riccio's brother. And he besought the queen to assemble the nobility and council, and by public proclamation to summon the authors of the placards to appear before them, and be confronted with those whom they had accused. But he besought her in vain. She professed, indeed, her determination that the persons named by Lennox "should abide and underlie such trial as by the laws of the realm was usual." "They being found culpable," she added, "in any way of that crime and odious fact named in the placards, and whereof you suspect them, we shall, even according to our former letter, see the condign punishment as vigorously and extremely executed as the weight of that fact deserves; for indeed, as you write, we esteem ourselves a party, if we were resolute of the authors." *

In spite of these professions, it became painfully evident that the queen had no serious intention of adopting vigorous measures to discover the perpetrators of the murder. Meanwhile, not a few persons from whom important information might have been elicited, and some even of those arraigned in the placards, took the opportunity of leaving the country. Joseph Riccio, Bastian, Francis, the queen's Italian steward, Dolu, her treasurer, and several other Frenchmen, set out with all speed for the continent; whilst Powrie and Wilson were sent by Bothwell to the Castle of Hermitage. The symptoms of public dissatisfaction, however, became every day more apparent; and reports were current, and daily gathered strength, which denounced Bothwell by name as the deviser of the assassination, and vaguely indicated his accomplices. A bill fastened on the Tron * declared that the smith who had furnished the false keys to the king's apartment would, on due security, come forward and point out his employers. Two new placards were also hung up, on one of which were written the queen's initials, M.R., with a hand holding a sword; and on the other Bothwell's initials, with a mallet painted above, supposed to be an allusion to the only wound found upon Darnley, which appeared to have been given by a blunt instrument.† These manifestations of public feeling rendered Bothwell furious. Accompanied by fifty armed men he rode into Edinburgh, and publicly declared, with fierce oaths and gestures, that if he knew who were the authors of these placards he would "wash his hands in their blood." It was observed that his whole deportment showed that he was animated by the suspicions of guilt as much as by anger; that his followers, as they passed through the streets, kept a vigilant watch on the citizens, and crowded around their leader, as if they apprehended an attack; and that whenever he spoke to any one of whose friendship he was not assured, he watched his motions with a jealous eye, and always kept his hand on the hilt of his dagger.‡

At this juncture Mary received a letter from the Archbishop of Glasgow, her ambassador at the court of France, entreating her, in the most solemn and earnest terms, to institute a public inquiry into the murder, and to lose no time in bringing its authors to justice. He informed her, with courageous honesty, that in France the most unfavourable opinion was entertained of her own conduct, and that it was currently reported that the slaughter of her husband had taken place with her consent. "Of this deed," he says, "if I should write all that is spoken here, and also in England, of the miserable estate of the realm by the dishonour of the nobility, mistrust and treason of your whole subjects—yea, that yourself is greatly and wrongously calumniated to be the motive principal of the whole, and all done by your command, I can conclude nothing besides that which your majesty writes to me yourself, that since it hath pleased God to preserve you to take a vigorous vengeance thereof, that rather than it be not actually taken, it appears to me better, in this world, that you had lost life and all. * * * Here it is needful that you show forth now, rather than ever before, the great virtue, magnanimity, and constancy, which God has granted you; by whose grace I hope you shall overcome this most heavy envy and displeasure of the committing thereof, and preserve that reputation in all godliness which you have acquired long since; which can appear no ways more clearly than that you do such justice as the whole world may declare your innocence, and give testimony for ever of their treason that have

Letter from the Archbishop of Glasgow.

* Keith, vol. ii. p. 532.

* A post in the public market where goods were weighed.
† Tytler, vol. vii. p. 91.
‡ MS. Letter, State Paper Office, Drury to Cecil, 28th Feb., 1567; Tytler, vol. vii. p. 90. See Appendix C.

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committed, without fear of God or man, so cruel and ungodly a murder." *

On the same day, Mary received a letter of condolence and advice from Elizabeth, in which she vehemently entreated her to take immediate steps to vindicate her reputation. "Madam," she wrote, "my ears have been so astonished, and my mind so grieved, and my heart so terrified, at hearing the horrible sound of the abominable murder of your late husband and my deceased cousin, that I have even now no spirit to write about it; and although my natural feelings constrain me greatly to deplore his death, as he was so near a relation to me, nevertheless, boldly to tell you what I think, I cannot conceal from myself that I am more full of grief on your account than on his. O madam! I should not perform the part of a faithful cousin, or an affectionate friend, if I studied rather to please your ears than to endeavour to preserve your honour; therefore, I will not conceal from you what most persons say about the matter, namely, that you will look through your fingers at taking vengeance for this deed, and have no intention to touch those who have done you this kindness,—as if the act would not have been perpetrated unless the murderers had received assurance of their impunity. Think of me, I beg you, who would not entertain such a thought in my heart for all the gold in the world." She then went on to urge her, in the strongest terms, not to leave so great a crime unpunished. "I exhort you," she adds, "I advise and beseech you to take this thing so much to heart, as not to fear to bring to judgment the nearest relation you have, and to let no persuasion hinder you from manifesting to the world that you are a noble princess, and also a loyal wife." †

Letter from Elizabeth.

A month had now elapsed since the assassination of the king, and yet Mary had taken no steps to punish the perpetrators of the crime, or to vindicate herself in the eyes of the world. Instead of ordering the arrest of the principal criminal and his associates, her infatuated predilection for that atrocious villain became every day more apparent. She loaded him with new favours, and, in addition to the Superiority of Leith, the Castle of Blackness and the Inch, she conferred upon him the command of the Castle of Edinburgh, which had been previously held by the Earl of Mar, governor of the prince royal. Now, however, the honest and energetic remonstrances of the Archbishop of Glasgow, the blunt and vehement accusations of Elizabeth, the bitter reproaches of the Queen-mother of France and the cardinal her uncle, the loud clamours of the people for inquiry into the murder, the solemn exhortations of the preachers, that all men should betake themselves to prayer and repentance, and their appeals to God that he would be pleased "to reveal and revenge," convinced the queen that something must be done to avert universal odium, and she at last gave orders that Bothwell should be brought to a public trial. The manner, however, in which this tardy exhibition of justice was conducted, rendered it evident from the first that the trial was intended to be nothing else than a mockery. Mary now became as anxious to hasten, as she had previously been to prevent the impeachment of her favourite. A fortnight only was given to the Earl of Lennox to collect evidence; and he received orders to appear at Edinburgh on the 12th of April, to prefer and maintain his charges against Bothwell. It was in vain that Lennox pleaded the necessity of delay, and urged that when the suspected persons were still at liberty, powerful at court, and about her majesty's person, it was impossible that a fair and just trial could take place. It was in vain too that Elizabeth, at his request, wrote to the Scottish queen in the strongest terms, advising her to listen to so just a request, and to allow the father and friends of the deceased king time enough to obtain such evidence as might bring the crime home to the guilty. She warned her that a refusal would excite strong suspicions against her, and urged her to give the world occasion to declare her guiltless of so base a crime, for otherwise she would be shunned by all princes, and hated by the common people; "and rather than this should happen to you," she adds, "I would wish you an honourable burial more than a sullied life. I pray the Lord to inspire you to do what may most conduce to your own honour and the consolation of your friends." *

Bothwell's trial.

Unfortunately for her own reputation and happiness, Mary refused to listen to the prudent advice of Elizabeth, and the just request of Lennox. The trial was allowed to proceed, and was conducted in all respects according to the arrangements agreed on in a council at which Bothwell himself was present, and gave directions regarding his own arraignment. On the day appointed (April 12th) the assize opened at the Tolbooth, before a jury consisting principally, if not wholly, of the favourers and partizans of the accused. "The tribunal was presided over by one of the fautors of the murder, the Earl of Argyle, then hereditary Lord High

* Keith, Preface, p. 9.

† Labanoff, vol. vii. pp. 102-103.

* Robertson, Appendix XIX, vol. i. This letter, which was written only four days previous to the trial, was entrusted for delivery to the Provost Marshal of Berwick, who did not reach Edinburgh till the morning of the 12th of April, the very day on which the trial took place. On announcing himself as the bearer of a letter from Elizabeth, he was rudely treated, reproached as an English villain who had come to stay the assize, and informed that the queen was too much occupied with the matters of the day to attend to other business. At length, observing Bothwell and Lethington coming out of the palace, the provost marshal delivered Elizabeth's letter to the secretary, who, accompanied by Bothwell, carried it to Mary. On their return, Lethington informed the English envoy that the queen was asleep, and could not receive the letter; but the falsehood of this excuse was immediately shown, for at this moment a servant of De Croc, the French ambassador, who stood beside Elizabeth's messenger, looking up, saw and pointed out the queen and Mary Fleming, wife of the secretary, standing at a window of the palace; nor did it escape their notice that as Bothwell rode past, Mary gave him a friendly greeting for a farewell. (Tytler, vol. vii. pp. 97-8.) See Appendix D.

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Justice, and guarded by two hundred hackbutters; while four thousand of Bothwell's armed adherents mustered in the streets and squares of Edinburgh. The law officers of the crown were either bribed or intimidated into silence: no witnesses were summoned. The accuser, the Earl of Lennox, who was on his road to the city, surrounded by a large force of his friends, received orders not to enter Edinburgh with more than six in his company, and he therefore declined to come forward in person. The accused, the Earl of Bothwell, presented himself before the court of justice with a confident and careless air. Mounted on the late king's favourite horse, and surrounded by guards, he was escorted to the Tolbooth with base obsequiousness by a large number of gentlemen. As he passed before the queen, who was standing with Lady Lethington at one of the windows of Holyrood Palace, he turned towards her, and she gave him a friendly greeting for a farewell. She expressed her sympathy with his position even more publicly by sending him, rather from impatience than anxiety, a token and a message whilst he was before his judges.

"It was quite impossible for her to feel any uneasiness about the result of this judicial farce. The session of the Court of Justiciary was neither long nor uncertain. After the indictment, which inculpated Bothwell, but brought no distinct charge against him, had been read,* the Earl of Lennox was called upon to make good his accusation. Upon this a gentleman named Robert Cunningham stood forward, explained the reasons which had prevented the earl his master from appearing in person, and declared that he was sent by him to reiterate the charge of murder against the Earl of Bothwell, but to request delay for the purpose of obtaining the necessary evidence. On this being refused, Cunningham protested against the validity of any sentence that should acquit "persons notoriously known to be," as he said, "the murderers of the king, as my lord my master alleges." The crown lawyers were silent, to the great disapprobation of the people; and Bothwell, having pleaded not guilty, a unanimous verdict of acquittal was pronounced, in the absence of all evidence. He then had the audacity to challenge his accusers by a public cartel, and offered to maintain his innocence by arms against any gentleman who should still brand him with the murder."†

His acquittal.

This scandalous and premeditated acquittal could give satisfaction to no one; and instead of justifying the queen in the opinion of the people, it served only to increase the public suspicions and dissatisfaction. Even the lowest classes gave expression to their feelings in the streets and in the queen's presence; and the market-women, as she passed along, would cry out, "God preserve your grace if you are sackless [innocent] of the king's death."

* The murder was alleged to have been committed on the 10th, instead of the 9th of the month—a flaw in the indictment too manifest to be accidental.

† Mignet's History, vol. i. p. 285.

Mary, however, pressed recklessly onward in the course on which she had entered. She added new favours to those which she had so recently lavished on Bothwell, bestowed upon him the lordship and Castle of Dunbar, and extended his powers as High Admiral. So completely had she resigned herself to the influence of one strong, engrossing passion, and so strange seemed her infatuation, that it was currently reported that Bothwell had bewitched her by means of the sorceries of his old paramour, the Lady Buccleuch.* None of the nobility seemed to have either the inclination or the ability to resist his power. Moray, who alone could have opposed him with any hope of success, had left the capital on the day preceding the king's murder; and shortly before Bothwell's trial, with the permission of the queen, had retired to France. Lennox took refuge in England; while Morton,† Argyle, Huntley, and Lethington; professed to be among Bothwell's firmest adherents.

Immediately after the trial parliament assembled, and Bothwell was selected to bear the royal sceptre before the queen at its opening.‡ The sentence of the jury acquitting the favourite was ratified, the placards which had been posted up in the capital were condemned, and a rigid inquiry instituted against their authors; all the royal grants to Bothwell were approved of, with a eulogium on his past services, dangers, and losses; five of the jurors who had acquitted him received the confirmation of their respective grants from the crown; and Huntley, who was an accomplice in the murder, and now gave his consent to the divorce of his sister from Bothwell, obtained the restoration of his estates, which had been under confiscation for several years.

Continued favour of Bothwell.

Public rumour now began to anticipate the crisis which was rapidly approaching. "The bruit began to rise," says Sir James Melvil, "that the queen would marry the Earl of Bothwell; whereat every good subject that loved the queen's honour and the prince's safety had sore hearts, and thought her majesty would be dishonoured, and the prince in danger to be cut off by him that had slain his father."§ Few, however, of Mary's servants had the honesty to dissuade her from this step, and the courage to brave the power and anger of the detested and dreaded favourite. One of her nobles indeed, Lord Herries, on hearing the rumour of the intended marriage, travelled express to court, threw himself at the queen's feet, and implored her not to compromise her honour, endanger the life of her son, and ruin herself, by marrying the person who was universally regarded

Reports regarding the marriage of Mary and Bothwell.

* Lay of the Last Minstrel, note F, where the masculine character of this lady is strikingly portrayed.

† Some time before this, Morton, after a secret and midnight interview with the queen, recovered the Castle of Tantallon, and other lands, which he had forfeited by his rebellion; and in return for this, his whole power and interest were assured to Bothwell.

‡ Keith, vol. ii. p. 553.

§ Melvil's Memoirs, p. 175.

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as the murderer of her husband. Mary appeared surprised, declared that she did not understand the meaning of the rumour, and that "there was no such thing in her mind,"—a statement to which it is impossible to give credit. Herries was so well aware of the danger which he incurred by giving her this judicious but useless advice, that he immediately quitted the capital, and hastened home by relays of horses which he had stationed along the road, in order to escape Bothwell's pursuit and revenge.* The same warning and advice were given by Sir James Melvil, one of Mary's most faithful servants, but with no better result. He showed her a letter from a person named Thomas Bishop, one of her partizans in England, declaring that if the queen married Bothwell, "the murderer of the king, the husband of another woman, she would tyne [lose] the favour of God, her own reputation, and the kingdoms of England, Ireland, and Scotland." The queen received his interference very ill, affirmed that the letter was a device of the secretary to ruin Bothwell, and immediately informed the earl of the advice which she had received. The wary Lethington pointed out to Melvil the danger which he had incurred by his imprudent candour: "So soon," said he, "as the Earl Bothwell gets word, as I fear he will, he will not fail to slay you. I pray you retire with diligence."—"It is a sore matter," replied Melvil, "to see that good princess run to utter wreck, and nobody to forewarn her."—"You have done more honestly than wisely," was Lethington's rejoinder.

The result soon showed the accuracy of his judgment. Bothwell, on learning the advice which Melvil had given, was so enraged, that he declared he would have his life; and Melvil was obliged to conceal himself for several days, until the queen had succeeded in allaying the anger of her flagitious favourite.†

Band of the nobles for Bothwell's marriage with the queen.

Events now rapidly hastened the consummation which had for some time been foreseen. On the evening of the 19th of April, the day on which the parliament rose, Bothwell invited nearly all the nobility who were then in Edinburgh to supper, in a tavern kept by a person of the name of Ainslie. During the entertainment, the house was surrounded by a band of armed men; and after the festivity had been protracted till a late hour, Bothwell rose and proposed his marriage with the queen, affirming that he had obtained her consent, and even, according to some testimonies, producing her written warrant empowering him to submit the proposal to her nobility. He then requested them all to affix their signatures to a bond declaring their conviction of his innocence, binding themselves to defend him against all calumniators, and recommending "this noble and mighty lord" as a suitable husband for the queen, whose continuance in solitary widowhood was, they said, injurious to the interests of the commonwealth. They further bound themselves to promote the marriage between the queen and Bothwell with their "votes, counsel, fortification, and assistance, in word and deed." "And in case," it was added, "any should presume, directly or indirectly, openly, or under whatsoever colour or pretence, to hinder, hold back, or disturb the same marriage, we shall in that behalf hold and repute the hinderers, adversaries, or disturbers thereof, as our common enemies or evil willers * * * and in case we do the contrary, never to have reputation or credit in no time hereafter, but to be accounted unworthy and faithless traitors."* Morton, Huntley, and Argyle, the accomplices of Bothwell, were no doubt privy to his schemes, and promoted them with the utmost zeal. The Romish ecclesiastics, who were devoted to the queen, instantly declared their satisfaction with the proposal. In the confusion which ensued, the Earl of Eglinton made his escape; the rest, partly by promises and flattery, partly by terror, were prevailed on to give their consent, and to subscribe a paper which, as it has been justly said, "leaves a deeper stain than any occurrence in that age on the honour and character of the nation." Among the names attached to this bond are those of the Archbishop of St. Andrew's; the Bishops of Aberdeen, Dunblane, Brechin, and Ross; the Earls of Morton, Argyle, Huntley, Cassilis, Sutherland, Errol, Crawford, Caithness, Glencairn, and Rothes; and the Lords Boyd, Glammis, Ruthven, Home, Herries,† Fleming, Seton, and Sinclair. "Among the subscribers," says Robertson, "we find some who were the queen's chief confidants; others who were strangers to her councils, and obnoxious to her displeasure; some who faithfully adhered to her through all the vicissitudes of her fortune, and others who became the principal authors of her sufferings; some passionately attached to the Romish superstitions, and others zealous advocates for the Protestant faith. No common interest can be supposed to have united men of such opposite interests and parties in recommending to their sovereign a step so injurious to her honour, and so fatal to her peace. This strange coalition was the effect of much artifice, and must be considered as the boldest and most masterly stroke of Bothwell's address." ‡

Two days after the bond was signed, Mary left Edinburgh to visit the prince, her son, who was then in the keeping of the Earl of Mar. There can be little doubt that previous to her departure it was arranged between her and Bothwell, that on her return he should carry her off by force, and thus make himself master of her person apparently against her will. A remarkable anonymous communication, addressed at this juncture probably to Cecil, shows that Mary was Bothwell's accomplice in her pretended

Anonymous letter to Cecil.

* Melvil's Memoirs, p. 175.
† Ibid., p. 177.

* Keith, vol. ii. pp. 563—565.
† This nobleman, who so strenuously advised the queen against this fatal marriage, was gained over, by an extensive grant, to promote Bothwell's views.
‡ Robertson, vol. i. p. 354.

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abduction, and that their secret plans had been betrayed by some of their confidential agents. "This is to advertise you," says the informant, "that the Earl of Bothwell's wife is going to part with her husband, and a great part of our lords have subscribed to the marriage between the queen and him. The queen rode to Stirling this last Monday, and returns on Thursday. I doubt not but you have heard how the Earl of Bothwell has gathered many of his friends, and, as some say, to ride in Liddesdale; but I believe it is not, for he is minded to meet the queen this day, called Thursday, and to take her by the way, and bring her to Dunbar. Judge you gif it be with her will or no; but you will hear at more length on Friday or Saturday, if you will find it good that I continue in writing as occasion serves. I wald ye reif this * after the reading. This bearer knows nothing of this matter. There is no other thing presently to write of; but after all you will please receive my hearty commendations by him that is yours, that took you by the hand. At midnight." †

Mary's letters to Bothwell.

Among the letters to Bothwell, said to have been found in the silver casket, there are several bearing to have been written during Mary's absence at Stirling, which show the state of her feelings at this period. She thus expresses her suspicions of Huntley, who, it would appear, had been let into the secret, and endeavoured to dissuade her from carrying out the plan. "He preached unto me that it was a foolish enterprise, and that with mine honour I could never marry you, seeing that being married you did carry me away; and that his folks would not suffer it; and that the lords would unsay themselves, and would deny that they had said. I told him that seeing I was come so far, if you did not withdraw yourself of yourself, that no persuasion, nor death itself, should make me fail of my promise." In a subsequent letter, she explains the part which she was to act in the abduction. "As for the handling of myself," she says, "I heard it once well devised. Methinks that your services and long friendship, having the goodwill of the lords, do well deserve a pardon if above the duty of a subject you advance yourself, not to constrain me, but to assure yourself of such place nigh unto me that other admonitions or foreign persuasions may not let [hinder] me from consenting to that, that you hope your service shall make you one day to attain; and, to be short, to make yourself sure of the lords, and free to marry; and that you are constrained for your safety, and to be able to serve me faithfully, to use an humble request, joined to an importunate action." It appears that difficulties had arisen on the part of those who were to form her escort. The Earl of Sutherland and others declared with vehement protestations, that the queen should not be carried off while under their protection; and the Earl of Huntley was apprehensive that he would be accused of ingratitude towards the queen, and of having betrayed her. Alluding to these obstacles, Mary says, "I have thought good to advertise you of the fear he hath that he should be charged and accused of treason, to the end that without mistrusting him you may be the more circumspect, and that you may have the more power; for we had yesterday more than three hundred horse of his and of Livingston's. For the honour of God be accompanied rather with more than less, for that is the principal of my care." *

The queen remained three days at Stirling, but was not allowed to enter the apartments of the prince with more than two of her ladies; for the Earl of Mar, from some suspicion which he entertained, refused to admit the rest of her suite.† On Thursday, the 24th, she left Stirling to return to Edinburgh, as Cecil's correspondent had predicted. In the meantime, Bothwell, in accordance with Mary's urgent recommendation, had assembled a powerful body of his retainers, and met her at Almond Bridge, near Cramond, about six miles from Edinburgh, accompanied by eight hundred horsemen. Suddenly surrounding her attendants, he took her horse by the bridle, and conducted her to his Castle of Dunbar, which he had prepared for her reception. Lethington, Huntley, and Dunbar, who were in the royal train, were carried off along with the queen; and when Melvil remonstrated against this lawless proceeding, he was informed by Captain Blacater, one of Bothwell's confidential servants, that all had been done with the queen's own consent. It is certain that she expressed neither surprise, nor terror, nor indignation, at the outrage committed on her person, and the insult offered to her authority.‡

Bothwell's abduction of the queen.

While these deplorable events were proceeding, a number of the nobles, including the Earls of Morton, Argyle, Atholl, and Sir William Kirkaldy of Grange, were secretly organising a party for the protection of the infant prince against the designs of Bothwell. Knowing well the unscrupulous character of the favourite, they believed that the murderer of the father would not hesitate to destroy the son if he stood in the way of his ambitious

* I would have you tear this.

† MS. Letter, State Paper Office; Tytler, vol. vii. pp. 107-8.

* Laing, vol. ii. p. 218; Mignet, vol. i. p. 294.

† MS. Letter, State Paper Office, Drury to Cecil, 27th April, 1567.

‡ "At the Bridge of Craumont, the Earl of Bothwell, being well accompanied, raveshitt the queen, and so took her that same night to the Castell of Dunbar, *not against her awen will*."—*Birrell's Diary*. "Then Bothwell, thinking thair was na controversie agains him in Scotland, conveinit the number of aucht hundred horsemen; and as the queen was cumand from the Castell of Striveling, to have returned to Edinburgh, he met her on the way, and conveyit her per force, as appeirit, to the Castell of Dunbar, to the end he might enjoy her as his lawful spous. * * * The friendly love was so heighlie contractit betwixt this great princess toward her enorme subject, that there was na end thereof * * * sa that she sufferit herself patiently to be led quhair the lover list. *And all the way nather made obstacle, impediment, clamour, nor resistance*, as in sic accidents used to be, or that she might have done by her princely auctoritie, being accompanyt by the noble Earl of Huntlie, and Secretar Maitland of Lethingtoun."—*Historie of James the Sext*.

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schemes. "The marriage of the queen to Bothwell," wrote Drury to Cecil, "and the death of the prince, is presently looked for." The leaders of this new confederacy against Bothwell were well aware of the power of their opponent, and the danger which they would incur from a premature disclosure of their plans; they cautiously resolved, therefore, while organising their strength, to consult Elizabeth before taking any open step. On the 20th of April, the day after Ainslie's supper, Kirkaldy of Grange addressed a letter to the Earl of Bedford, informing him of the degrading subjection of the nobles, and of the infatuation of Mary, who was no longer mistress of her own actions; but assuring the earl, that if Elizabeth would assist him and his friends, the murder of Darnley would be speedily avenged. Kirkaldy pointedly drew Bedford's attention to the dangerous situation of the infant prince, and predicted Mary's speedy marriage to Bothwell, of whom, he said, she had become so "shamefully enamoured," that she had been heard to say "she cared not to lose France, England, and her own country for him; and shall go with him to the world's end in a white petticoat before she leave him." He concluded his letter in these words:—"Whatever is unhonest reigns presently in our court. God deliver them from their evil."* Again, on the 26th of April, two days after the queen's abduction, Kirkaldy addressed the following indignant letter to Bedford:—

Grange's letters against the queen.

"This queen will never cease until such time as she have wrecked all the honest men of this realm. She was minded to cause Bothwell ravish† her, to the end that she may the sooner end the marriage, whilk she promised before she caused Bothwell murder her husband. There is many that would revenge the murder, but they fear your mistress. I am so suited to for to enterprise the revenge that I must either take it upon hand, or else I maun leave the country, the whilk I am determined to do, if I can obtain license; but Bothwell is minded to cut me off, if he may, ere I obtain it, and is returned out of Stirling to Edinburgh. She minds hereafter to take the prince out of the Earl of Mar's hands, and put him in his hands that murdered his father, as I writ in my last. I pray your lordship let me know what your mistress will do, for if we will seek France, we may find favour at their hands, but I would rather persuade to lean to England. This meikle‡ in haste from my house, the 26th of April."§

Mary passed some time under the roof of Bothwell, and meanwhile the necessary preliminaries to the marriage were hurried forward with all speed. A process for divorce, on the ground of consanguinity,‖ was instituted by Bothwell in the court of the Archbishop of St. Andrew's, whose ancient consistorial jurisdiction was suspected to have been restored with this object. A similar process was commenced at the same time by the Countess in the Commissariat or Reformed Court, on the ground of adultery; and with such indecent haste was the suit hurried through both courts, that it was concluded in two days, and the sentence of divorce was pronounced on the 3rd of May.* On that day Mary returned from Dunbar to Edinburgh. As she entered the city, Bothwell caused his followers to cast away their spears, as if to prove that no force was used by them; and dismounting with apparent courtesy, he took the queen's bridle, and led her into the castle, which was then in the keeping of his creature, Sir James Balfour.†

Bothwell's divorce.

On the 7th of May Sir Robert Melvil, who had joined the confederacy of the nobles for the delivery of the queen out of the hands of Bothwell and the revenge of the king's murder, wrote to Cecil, informing him that the French court had offered to join the lords against Bothwell, and entreating him to consider the conduct of the queen as the effect of the evil counsel of those around her, rather than proceeding from herself. All men, he said, were of opinion that Bothwell would soon complete this marriage, and pass to Stirling to seize the prince; and the confederates were resolved never to consider their sovereign at liberty so long as she remained in the company of that traitor, who had committed so detestable a murder, whatever he might persuade or compel her to say to the contrary.‡ Next day Kirkaldy of Grange wrote on the subject to Bedford, and in still stronger terms: "All such things," said he, "as were done before the parliament I did write unto your lordship at large. * * * At that time the most part of the nobility, for fear of their lives, did grant to sundry things both against their honours and consciences, who since have convened themselves at Stirling, where they have made a 'band' to defend [each] other in all things that shall concern the glory of God and common weal of their country. The heads that presently they agreed upon is, first, to seek the liberty of the queen, who is ravished and detained by the Earl of Bothwell, who was the ravisher, and hath the strength, munitions, and men of war at his commandment. The next head is the preservation and keeping of the prince. The third is to pursue them that murdered the king. For the pursuit of these three heads, they have promised to bestow their lives, lands, and goods. And to that effect their lordships have desired me to write unto your lordship, to the end they might have

Letter of Robert Melvil to Cecil

—and of Grange to Bedford.

* MS. Letter, State Paper Office, Grange to Bedford, 20th April.

† Forcibly to seize—*rapio*.

‡ Much.

§ MS. Letter, State Paper Office; Tytler, vol. vii. p. 109.

‖ Bothwell was the cousin in the fourth degree to Lady Jane Gordon; a very distant relationship on which to found a process of divorce, even according to the Roman Catholic ritual, which prohibits the marriage of cousins-german, unless sanctioned by a papal dispensation.

* Keith, vol. ii. p. 575; Laing, vol. ii. pp. 86—88.

† Historie of James the Sext.

‡ MS. Letter, State Paper Office; Tytler, vol. vii. p. 111.

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your sovereign's aid and support for suppressing of the cruel murderer, Bothwell, who, at the queen's last being in Stirling, suborned certain to have poisoned the prince; for that barbarous tyrant is not contented to have murdered the father, but he would also cut off the son, for fear that he hath to be punished hereafter. The names of the lords that convened in Stirling was the Earls of Argyle, Morton, Athol, and Mar. These forenamed, as said is, have desired me to write unto your lordship, to the end that I might know by you if your sovereign would give them support concerning these three heads above written. Wherefore I beseech your lordship, who I am assured loveth the quietness of these two realms, to let me have a direct answer, and that with haste; for presently the foresaid lords are suited unto by Monsieur de Croc, who offereth unto them in his master the King of France's name, if they will follow his advice and counsel, that they shall have aid and support to suppress the Earl Bothwell and his faction. * * * Also he hath admonished her [Mary] to desist from the Earl Bothwell, and not to marry him, for if she do he hath assured her, that she shall neither have friendship nor favour out of France, if she shall have to do;* but his saying is, she will give no ear. * * *

"There is too joined with the four forenamed lords, the Earls of Glencairn, Cassillis, Eglinton, Montrose, Caithness; the Lords Boyd, Ochiltree, Ruthven, Drummond, Gray, Glammis, Innermeith, Lindsay, Hume, and Herries, with all the whole West Merse and Tiviotdale, the most part of Fife, Angus, and Mearns. And for this effect, the Earl of Argyle is ridden in the west, the Earl of Atholl to the north, and the Earl of Morton to Fife, Angus, and Montrose. The Earl of Mar remaineth still about the prince, and if the queen will pursue him, the whole lords have promised, upon their faiths and honour, to relieve him. * * *

"In this meantime the queen is come to the Castle of Edinburgh, conveyed by the Earl Bothwell, where she intendeth to remain until she have levied some forces of footmen and horsemen, that is, she minds to levy 500 footmen and 200 horsemen. The money that she hath presently to do this, which is five thousand crowns, came from the font your lordship brought unto the baptism,† the rest is to be reft and borrowed of Edinburgh, or the men of Lothian."

These important letters, which were entirely unknown till they were brought to light by the researches of Mr. Tytler, show clearly, as here marks, that the formidable coalition against the queen, which was supposed to have arisen after her marriage with Bothwell, was fully formed nearly a month before that event; that its ramifications were extensive and deep; that Sir Robert Melvil, in whom the Scottish queen reposed implicit confidence, had joined the confederacy, in the hope of rescuing his royal mistress from what he represents as unwilling servitude; that the plot was well known to Monsieur de Croc, the French ambassador, who, after having in vain remonstrated with Mary against her predilection for Bothwell, gave it his cordial support; and, lastly, that it had been communicated to Elizabeth, whose assistance was earnestly solicited.*

Confederacy against Bothwell.

Three days after the queen's return to Edinburgh, a message was sent by a person named Thomas Hepburn to Craig, the colleague of Knox, commanding him to publish the banns of matrimony betwixt the queen and Bothwell; but this he peremptorily refused to do, on the ground that Mary had sent no written command, and stated the common report that she was held captive by Bothwell. Upon this the Justice-Clerk brought a written mandate from the queen, enjoining the publication of the banns, and contradicting the report of her captivity. Craig however still had scruples, and insisted upon seeing the queen and Bothwell before giving intimation of the marriage. He was admitted to a meeting of the Privy Council, where Bothwell presided, and with honest boldness laid to his charge the dreadful crimes of which he was accused—rape, adultery, and murder, the suspicion of collision between him and his wife, the hasty divorce, and proclamation of the banns. No satisfactory answer was returned, but the faithful and undaunted minister, having thus exonerated his conscience, did not deem himself justified in longer refusing to obey the injunctions which he had received. He therefore proclaimed the banns from the pulpit; but after relating in the presence of the congregation the steps which he had already taken, and the obstinate determination of the parties to proceed, he added these appalling words:—"I take heaven and earth to witness that I abhor and detest this marriage as odious and scandalous to the world; and I desire the faithful to pray earnestly that God would turn it to the comfort of this realm." †

Publication of the banns of marriage between the queen and Bothwell.

This solemn warning, however, produced no effect upon the infatuated queen; and on the 12th of May she came in person to the Court of Session, and in the presence of the chancellor, the judges, and the nobility, whom she had summoned for the occasion, she declared that she was now at full liberty; and that, though the conduct of Bothwell in seizing her person had at first excited her indignation, yet, in consideration of his past services

* If she shall have to resist her enemies.

† This was the silver font, or basin and ewer, which Elizabeth had presented as godmother at the baptism of the prince. It appears from the confession of Paris, the French valet, that the queen, after her marriage, gave it to Bothwell; and it was found by the confederate lords in the possession of Acheson, the Mint-master, to whom it had been sent, not, as they supposed, to be coined into money, but to have Bothwell's arms substituted for those of the prince. This silver font was recently in the possession of the Mar family, and was a piece of costly and curious workmanship. (Laing, vol. ii. p. 316, note.)

* MS. Letter, State Paper Office; Tytler, vol. vii. pp. 109—114.

† Anderson, vol. iv. p. 280.

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and his subsequent good conduct, she had pardoned his offence, and resolved to advance him to higher honours. She at the same time affixed her signature to a deed promising that she would not at any future time impute to the nobles as a crime the consent they had given at Ainslie's supper to the bond for her marriage. On the same day, Mary granted a formal pardon to Bothwell, before all the Lords of Session and others, for his late conduct in taking her to, and detaining her in, Dunbar, "contrary to her majesty's will and mind." * She also created him Duke of Orkney and Shetland, and placed the coronet on his head with her own hands. Next day she signed her contract of marriage with "this noble and mighty lord," in order that she might put an end to her solitary widowhood, and increase the number of her descendants.† And finally, on the 15th of May, at four o'clock in the morning, the marriage ceremony was celebrated in the great hall of Holyrood Palace, according to the rites of the Protestant religion, by Adam Bothwell, Bishop of Orkney, one of the few prelates who had abjured Romanism and joined the Reformers.‡ On the same day the ceremony was performed in private, according to the Roman Catholic ritual. In the sermon which the bishop preached on the occasion, he enlarged upon Bothwell's professed penitence for his former evil life, and his resolution to amend and conform to the discipline of the Protestant Church.§ Only five of the leading nobility were present, together with Craig, the minister of Edinburgh. The event was not accompanied by the pageants and rejoicings usual on such occasions, and the people beheld it either with grief or in stern and gloomy silence. On the following morning, a paper was found fixed to the palace gates with this ominous verse, prognosticating what was destined too soon to be realised—

Mary's marriage to Bothwell.

"Mense malas Maio nubere vulgus ait." ‖

This miserable marriage, to which may unquestionably be traced the greater part, if not the whole, of the subsequent misfortunes of Queen Mary, was now consummated. Everything had been done by her most faithful adherents and friends to divert her from this fatal step. It was then felt—and we may add that the impression is still forced upon the mind—that this marriage with a man of reputation so infamous, and so immediately concerned in the murder of the late king, was a circumstance which induced the very gravest suspicion that Mary herself had been cognizant of the foul plot which ended in the assassination of her husband. Such convictions, so strongly entertained by her best friends, urged them in the boldest manner to remonstrate with her as to the glaring impropriety and danger of the step which she meditated. These remonstrances, as we have seen, were disregarded, and the irretrievable step taken which proved so fatal to her interests. This step has sometimes been excused by the lame defence that her reputation having suffered from her residence for several days under the roof of a man "so audacious and uncontrollable as Bothwell," she was placed in a position which rendered her marriage with him an act of necessity rather than choice. Others have held that the very fact of her person having been seized, and her freedom of action interfered with, explains the otherwise revolting circumstance of her having consented to this union. This explanation, however, is entitled to no weight; for Mary appeared publicly in the Court of Session, and in presence of the chancellor, judges, and a number of the nobility, solemnly declared that she was now in the enjoyment of her full liberty, and consequently that her consent was not extracted by force. No explanation, indeed, can ever be given which can exculpate Mary with respect to this infamous marriage; and, unfortunately, it must always be regarded as a strong presumptive proof of her participation in Bothwell's guilt as the murderer of her husband.*

Mary's first care after her marriage was to address the court of France, and offer what explanations were possible with regard to a proceeding which was certain to be viewed by her friends with the strongest disapprobation. The apology which she framed, and the accompanying instructions to her ambassador, were drawn up with great dexterity and art. After recapitulating at length, and in the most eulogistic terms, all Bothwell's services, both to her mother and herself, and enlarging upon his influence in Scotland, his favour with the nobility, and their anxiety that he should become king, she proceeds to gloss over in the

Mary's apology for her marriage.

* This fact discloses an object which Bothwell had in view in the seizure of the queen's person—viz. that under the pretext of having detained her person, he should receive a pardon for treason and all other crimes whatsoever, in which the murder of the king was virtually included. By the law of Scotland, the most heinous crimes must be mentioned by name in a pardon, and then all lesser offences are deemed to be included in the general clause, "and all other crimes whatsoever." To seize the person of the sovereign is high treason, and Bothwell hoped that a pardon for this crime would extend to every other crime of which he had been accused. (See Laing, vol. i. p. 91; Robertson, vol. i. p. 357.)

† Anderson, vol. ii. p. 276. It is affirmed that on the 5th of April, seven days before Bothwell's trial, a marriage contract was signed between the queen and him at Seton House; and this contract, which is alleged to have been found in the silver casket, with Mary's secret letters and sonnets to Bothwell, was produced by Moray during the investigation of the charges against the queen.

‡ MS. Letter, State Paper Office; Tytler, vol. vii. p. 118.

§ The bishop was afterwards suspended by the General Assembly, "because he had solemnised the marriage of the queen and the Earl of Bothwell, which was altogether wicked and contrair to God's laws and the statutes of the Kirk."—*Booke of the Universal Kirk*, Part I., pp. 112, 114.

‖ Ovid. Fast., lib. v. l. 490; Keith, vol. ii. p. 586. A rooted prejudice long existed in Scotland, among all ranks, against marrying in the month of May; and among the lower classes few marriages are still celebrated during that month.

* The acute David Hume, being told of a new work which had appeared, in which the author made a well-argued defence of Queen Mary—"Has he shown," said the historian, "that the queen did NOT marry Bothwell?" Of course he was answered in the negative. "Then," replied Hume, "in admitting that fact, he resigns the whole question."—*Sir Walter Scott.*

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most dextrous manner his recent conduct, and to extenuate, if not to defend, the abduction of her person. "Being at Dunbar," she says, "we reproached him the honour he had to be so esteemed of us, the favour we had always shown him, his ingratitude, with all other remonstrances which might serve to rid us out of his hands. Albeit we found his doing rude, yet were his answer and words but gentle: that he would honour and serve us, and would noways offend us, asking pardon of the boldness he had taken to convoy us to one of our own houses, whereunto he was driven by force, as well as constrained by love, the vehemency whereof had made him to set apart the reverence which naturally, as our subject, he bore to us, as also for safety of his own life: and then began to make us a discourse of his whole life, how unfortunate he had been to find men his unfriends whom he had never offended; how their malice never ceased to assault him on all occasions, albeit unjustly; what calumnies they had spread of him touching the odious violence perpetrated in the person of the king our late husband; how unable he was to save himself from the conspiracies of his enemies, whom he could not know, by reason that every man professed himself outwardly to be his friend, and yet he found such hidden malice that he could not find himself in surety, unless he were insured of our favour to endure without alteration; and on no other assurance of our favour could he rely, unless it would please us to do him that honour to take him to husband, protesting always that he would seek no other sovereignty, but, as formerly, to serve and obey us all the days of our life, joining thereto all the honest language that could be used in such a case.

"When he saw us like to reject all his suit and offers," continues Mary, "in the end he showed us how far he had proceeded with our whole nobility and principals of our Estates, and what they had promised him under their handwriting. If we had cause then to be astonished we leave to the judgment of the king and queen [of France], our uncle, and our other friends. * * Many things we resolved on with ourself, but never could find an outgait [deliverance]; and yet he gave us little space to meditate with ourself, even pressing us with continual and importunate suit. * * As by a bravade in the beginning he had won the first point, so ceased he never till by persuasions and importunate suit, accompanied not the less with force, he has finally driven us to end the work begun, at such time and in such form as he thought might best serve his turn: wherein we cannot dissemble that he has used us otherwise than we would have wished, or yet have deserved at his hand,—having more respect to content them by whose consent, granted to him beforehand, he thinks he has obtained his purpose, than regarding our contentation or weighing what was convenient for us." *

* Keith, vol. ii. pp. 592—601; Bell's Life of Queen Mary, chap. xxiii.

According to Buchanan, she also instructed her envoy to apologise in the following terms for the hurried manner in which the marriage was performed:—"After he had by these and many other reasons shaken my constancy, and extorted from me, partly by force and partly by flattery, a promise of marriage, yet could we not by any argument obtain from him—who always feared a change in our disposition—any delay in celebrating our nuptials, not even till we should communicate the matter to the King and Queen of France, and the rest of our allies; but, as by a bold act he had at first reached the summit of his wishes, he never ceased from the most importunate entreaties till he forcibly compelled us to consummate what he had begun, and that at the time and in the manner that seemed to him most convenient for perfecting his design." *

Confederacy of the nobles against Bothwell.

We have already seen that a confederacy had been formed, among the most powerful of the nobility, for the purpose of destroying Bothwell and taking possession of the government. It is difficult to conceive that in the circumstances some such enterprise should not have suggested itself to the minds of all honourable and patriotic men. The appalling character of the late events, taken in connection with this most infamous and indecent marriage, sufficiently account for the universal indignation manifested throughout the land, and the shout of a people's anger, that rang loud and threatening even in the ear of royalty. Nor was this feeling confined to Scotland alone; it pervaded England, circulated through France, and was diffused through the continent,—Europe cried out shame upon Scotland and the nation which had looked upon such terrible deeds, and the world echoed the cry. The attention of every neighbouring people was fixed upon the astonishing events which, more rapidly and with more startling effect than the incidents of a drama, had been crowded into the last three months. "A king murdered with the utmost cruelty in the prime of his days and in his capital city; the person suspected of that odious crime suffered not only to appear publicly in every place, but admitted into the presence of the queen, distinguished by her favour and entrusted with the chief direction of her affairs; subjected to a trial which was carried on with the most shameful partiality, and acquitted by a sentence which served only to confirm the suspicion of his guilt; divorced from his wife on pretence frivolous or indecent; and after all this, instead of meeting with the ignominy due to his actions or the punishment merited by his crimes, permitted openly, and without opposition, to marry a queen, the wife of the prince whom he had assassinated, and the guardian of those laws which he had so grossly violated! Such a quick succession of incidents, so singular and so detestable, is not to be found in any other history. They left, in the opinion of foreigners, a mark of infamy on the

* Buchanan, vol. ii. p. 513.

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character of the nation. The Scots were held in abhorrence all over Europe; they durst scarce appear anywhere in public; and, after suffering so many atrocious deeds to pass with impunity, they were universally reproached as men void of courage or of humanity, as equally regardless of the reputation of their queen and the honour of their country."*

Such being the aspect of the times, it cannot be a matter of surprise that a confederacy should be formed of high-spirited nobles, whose sense of the shame brought upon their country by the unprincipled Bothwell would naturally be keen, and their determination strong to take summary and speedy vengeance. But while such undoubtedly are our first impressions, subsequent events compel us to modify our opinion. That there were men who acted in accordance with the spirit we have just indicated, and were influenced by considerations involving the safety of the prince and the honour of the nation, is undoubted. Such, for example, was Stewart, Earl of Athol, remarkable for a uniform and bigotted attachment to Popery, but whose indignant patriotism overcame all other feelings, and associated him heart and soul with the most conspicuous leaders of the Reformed religion. But it cannot be denied that the great majority of the nobles who united themselves in this league acted under the influence of no higher, more disinterested motives than those of ambition or resentment; and that while pursuing on many occasions just and necessary ends, they were actuated by principles and passions of a base and unjustifiable character. These are charges which are made on no vague imputation, but are proved by well-authenticated facts, and by the unimpeachable testimony of their own subsequent conduct. History allows us to come to no other conclusion than this, that these men were plotters against the government and the sovereign, and that her marriage with Bothwell was only the pretence which gave colour and plausibility to their enterprise.

There is one circumstance which of itself is no slight confirmation of the statements now advanced. The noblemen who now confederated together for the destruction of Bothwell were, in not a few instances, the very persons who had subscribed the bond declaring it for the interests of the country that the queen should take him for her husband; so that it would seem, that whatever were the secret inclinations of the queen herself, the above-named nobles were anxiously desirous to yield to them, not in deference to their sovereign, but in furtherance of their own schemes, which they soon perceived would be most advantageously promoted by sanctioning a union with Bothwell, and thus most effectually directing popular indignation against herself and her profligate husband. "This marriage," says Keith, "was an action for which her well-wishers were sorry and grieved at heart, seeing that by it she mightily increased the aversion already instilled into the people, and deprived her friends of all just apology on her behalf; and an action which her enemies rejoiced to see accomplished, since by it she laid the foundation, as it were, of her own ruin, and advanced their wicked designs faster than they themselves could have looked for."* There is, therefore, little doubt that Mary was the victim of a conspiracy on the part of Morton and his unprincipled associates, and unconsciously she was all too ready to precipitate her own downfall. Among other members of the conspiracy was the Secretary Lethington, who, although he had not avowedly given in his adherence, became nevertheless an object of suspicion to Bothwell. This nobleman and his intimate associate, Huntley, therefore determined to put the secretary to death; and, having one day met with him in the chamber of the queen at Dunbar, they attacked, and would have slain him, if her majesty had not boldly thrown herself between them, and declared that if a hair of his head perished, it should be at the peril of their lives and lands. Maitland, however, was compelled to fly, and leaving the court he took refuge with the Earl of Athol.†

Moray had for some time resided in France, having, as will be remembered, obtained permission from the queen to return to the continent shortly after the murder of the king. The value of his council and co-operation was highly estimated by the confederated nobles; and communications were made to him explaining their plans, and requesting his assistance. The court of France, exasperated by the queen's marriage, manifested sympathy with the views of men who aimed at the destruction of an upstart, whose elevation they regarded with disgust and hatred. Much encouragement also was naturally to be expected from the Protestants of France, who identified the proceedings of the Reformed lords with the interests of religion and the prosperity of the church to which they belonged, and in whose name, alas! were often performed many of the most questionable actions of those troublous times. Nothing however could be attempted (in spite of the encouragement they received from various quarters), before an answer was received from Elizabeth in reply to the representations made to her on the part of Robert Melvil and Kirkaldy of Grange. But the English queen was by no means disposed to assist them in the manner required. At this time various motives combined to withhold her from adopting decidedly aggressive measures against her sister in Scotland. Though avowedly jealous of Mary, she was still more jealous of the royal prerogative; and, for a time at least, refused to sanction any proceedings which had for their object to interfere with, or to prescribe any limitations to, the exercise of that prerogative. Understanding that the confederated lords proposed not only to bring Bothwell to trial, and to rescue Mary out of his hands, but also to crown

Reply of Elizabeth to Melvil and Kirkaldy of Grange.

* Anderson, vol. i. p. 128; Robertson, vol. i. p. 361.

* Keith, vol. ii. p. 585.

† Melvil's Memoirs, p. 178.

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the infant prince, she intimated her resolution to give them no assistance in such an enterprise. They had made strong representations to Elizabeth of the violent treatment which Mary had received from Bothwell, the restraint put upon her person, and the interference with her freedom of action. In reply they were informed, that if the Queen of England could put any confidence in the letters of her sister, she was under no restraint, but had acted all along with her own free will, and in the exercise of her own judgment—that she had in fact consented to all that had lately happened; and that "to crown the prince during his mother's life was a matter, for example's sake, not to be digested by her or any other monarch." Elizabeth, however, was incapable of acting a generous or disinterested part in relation to Scotland and Scottish affairs. Always on the watch for an opportunity of self-aggrandizement; eagerly desirous to establish permanently in Scotland an influence which should regulate the affairs of that country according to English interests; and, above all, anxious if possible, and without danger to herself, to humble Mary—her equal as a queen in virtue of her claim to the throne of England, and her rival as a woman—she saw in the present aspect of affairs an opportunity not to be thrown away of accomplishing the schemes which lay nearest her heart. Refusing to sanction the intention of the confederates to crown the infant prince, as an infringement of the royal prerogative, she nevertheless professed her readiness to assist them, provided they complied with one very simple condition—viz., the surrender of the young prince into her hands, for safe keeping in England. Such was the disinterested character of Elizabeth's professions of unwillingness to interfere with the royal prerogative of her sister in Scotland. The only step which was immediately taken by the English sovereign, was the issuing of orders to the Earl of Bedford to hasten forward to the Scottish Borders, in order, by his nearness to the scene of action, to watch the progress of events, and by his very presence to hold out some encouragement and promise of support to the disaffected nobles. Cecil also was instructed to plant his spies about the court in Scotland, and to exercise such vigilance that every, even the most insignificant, movement of the queen and Bothwell should be instantly reported to his royal mistress. Information also of an authentic character was in this way conveyed to the English secretary, of the French intrigues conducted by the ambassador, De Croc, and of all the measures adopted by the lords of the Secret Council. In spite of the dangers by which she was surrounded, Mary appears to have been for a brief season unsuspicious of her perilous position, and to have indulged in a fatal and delusive dream of security. She was not, however, wholly uninformed of the dissatisfaction of her subjects; the contempt in which she was held in many parts of the country; and the frequent and private meetings of many of the nobles whose loyalty she had reason to suspect, and whose affection she had wholly lost, if indeed she had ever possessed it. But these rumours, or rather unquestionable facts, we are told she treated with contempt, observing on one occasion, "Atholl is but feeble; for Argyle, I know well how to stop his mouth; as for Morton, his boots are but new pulled off, and still soiled—he shall be sent back to his old quarters."*

Conduct of Mary after her marriage.

Many attempts were made by Mary to persuade her people that the marriage with Bothwell was in accordance with her wishes, and fully answered her expectations. They were amused with pageants and tournaments, according to the fashion of the times. The queen herself, though wearing mourning on the fatal morning of her wedding, now cast off her "mourning weeds," decked herself in gay and becoming bridal attire, and frequently rode abroad with the duke, her husband, making a great show of contentment and happiness. Bothwell also aided her in keeping up those fictitious appearances. In public, he treated her with every respect, refusing to be covered in her presence; and, on one occasion, it is related of Mary that playfully resenting this ceremonious treatment on his part, she snatched away his bonnet and insisted on placing it on his head.† These details are all the more striking, and become indeed distressing, when contrasted with the real circumstances of the case. It is certain that a very short time sufficed to open the eyes of the unfortunate queen to the infatuation of her conduct. It is painful indeed to reflect on her now unprotected, and truly miserable condition. Bothwell was a man destitute not only of all principle, but of all honourable feeling. He was coarse in mind, sensual in character, brutal in conduct. Greater contrast could scarcely be imagined than those which, in strong relief, were presented by the characters of Bothwell and Mary. To all who were familiar with her habits, even to the least observant of the attendants at court, it was but too evident that she was a changed and wretched woman. Even now it is impossible to read, without feelings of burning indignation, the treatment she received at the hands of her shameless husband.

Shameful treatment of the queen by Bothwell.

Her sufferings.

On the evening of the day on which her marriage was celebrated, Bothwell appears to have behaved towards her with coldness and indifference. It is related by the French ambassador, De Croc, who paid her a visit on that occasion at her own request, that he perceived a strange formality between her and her husband, which she begged him to excuse, saying that if he saw her sad, it was because she did not wish to be happy, as, she said, she never could be, wishing only for death. Another painful circum-

* This alludes to the recent return of Morton from his banishment. MS. Letter, State Paper Office, Drury to Cecil, 20th of May, 1567.

† MS. Letter, State Paper Office, Drury to Cecil, May, 1567.

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stance is also mentioned by Sir James Melvil. On one occasion, after an interview with Mary—probably with Bothwell also—at the palace, he proceeded to the castle; there, as he himself expresses it, "to deal with Sir James Balfour not to part with the castle, whereby he might be an instrument to save the infant prince, to save the queen, who was so disdainfully handled, and with such reproachful language, that Arthur Erskine and I, being present, heard her ask for a knife to rub herself, or else, said she, I shall drown myself."*

We have seen that about a fortnight after her marriage she dispatched a messenger to France, to explain and excuse the step which she had taken, and to conciliate that court in favour of herself and husband. This was the Bishop of Dunblane, who was also instructed to proceed to Rome on the same mission of conciliation. It now became necessary that a similar envoy should be commissioned to the court of England; and to this office was appointed Robert Melvil, brother to Sir James,—a choice peculiarly unfortunate, as this gentleman was the secret but determined enemy of Bothwell, and one of the principal associates in the confederacy of the nobility which aimed at his destruction. In these days it was no uncommon thing for the most trusted messengers to betray their employers; and even men of birth and character were found capable of playing a treacherous and dishonourable part. This was the case with Melvil. He was a man generally esteemed, and with a fair reputation, but he was nevertheless false to his royal mistress. It has sometimes been attempted to excuse his conduct by the supposition that he accepted the commission to England, and at the same time acted as the agent of the queen's enemies, the more effectually to promote her interests,—as by making himself acquainted with their designs, he should be better able to check or counteract them. But it is just as probable that he made himself the envoy of Mary in order to betray her, as that he became the representative of the confederates for the purpose of arresting their schemes and confounding their enterprise. Whatever may have been the motives by which he was actuated, it is certain that he abused the confidence with which he was treated, in revealing to his associates the plans he was instructed to promote, and the objects proposed by Mary in the mission on which he was now dispatched. He was entrusted with letters to Elizabeth and Cecil, both from Bothwell and the queen; and, as he himself informs us in his declaration, he was instructed to excuse to her sister of England the recent marriage of his mistress, and to implore that princess not to expose her to shame, or interrupt those friendly relations which still subsisted between the two countries.† At the same time he was the bearer of despatches from the confederated lords, the purport of which was to inform the English queen that they charged their mistress with the murder of her late husband, and that therefore, judging she had forfeited the throne, they were determined to drive her from it. That Melvil was devoted to the interests of those whose cause he had thus undertaken to represent, and in a manner to plead, appears from this, if from nothing else, that Morton, one of the principal movers in the enterprise, described him to Elizabeth as their trusty friend, whom they had commissioned to unfold to her majesty their as yet undeveloped schemes.* The letter which Bothwell sent by this envoy is somewhat remarkable, both in its manner and contents; it is expressed in "a bold, almost a kingly tone," very unlike that which usually pervaded the addresses to the English queen, which were generally written in a servile, almost abject spirit. Bothwell, though a bad man and a moral coward, was not without a certain natural audacity; which, though not characteristic of his general bearing, was ready to show itself at any emergency, and to carry him triumphantly through the most difficult and trying scenes. He was not uninformed, he said, of the dislike with which he was viewed on the part of Elizabeth; but he protested it was wholly undeserved, and he should endeavour by his actions to prove what he now asserted. He avowed his willingness to render to the Queen of England whatever was due to her of honour or service. He declared his resolution to preserve, if possible, the relations of friendship and peace between the kingdoms, and that no interruption of the concord should ever be traceable to him, directly or indirectly. In conclusion, he observed, that men of greater birth, of more eminent qualifications, might have been preferred to the high station he now occupied; but he boldly affirmed that none could have been selected more zealous for the preservation of her majesty's friendship, of which she should have experience at any time it might be her pleasure to employ him.†

An envoy dispatched to England.

Treacherous conduct of Robert Melvil.

Letter of Bothwell to Elizabeth.

While Melvil was absent on his mission to England, the confederate nobles prepared to take decided measures,—being now indeed committed to this course by the correspondence into which they had entered with Elizabeth. It was necessary, however, that they should proceed with caution. Having themselves signed the bond not only sanctioning the queen's marriage with Bothwell, but declaring it to be for the interests of Scotland, it was impossible they could suddenly, and at once, disclaim their own act, and brave the indignation as well of the queen as of the country. Another circumstance necessitating caution on the part of the disaffected lords, was the fact that in denouncing Bothwell as the murderer of the late king they

* Melvil's Memoirs, p. 180

† Melvil's Declaration.

* Hopetoun MSS.

† MS. Letter, State Paper Office, Bothwell to Elizabeth, 5th of June, 1567. Bothwell at the same time wrote to Cecil and Throckmorton by Robert Melvil.

exposed themselves to great danger, as Bothwell could at once implicate them by the production of the bond which contained their signatures approving of the deed. Nevertheless we now find Morton, Argyle, Lethington, and Huntley, protesting against the marriage, and loudly execrating the conduct of the unprincipled Bothwell.

Manifesto issued by Mary.

The enemies of Mary had for some time industriously disseminated the most shameful rumours throughout the country; and, in order to disabuse the minds of her people, the queen issued a manifesto, in which she endeavoured to vindicate herself and her husband from the imputations which had been cast upon them, and which were calculated to alienate the affections and weaken the allegiance of her hitherto devoted subjects.* This manifesto however, though skilfully worded, was of little service, and was unattended by any good effect.†

Her proclamations disregarded.

About this period Mary issued proclamations for her nobles to assemble and attend her husband on an expedition to Liddesdale, to quiet the disturbances which had lately broken out in that district. Most of the nobility, however, had left the court, and the remainder paid no attention to her command. It was found impossible to collect an army, so little regarded was the queen's authority, and so much detested was the man she had chosen for her husband. It is reported of Bothwell, that there was only one company even of the hired mercenaries which he could trust, and that was one commanded by a Captain Cullen, a man suspected to be deeply implicated in the murder of Darnley.‡

The confederates now resolved on taking the bold and decided step of attempting to seize the persons of Mary and Bothwell. In a country like Scotland, at a period too when every man was available for service in war, it was not difficult at any time to raise a considerable force. Thus we find that when the rebel lords marched against their queen, they numbered upwards of a thousand men. Apprised of their schemes, and unprepared for active resistance, Mary had recourse to flight. Her natural place of refuge was the Castle of Edinburgh, and thither she would gladly have retired, could she have relied on the loyalty of the governor, Sir James Balfour. This, however, had been shaken by the representations of the confederates; and it was felt to be unsafe to entrust the person of the sovereign to his keeping.§

Attempted seizure of the queen's person by the confederate lords, 7th June, 1567.

In these circumstances, Bothwell conducted the queen to the Castle of Borthwick,* the seat of the Laird of Crookston, about ten miles from Edinburgh. Here, while sitting at supper, they were very nearly surprised by Morton and his force; who, making an undiscovered night march, surrounded the castle, and almost succeeded in capturing Bothwell, who escaped, however, by means of an unguarded postern in the back wall. He appears to have halted at the distance of a few miles from Borthwick, and next day he was joined by the queen, who fled from the castle in man's apparel, booted

* Keith, vol. ii. p. 612.

† About this time, also, it is probable was adopted another measure which Mary had devised for the security of herself and government. This was a bond, which was drawn up for the purpose of binding over all who signed it to the service of the queen and Bothwell. The tenor of the bond was, "that they were bound to defend and assist the queen and her husband, the Duke of Orkney, in all their enterprises, and that the queen and her husband were bound to protect and maintain them." It appears that this bond had been projected previous to the marriage, and that the only noble who refused to sign it was the Earl of Moray.

‡ MS. State Paper Office, Drury to Cecil, 31st of May, 1567.

§ That the loyalty of Balfour was shaken, was probably owing in no considerable degree to the representations made to him by Sir James Melvil, of which an account is furnished in his "Memoirs of his own Life." A few days subsequent to the interview of Melvil with Mary at Holyrood—already alluded to—Sir James paid a visit to the governor of Edinburgh Castle, of which the following is his own account: "Now, said I to Sir James Balfour, that there was no surety for him to be out of suspicion, but to keep the Castle of Edinburgh in his own hands, and to be that good instrument to save both queen and prince, in assisting the nobility who were about to crown the prince, and to pursue the Earl Bothwell for the king's [Darnley's] murder. And without he took part with them thereuntill, he would be held as airt and part of the said murder, by reason of his long familiarity with Bothwell; and that it was a happy thing for him that the said earl was become in suspicion of him,—assuring him that I had intelligence by one that was of the Earl's counsel, to wit, the Laird of Whitlaw, for the tyme capten of the Castell of Dunbar, that Bothwell was determined to take the Castell of Edinbrough fra him, and mak the Laird of Benstoun, Hepburn, capten thereof, and then to put the prince there in his keeping." Balfour promised to act as Sir James Melvil advised him, and to oppose his friends and fellow-conspirator Bothwell, if Kirkaldy of Grange would promise to protect him, "in case the nobilitie mycht alter upon him; for he and many of them had run contrary courses before, so that he durst not credit them. The Earl of Mar," continues Sir James Melvil, "being advertist hereof by his brother, Alexander Arskin, who was trow and cairfull for the prince's safety, came secretly to me at midnight, for the days were dangerous for all honest men. Now my Lord of Mar being continually required and boasted to deliver the prince out of his hands, at length granted, with condition only, to dryve tyme, that ane honest, responsible nobleman should be made capten of the Castell of Edinbrough; because he saw na uther sure house to kepe him until he suld deliver him unto the queen, his mother, quhilk he was not myndit to do sa lang as he mycht resist. Albeit he was not a gud disismilaire, but thought it a meit answer to dryve a little tyme, and suage the present fury, untill the nobility might convene to pursue the murder and crown the prince, as they had concludit at a secreit meeting amang themselves. Which was not so secreit but that ane of the said lords made advertisement thereof to the Earl Bothwell, how that they were mindit to environ the Palace of Hallirud House, and take him therein; whereupon he forgot the suiting of the prince, and was only carefull how to saif himself."—*Memoirs* (Maitland Club), pp. 180-181; Keith, vol. ii. p. 606, note by Editor.

* The Castle of Borthwick was erected by Sir William Borthwick, created Lord Borthwick before 1430. The great hall is forty feet in length, and so high in the roof that a man on horseback, it is quaintly said, "could turn a spear in it with all the ease imaginable." John, eighth Lord Borthwick, held out the castle against Cromwell, after the victory of the latter near Dunbar; and though he was compelled to surrender, obtained honourable terms, was allowed to leave his stronghold unmolested, and fifteen days to remove his effects. His great grandfather, John, fifth lord, was the proprietor in the reign of Queen Mary, and was one of her most zealous adherents. A small apartment is still shown in Borthwick Castle as *Queen Mary's Room*, and was evidently hung with tapestry during her occupation.

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and spurred. On the same day (June 13) they took refuge in the Castle of Dunbar.* This attack was not the only event which discovered to Mary the critical position in which she was now placed. It was generally understood that Huntley was no longer to be depended on, and that he was guilty of betraying her confidence and corresponding with her enemies. Secretary Lethington, also, whom Bothwell had carried prisoner to Dunbar when he seized the queen at Almond Bridge, though pretending the utmost devotedness to her interests, constantly informed the confederates of all her plans, and at last withdrew himself from her court. It was further reported to her majesty that Moray had arrived in England to take part against her; and that Lord Home, one of the most powerful of the Border chiefs, was most zealous and determined in his opposition to her cause.†

Defeated in their attempt, they retire to Edinburgh.

Baffled in their enterprise, the confederates retired to Edinburgh, which they reached early in the morning; and, breaking open the gates, they entered without opposition. The inhabitants were at first unfavourable to their cause, though, as already remarked, Balfour, the governor of the castle, was wavering in his allegiance. Several of the most distinguished adherents of the queen—such as the Lord Boyd, the Archbishop of St. Andrew's, the Bishop of Ross, and the Abbot of Kilwinning—were at this time present in the city. On the approach of the confederates, they retired into the castle; but the governor, aware that their presence would compromise him in the eyes of those with whom he was about to associate, dismissed them from the castle and city. The next day the confederates formed themselves into a kind of council, and in that capacity issued a proclamation to the following effect:—

Proclamation by the confederates.

"That whereas the queen's majesty being detained in captivity, and as neither able to govern her realm, nor try the murderer of her husband, we of the nobility and council command all her subjects, specially the burghers of Edinburgh, to assist the said noblemen and council in delivering the queen, and preserving the prince, and in trying and punishing the king's murderers. And we command the lords of session, commissaries, and all other judges, to sit to do justice according to the laws of this realm, notwithstanding any tumult that may arise in the time of this enterprise; with certification to all who shall be found acting contrary to these proceedings, that they shall be suspected as fautors of the foresaid murder, and punished as traitors." ‡

At the same time other proclamations were made at the Market Cross of the city, in the name of the queen, commanding all "sensabill personis betwix sextie and sexteno" to proceed to Borthwick, "to relief her and her spouse, under pain of deid." Another royal proclamation, on the same day, enjoined all such "sensabill personis" to meet in Edinburgh, and hold themselves in readiness to march wherever they were required; and a third was intended to be announced at seven o'clock in the same evening, ordering the parties in the city to return to their respective homes; but the confederates prevented the announcement of this proclamation, by taking the heralds into custody.*

A second proclamation on the part of the confederates summoned the lieges of Edinburgh, "to be ready on three hours' warning to pass forward with them to deliver the queen's person, and take revenge on the Earl of Bothwell for detaining her." Similar proclamations were entrusted to the care of macers and officers of arms, who were ordered to proceed with them to the towns of Perth, Dundee, St. Andrew's, Stirling, and Glasgow. It is worthy of notice that at this time the party of confederates was by no means strong. Many of their friends had not joined them; others had grown lukewarm in the cause; not a few were disaffected on account of the failure of the attempt upon Borthwick Castle, attributing the escape of Bothwell to their negligence and want of due precaution.† Notwithstanding these unfavourable symptoms, however, they received a great accession to their party in the persons of the Earl of Atholl and Secretary Lethington, who, after wavering in their allegiance, had suddenly left the court, and now finally deserted the queen.‡

Atholl and Lethington join the confederates.

* Lord Herries says that "Bothwell disguised himself in a woman's habit, and the queen in a man's; and in the night they deceived the guards, and rode off to Dunbar Castle."—*Historie of the Reigne of Marie Queene of Scots*, printed for the Abbotsford Club, p. 93.

† MS. Letter, State Paper Office, Drury to Cecil, 20th May, 1567; Ibid., 7th June, 1567.

‡ Anderson's Collection, vol. i. p. 128.

* Diurnal of Occurrents in Scotland, printed for the Bannatyne Club, p. 113.

† Lord Herries says—"If the queen had been able to spin out a little more time, she might without great trouble have been master of the field within a few days, for people came in daily to her assistance; and upon the other side, the party of the confederates still decreased, and the lords themselves were beginning to think upon dissolving."—*Historie of the Reigne of Marie Queene of Scots.*

‡ It is reported that the town of Edinburgh not only afforded the associators plenty of refreshments, but likewise 200 harquebusiers. In addition to the assistance rendered to the confederates by the citizens of Edinburgh, sundry compositions, both in prose and rhyme, were published, to "move the hearts of the haill subjects," says Sir James Melvil, "to assist and take part with so gude a cause."—*Memoirs*, printed for the Bannatyne Club, p. 182. Some of these "lybells," Sir James says, were "pityful and persuasive," and they were chiefly directed against Bothwell. The following is a specimen of those pasquinades, in doggrel rhyme, preserved with another in Calderwood's large History, and printed in the Wodrow Society's edition of that writer's "Historie of the Church of Scotland," vol. ii. p. 350. It refers to Bothwell's mock trial and acquittal:—

"I hold it best ye give him assize
Of them that wrought the enterprize,
And consented to that foule band,
And did subscrive it with their hand;
And other sillie, simple lords,
Who feare their hanging into cords.
God is not gleed, though ye him clenge,
Belive me, weill He will revenge
The slaughter of that innocent lamb.
Metu vindictam, et ego retribuam.
Ye wold faine clenge; I love it the waur,
It makes it the more suspect by farre.

[The

Great exertions were made to induce the citizens to join them. Among other things, they ordered a banner to be displayed, on which was painted a rude representation of the scene of the late murder, particularly the tree under which was found the body of the king, and beside it the young prince kneeling, with this motto underneath, "*Judge and avenge my cause, O Lord!*" This device, as might be expected, produced a very powerful effect on the minds of the common people, who discovered great sympathy with the cause of the confederates; and this feeling in a short time communicated itself to the magistrates, and induced them also to intimate their adherence.

In the meantime Mary and Bothwell were not idle. Proclamations were issued in the name of the queen, summoning her loyal subjects to assemble for her defence at Dunbar. This summons was obeyed by great numbers; in particular by the Border barons and gentry, the followers of Home, who deserted his standard, and united themselves to the forces of Mary. She was also joined by several of the nobility—such as Lords Seton and Borthwick; the Lairds of the Bass, Waughton, Ormiston, Cockburn, Wedderburn, Blackadder, and Langton—"all men of good following, and by their examples numbers of country people willingly offered their service." *

Mary advances from Dunbar with an army.

On Saturday, the 14th of June, Mary and Bothwell left Dunbar, and advanced towards the confederates with an army amounting to about 2000 men. The first night they passed at Seton. Next morning they marched to Gladsmoor, where a proclamation on the part of the queen was read to the army. In this document she said that a number of conspirators, discovering malice towards herself and the duke her husband, pretended, and imposed the pretence upon others, that they were associated in order to revenge the death of the late king; all which was a false and forged invention, none having better cause to revenge the king's death than herself, if she knew the authors of it. Further, she said, that as to the duke her husband, he had been fully acquitted of the crime, and his innocence was established. They declared that their aim was to rescue her from captivity; but they who had recommended her marriage with Bothwell were fully aware that she was no captive. They had assembled their forces in appearance to defend her infant son; but to what danger could that prince be exposed, seeing that he was now in their own hands? Therefore, it was evident, she concluded, that their real design "was to overthrow her and her posterity, that they might rule all things at their pleasure, and without controlment." The proclamation closed by making liberal promises of reward to those who remained steadfast to her cause, and in the approaching contest fought manfully for their queen and country.*

Her proclamation to the army.

The queen's next movement was to entrench herself on Carberry Hill, about eight miles from the capital, where there still remained the old fortifications which previous to the battle of Pinkie had been thrown up, twenty years before, by the Duke of Somerset. Hearing of this rapid advance, the confederate lords immediately set out from the city with the intention of attacking her position. It does not appear that they anticipated this alacrity on the part of Mary, nor that they were in the best state of preparation for hazarding an engagement with her army. Calderwood says:—"The lords found not such concurrence out of all quarters as they expected, and such worthy enterprise required; for many favoured the other party, or suspended their aid till they saw farther. They wanted likewise artillery and munition necessary for the siege." [This was probably an allusion to their proposed attempt on Dunbar.] "When they began to deliberate on dissolving their army, the queen cometh forward with her forces." Lord Herries states, that "getting sudden intelligence in the night of the queen's approach, and that she was advanced already to Seton, they were forced to take courage, and presently beat to drums. The force, as is said, was not many; but, because they had the affections of the town of Edinburgh, they appeared in the morning a considerable number. With these they marched out betimes in the morning, and lay down at Mussel-

The confederates march to meet the queen on Carberry Hill, 15th June.

Forces of the confederates.

The farther in filthe ye stamp, but doubt
The fouller sall your shoes come out;
Ye being chieftain of that tryst,
Ye braid of [resembled] him that speired at Christ,
'*An sum ego, Jesu Christe?*'
Who answered, '*Juda, tu dixiste.*'
Have I advertise you in time,
If that you clenge him of that crime,
Ather for love, or yith for terrour,
I sall protest for willful errour."

Other circumstances occurred to excite the people against the queen and Bothwell, as the latter was considered capable of perpetrating any villany. The proclamations of the queen against Liddesdale, commanding her subjects in the more southern shires to meet her and Bothwell, her lieutenant, at Melrose, on the 15th of June, were misunderstood, or wilfully perverted. Instead of an expedition against the rebellious Borderers, it was rumoured and believed that it was intended to assemble a large force, march to Stirling Castle, and compel the Earl of Mar to resign the charge of the infant prince. This widely circulated allegation, when told to the queen, elicited her "Declaratioun upon the Bruitis," or reports, in which, as Chalmers observes, "she avowed her affection for her people, disclaimed any wish to innovate upon the established laws, and hoped that she had placed her son in such safe hands, that the security of his person and the cultivation of his mind need not be doubted, to whom these charges are committed, according to the ancient practice; but such declarations were not much regarded."—*Life of Mary*, vol. i. pp. 223-224. Keith, vol. ii. p. 624, note by Editor.

* Lord Herries adds—"There were two hundred hired soldiers and some field pieces of ordnance. The noblemen and gentry put their men in the best order they could, and with these forces the queen resolved to march to Leith."—*Historie of the Reigne of Marie Queene of Scots.*

* This proclamation is found in Spottiswood's History, folio, p. 206. Crawford's MS. says that the proclamation bore—that if any man should slay an earl, he should have a forty pound land; for the slaughter of a lord, a twenty pound land; and for the slaughter of a baron, a ten pound land: and Calderwood's MS. adds—"for the slaughter of a seaman, the escheat of a seaman."—*Calderwood's Historie of the Church of Scotland.* Keith, vol. ii. p. 627, note.

burgh, a short distance from Carberry Hill*—where the queen's forces were posted. They made the greater haste that they might be masters of the town and bridge, which was a strong pass; and then sent out parties to view the countenance of the queen's army." † But whatever might be the strength of the confederates in point of numbers, they had unquestionably the advantage over the queen in superiority of rank, reputation, and influence. Their forces were composed chiefly of the higher classes, who had joined them with the enthusiasm of men whose personal feelings were interested in the success of their cause. On the other hand, the forces of the queen consisted for the most part of a raw, undisciplined multitude, hastily assembled, without courage, and without experience.

Their leaders.

The army of the confederates, as stated by an authority which can be relied on, was formed into two divisions. Lord Home and the Earl of Morton commanded the first—the other was led by the Earls of Glencairn, Atholl, and Mar. Among the prominent leaders may be mentioned Lords Lindsay, Ruthven, Graham, and Sanquhar; and Sir William Murray of Tullibardine, Douglas of Drumlanrig, and his son, Ker of Cessford, and Kirkaldy of Grange.‡ "The two armies," says that ancient chronicle, the 'Diurnal of Occurrents,' "remained in each other's sight the whole day," and the movements of the confederate lords, from five in the morning till twelve o'clock noon, were planned to shelter themselves from the heat of the sun,—as it is quaintly expressed, "to have the pre-eminence and advantage of the sun," whilst the queen and her forces remained stationary on Carberry Hill till eight in the evening.

At this time there was present with Mary the French ambassador, De Croc, and at this critical juncture he attempted to mediate between the two parties. De Croc, as we have seen, was strongly opposed to the queen's marriage with Bothwell, had intimated to her the extreme displeasure of the French court, and even negotiated with the confederates to assist them in their enterprise against the government, provided they would consent to deliver the prince into the custody of France.

The French ambassador endeavours in vain to accommodate matters.

Now, however, he felt anxious, if possible, to bring about an accommodation, and his offer having been accepted by the queen, he passed over to the confederate army, and obtained an interview with Morton and Glencairn. He represented to them that he had come to see "if there was any possibility to pack up things without blood, to both their goods—that it was lamentable that the queen and her subjects should be at such a distance, that nothing could satisfy their displeasure but blood and slaughter, and whomsoever should get the better, yet the loss fell to the country. He showed them that the queen was inclined to peace—that she would willingly grant an oblivion, and take it upon oath that no man should ever be called in question for what was done in opposing her authority."* To this representation it was replied on the one hand by the Earl of Morton, that they had not taken up arms against the queen, but against the murderer of the late king; and that if her majesty would either give him up to be punished, or remove him from her company, she should find in them a continuation of all dutiful obedience, and that they could admit of peace on no other condition. On the other hand, it was answered haughtily by the Earl of Glencairn: "We are not come here to ask pardon for any offence we have done, but rather to give pardon to those who have offended."

Advance of the confederates.

De Croc, having returned from his fruitless mission, the confederates prepared to advance upon the entrenched position of the queen. They were encouraged to this step by observing indications of wavering on the part of Mary's army, and receiving information of several cases of desertion. Melvil remarks that Bothwell had excited the indignation of the whole camp by his treatment of the queen, that part of his own company detested him, and another part believed that "her majesty would fain have been quit of him, but thought shame to be the doer thereof directly herself."†

For the purpose then of commencing the attack, the confederates dispatched Kirkaldy of Grange, with two hundred horse, accompanied by Douglas of Drumlanrig, Ker of Cessford, and Home of Cowdenknowes, with orders to sweep round the hill of Carberry towards the east side, with the view not only of taking advantage of the level ground which lay in that direction, but also of placing themselves between the queen and the Castle of Dunbar, and so intercepting Bothwell in case he should attempt to fly.

Mary's interview with Kirkaldy of Grange.

Perceiving that it was the gallant Kirkaldy who headed this force, Mary, who had always entertained the greatest respect for his character as an honest, generous-hearted man, sent forward Cockburn of Ormiston, inviting him to an interview with the queen. Grange, having at once consented, rode forward; and in a few words assured her majesty that her subjects were yet true to their allegiance, and would readily obey her if she only separated herself from Bothwell. "All in this field, madam," said the loyal soldier, "will love, honour, and serve you, if you

* A part of Carberry Hill is now planted, and the stone on which Mary sat when she held the interview with Kirkaldy of Grange, subsequently narrated, is still known as the *Queen's Seat*.

† Calderwood's Historie of the Church of Scotland, printed for the Wodrow Society, vol. ii. p. 362.

‡ Ibid.; Historie of the Reigne of Marie Queene of Scots, printed for the Abbotsford Club, p. 93.

* Historie of the Reigne of Marie Queene of Scots, printed for the Abbotsford Club, p. 94.

† Melvil's Memoirs, p. 182-183. "He was so beastly and suspicious," says Melvil, speaking of Bothwell's scandalous treatment of this miserable queen, "that he suffered not to pass over a day in patience, or giving her cause to shed abundance of salt tears."—*Memoirs*, p. 182.

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will only abandon the murderer of your husband." It is related of Bothwell, that when he heard these words, he ordered a soldier to raise his harquebuss, and shoot him down; and Kirkaldy's life was only preserved by a shriek from the queen, and the exclamation—"Shame me not by so foul a murder!"* It was probably at this moment that Bothwell, in a spirit of reckless bravado or impulsive audacity, threw out a challenge to the confederates, and sent his defiance to any one that dared to accuse him of the king's murder. Kirkaldy carried this defiance to his companions in arms, and it was instantly accepted by James Murray of Tullibardine. This was the same Murray who had affixed to the Tolbooth of Edinburgh an answer to one of Bothwell's protestations of innocence. Bothwell, however, refused to fight with him, on the ground of his inferiority in rank. It is said that on the same ground he had refused the offer of Kirkaldy to take up the gage he had thrown down. His challenge was next accepted by Sir William Murray, who exclaimed—"I at least am his peer; my estate is better than his, and my blood is nobler!" This was intimated to Bothwell, who still refused, on pretence that Tullibardine "was not his equal in degree of honour;" and at last singled out his "old associate and fellow-conspirator," Morton, who avowed his willingness to fight him instantly on foot with two-handed swords. But when this was agreed to, Lord Lindsay of the Byres interposed, and asserted that the combat belonged of right to him, as the relative of the murdered Darnley, and implored the confederate lords, by the services he had rendered and still hoped to render, to allow him in courtesy to meet Bothwell. Morton and his associates, desirous of gratifying so old and faithful a friend, consented to his wishes; and the former presented him with his own sword, a well-known and much esteemed weapon, which had once been worn by his renowned ancestor, Archibald, Earl of Angus, surnamed Bell-the-Cat. Lindsay then armed himself, and kneeling down before the ranks of the confederates, audibly prayed for the divine assistance to strengthen him for the trial, imploring God to protect the innocent and to punish the guilty. Bothwell was not deficient in personal courage, and the combat would have taken place, had not Mary interfered, and expressly forbidden it; saying that Bothwell was her husband, and that he should not fight with any of them.†

Bothwell's dastardly attempt on the life of Grange.

Bothwell's defiance and challenge to the confederates.

By this time the army of Mary had so dwindled away, that there only remained about her person sixty gentlemen and the band of hagbutters. In this situation, forsaken by her forces, at the mercy of the confederates, but assured by them of their unshaken allegiance, provided she was separated from Bothwell, there seems to have been no alternative left to this unhappy queen, but to surrender herself into the hands of the insurgents. She intimated her willingness to comply with their demands; but required Kirkaldy, in the first place, to obtain for her their solemn assurance that they would abide by the terms of their engagement. This having been given on the part of the confederate lords, she exchanged a few words with her husband, and then parting from him with tears—prophetic, indeed, for she never saw him again—she placed herself in their hands. There is some obscurity in this part of the narrative, which in all probability will never be cleared up. It is clear that Mary had made up her mind to separate from Bothwell; but what method she took to reconcile him to this step, and how he was induced to give his consent, still remains a mystery. De Croc, the French ambassador, says, in his letter to Catherine de Medici, that "Bothwell became greatly alarmed; and, at last, asked the queen whether she would keep her oath of fidelity which she had made to him. She answered 'Yes,' and gave him her hand upon it. He then mounted his horse, and fled with few attendants." This, however, is merely conjectural, as De Croc was not present at the scene which he describes; having, after his unsuccessful mediation, retired to Edinburgh. This account, however, may be accepted as the nearest possible approximation to the truth.

Mary surrenders into the hands of the confederates.

Flight of Bothwell.

One circumstance appears worthy of notice, that the confederates offered no opposition to the departure of Bothwell. This is surprising, when we consider that their avowed object in taking arms was to bring to justice the murderer of Darnley. The only explanation which can be given of such inconsistent conduct is, that they dared not bring Bothwell openly to trial; seeing that such a course would necessarily implicate his associates in the crime for which he was arraigned, and involve in a similar condemnation Morton, Huntley, Lethington, and Argyle.*

* Melvil's Memoirs, p. 183.

† Calderwood's Historie of the Church of Scotland, printed for the Wodrow Society, vol. ii. p. 363; MS. Letter, State Paper Office, Drury to Cecil, June 19th, 1567.

* Two accounts of Bothwell's flight from Carberry Hill will be read with interest. The queen "persuaded him," says Calderwood, "to withdraw himself secretly out of the field, for she had tried that few except his own friends and dependers would fight; at least, were anxious the battle might be delayed till the next day, that Huntlie and the Bishop of St. Andrew's would come with new forces, if Bothwell in the meantime would not decide the question by single combat. While the queen was conferring with Grange, Bothwell conveyed himself secretly from the army, and hasted with speed to Dunbar, himself alone, because he would trust none; yet others report with seven or eight. After he had taken the flight, sundry shirked away by hundreds, forties, and thirties. One was sent from the queen's armie with a long picke, and cast it down before the horsemen of the other armie, in token the victorie was theirs."—*Calderwood's Historie*, vol. ii. p. 364. Lord Herries, on the other hand, says that when Kirkaldy was sent to treat with the queen, he "had a secret commission underhand, and a token from the Earle of Morton to Bothwell, to advise him to retire himself from the fury of the people to some part out of the kingdom for a small time, until he wrought business in a right posture; but that the people are so hot, that if he do stay, it was not possible to keep them from destruction on both sides, and gave assurance

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Having seen that Bothwell made good his escape, and was not pursued, Mary advanced towards Kirkaldy, and intimated that she placed herself in the hands of the confederates, relying on their promises. "Laird of Grange," said she, "I render myself unto you, on the conditions you rehearsed to me in the name of the lords." She then offered her hand to the baron, which he kissed; and, taking hold of her horse's bridle, he conducted her from the hill to the camp of his associates. Here she was received with every demonstration of respect on the part of the nobles. They threw themselves on their knees before her, and Morton exclaimed, "Here, madam, is the true place where your grace should be; and here we are ready to defend and obey you as loyally as ever nobility of this realm did your progenitors!" Her reception by the soldiers was by no means so cordial or encouraging. The armed ranks closed round her with menacing gestures, and on every side were heard words of reproach and threatening. So turbulent were the men, that Grange and others were compelled to draw their swords, and force them into silence. In her address to the lords, she said that she had come to them, not out of any fear she had had of her life, nor yet doubting of the victory, if matters had gone to the worst, but abhorring the shedding of Christian blood, especially of those that were her own subjects. She had yielded to them, avowing that she would be guided by their counsels, and trusting they would respect her as their born princess and lawful queen.

Mary's reception by the confederates.

The very first request, however, which Mary preferred, she was made to feel, in a most significant manner, the melancholy position in which she was now placed. Learning that on the preceding night the Hamiltons had advanced to Linlithgow in great strength, she expressed a desire that a message from her might be communicated to them. This was sternly refused; and on hearing of this determination, she broke out into passionate reproaches, appealed to the promises they had made, and demanded how they ventured to treat her as a prisoner. Her entreaties and threats were alike disregarded; and losing all command of herself, she called for Lindsay, one of her most refractory nobles, and bade him extend to her his hand. He obeyed her; and, taking hold of it she exclaimed, "By the hand which is now in yours, I will have your head for this!" *

At seven o'clock in the evening of this eventful day, the unhappy queen made her entrance into Edinburgh, riding between Morton and Atholl, and in the most deplorable condition imaginable. Her hair was dishevelled, her dress covered with dust; and she was ready to faint from want of refreshment, as well as from a sense of her misery and humiliation. Calderwood states that her face was "disfigured with dust and tears;" that she could "scarce be holden on her horse, through excess of grief and faintness;" and that all the way she lingered, looking for some help. It is reported that her sufferings were immeasurably aggravated by the conduct of the confederates, who conducted her to the capital by a route which compelled her to pass by the ruins of the Kirk-of-Field House, and to gaze upon the scene of that terrible tragedy, the very thought of which must have been harrowing and insupportable. As she rode through the streets, she was greeted on all sides by the populace with yells and the most opprobrious epithets.† Before her eyes there was borne the banner

Mary is conducted to Edinburgh.

Her reception by the populace.

that if he would slip aside, he may go freely whether he pleased in securitie, for none shall be suffered to follow. Bothwell gave trust to these conditions, and retired privately out of the army with only two men, and went to Dunbar Castell. The other party said he retired by command of the queen; but, however it was, he left the field without trouble or danger."—*Historie of the Reigne of Queene Marie*, p. 94. If this account be true, it proves the consummate hypocrisy and villany of Morton, who contrived to make even Kirkaldy of Grange a tool in the negotiation at Carberry Hill; though it is farther said of Kirkaldy, that "he took Bothwell by the hand," and desired him to depart, promising that no one should oppose or follow him; "and thus, by their own consent, Bothwell passed away."—*Chalmers' Life of Mary Queen of Scots*, vol. i. p. 229. Bothwell's own "narrative" affords no information respecting the events at Carberry Hill, and is chiefly curious for its falsehood and deliberate perversion of facts. He pretends that the queen and the gentlemen with her opposed his combat with Lord Lindsay, because, he says, "Lord Lindsay was not of such parentage as to be comparable to me, nor of such an ancestry or house; and that, moreover, I was a husband worthy of the queen. Nevertheless, I so persuaded the queen and all of them, by the many reasons I urged, that they eventually consented that the combat should take place." "Shortly afterwards," he continues, "I repaired to the field of action, to await the arrival of my antagonist, where I remained till very late in the evening. He did not, however, make his appearance, as I will prove, when necessary, by the testimony of one thousand gentlemen [*une mille gentilhommes*], upon pain of forfeiting my life. As night approached, I prepared to give battle to the enemy, by putting my troops in marching order, they also doing the like on their side." Bothwell then details, with the same disregard to truth, the queen's answer denying her alleged captivity; her conference with Kirkaldy among the forces of the confederates, to prevent the effusion of blood; the advice he gave her not to rely upon their fair promises, but to retire with him to Dunbar, and allow him to defend her "just cause," when he knew well that his own retreat to Dunbar had been cut off; her refusal; his advice to her to obtain a guarantee for her safety, and the false assurances given to her. "When everything was agreed upon," he continues, "under a promise of inviolable adherence to the terms stipulated by the two armies, in presence of the nobles and others then assembled, the queen requested me to return with my troops to Dunbar, where she would join me. Wherefore I departed from her, upon the solemn promise which had been given, as well orally as in writing."—*Les Affaires du Conte de Boduel*, pp. 18—20. It is curious that Buchanan, Knox, and Spottiswood, take no notice of Bothwell's challenge to Morton, and all their accounts are most imperfect. "The proper battle," Chalmers observes, "had been between Bothwell and Morton, two of the murderers of the king; and the best consummation had been if they had killed one another, as two of the most guilty men on earth."—*Life of Mary*, vol. i. p. 228. (Keith, vol. ii. p. 635, note by Editor.)

* MS. Letter, State Paper Office, Drury to Cecil, June 18th, 1567.

† Mary might have been prepared for this cruel treatment, by her reception on the part of the forces at Carberry Hill. Calderwood says, "When she came to the rere-guard, all cried out to burn the adultress and murderer of her husband." Lord Herries writes, "On her passing through the army, they used her with great contempt. They had the king's picture, as he was murdered, painted upon their ensigns; and in one of the corners the young prince drawn,

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on which was represented a rude likeness of the murdered Darnley, and the infant prince, kneeling beside the body, and imprecating vengeance on his father's assassins. This fearful ensign was carried by the soldiers, and had for its motto these words, "Judge and revenge my cause, O Lord!" The first step of the confederates was to secure the queen's person during the night; this they did by placing her, in defiance of her remonstrances, in the provost's house, where she was strictly guarded.* Here, deprived of the attendance of her women, she passed, as may well be supposed, a most miserable night. With the return of morning, there came a repetition of the horrors of the preceding day. The first object she perceived was the hateful banner, which, with a refinement of cruelty, the populace had hung up opposite to her residence. It is said that, maddened by this spectacle, worn out with fatigue and anxiety, she fell into a delirium, during the paroxysms of which she tore her dress, already hanging about her person loose and disordered, and in this pitiable state addressed the crowd from her window in the following terms:—"Good people, either satisfy your cruelty and hatred by taking away my miserable life, or release me from the hands of such inhuman tyrants!" This speech melted the hearts of many who heard it, and the citizens were meditating some measure for the rescue of the queen, when she was suddenly removed, under a strong guard, to Holyrood Palace. This was only a preliminary step to further and still more violent proceedings. After a hurried consultation, the confederated nobles came to the resolution of confining their sovereign in the secluded castle of Lochleven. This castle, situated in the midst of a lake, belonged to Sir William Douglas, one of the confederates, a kinsman of Morton, and the husband of the mother of the Earl of Moray.* The warrant for the commitment of the queen to the custody of Douglas was made out on the 16th of June, and signed by the Earls of Morton, Atholl, Mar, and Glencairn; the Lords Ruthven, Home, Lindsay, Ochiltree, and Graham. On the evening of that day, Mary was conducted thither with every circumstance of indignity which could add to her sense of humiliation. Leaving the palace of Holyrood, which she never saw again, at ten o'clock at night, she was treated with such marked insult, as not to be allowed to select a single dress for her journey or subsequent comfort. She was compelled to ride thirty miles to Lochleven Castle, mounted on a miserable hack, in poor and soiled attire, and without any of those necessaries which common decency would not have denied to a woman, but which these barbarous men refused to their queen. The persons to whom was entrusted the business of conducting Mary to her place of confinement † were Lords Ruthven and Lindsay,

Mary is confined for the night in the provost's house.

Mary confined in Lochleven Castle by the confederates.

new-born, crying to heaven for vengeance against the murderers of his father. These ensigns, at all the corners of the camp, were spread abroad as she went through, and the soldiers, in a barbarous manner, shouted, 'Burn the adultress!' The queen was mightily overtaken with grief and anger at these contemptible words and spectacles. She could not contain herself from tears."—*Historie of the Reigne of Marie Queene of Scots*, p. 95.

* The provost's house, at that time, as we learn from the "Diurnal of Occurrents," p. 115, belonged to Sir James Henderson:—"The queen was lodged," says that ancient chronicle, "in James Henderson's house of Fordell, being then the Provost of Edinburgh's house, wherein he remained." The Provost of Edinburgh was the queen's former host, Sir Simon Preston, of Craigmillar. The house stood at the head of Peebles Wynd, an alley leading from the High Street to the Cowgate, which occupied the site of the present Blair Street and part of Hunter Square, close to the Tron Church. The tenement was known as the "Black Turnpike;" and tradition assigned to it the most extraordinary antiquity, affirming that it was erected by no less a personage than Kenneth, King of Scotland, the extirpator of the Picts, and that it had been at one time occupied by King Robert Bruce; but according to Maitland ("History of Edinburgh," folio, 1753, p. 187-188), it was built by George Robertson, burgess of Edinburgh, and it is mentioned in a deed, dated 1461, as the property of the son of that person. Maitland describes the Black Turnpike as a "magnificent edifice, which, were it not partly defaced by a false wooden front, would appear to be the most sumptuous building perhaps in Edinburgh." It was of great height and extent, with one front to the High Street, and the other to Peebles Wynd, which contained three common stairs, leading to the different storeys of the tenement. The room in which Queen Mary was confined for the night, on this occasion, is alleged to have been only thirteen feet square and eight feet high, the window looking to the street. She was lodged in it under a strong guard, without even one female attendant to wait upon her, and locked up to pass the night in a state of mind which can be better imagined than described. The Black Turnpike was demolished in 1788, to complete the plans of South Bridge Street, and it was probably at the time the most ancient house in Edinburgh. (Keith, vol. ii. p. 639, note by the Editor.)

* The character of this lady is finely delineated by Sir Walter Scott, in the "Abbot."

† Lochleven Castle, as already mentioned, occupies an island near the western shore of Lochleven, at Kinross, and between it and the promontory on which Kinross House is built, near the site of the old Castle of Kinross, a causeway of large stones is laid beneath the water, which in this part is so shallow that, in dry seasons when the surface is low, a person can wade along it to the island. Lochleven Castle and its courtyard comprised a considerable portion of the island which is called the Castle Island, and now contains, since the last draining of Lochleven in 1840, five acres; but in Queen Mary's time the island was much more limited. The remaining part was chiefly cultivated as a garden, which has been long a waste, though it still displays a few fruit trees in a wild and decayed state. The great tower or keep of the castle is on the north-west corner of the courtyard, on the side of the island next Kinross. It is a square tower four storeys high, with round, projecting turrets at the corners, the walls upwards of six feet thick. The entrance is on the second storey, which must have been ascended by an outside stair, with a drawbridge at the top, but every vestige of this stair has disappeared. The door opened directly into the great hall, which includes the whole of the second storey, having a square passage into the vaults below, and the two upper storeys appear to have been bedrooms. The courtyard, which when entire was of considerable extent, was surrounded by high walls, flanked at the corners by towers, and contained a variety of buildings for the accommodation of the garrison. The chapel stood west of the great tower on the west side of the courtyard. According to tradition, the round tower on the south-east corner, flanking the south and east walls, was the part where Queen Mary was imprisoned, and if such be the fact, her accommodation was most wretched. This tradition is probably authentic, as we know that "Lady Lochleven" treated Mary with great severity, and insulted her on every possible occasion. The castle and the other buildings have been long in ruins, but they will always be of interest as connected with Queen

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men every way suitable to their office; being, as has been justly remarked, of peculiarly "savage manners even in that age."

The only man who appears to have remonstrated with the confederates against this cruel treatment of their queen was Kirkaldy of Grange. In defence of their conduct they alleged that Mary had broken her promise to have no communication with Bothwell, and had actually written to him a letter from her prison in Edinburgh, to the effect that she would never forsake him, and warning him to be on his guard.* This story is related by Sir James Melvil, who says that the letter was dispatched by Mary on the night of her arrival in the city, and was treacherously delivered up by the messenger to whom it had been entrusted. He says "that her majesty wrote a letter to the Earl of Bothwell, and promised a reward to one of her keepers to have it safely conveyed to Dunbar to the said Earl, calling him her dear heart, whom she would never abandon nor forget, even though absent, and that she sent him away only for his safety, willing him to be comforted and be on his guard; which writing the loon delivered unto the lords, after he had promised to do the contrary. Upon the which letter the lords took occasion to send her to Lochleven to be kept, against their promise as she alleged; and they again affirming that by her own handwriting she had declared that she had not, and would not, leave nor abandon the Earl of Bothwell." Whatever truth there may be in this story, it is certain that it was made the pretext for violently detaining the queen's person, and committing her to close custody in Lochleven Castle.

Alleged letter of Mary to the Earl of Bothwell.

At this time the public feeling was decidedly hostile to Mary, as we have already seen from the treatment she experienced from the citizens of Edinburgh. This is very strongly expressed in a letter from Sir Nicholas Throckmorton to Queen Elizabeth, shortly after Mary's imprisonment in Lochleven. "Though these lords and councillors," says Throckmorton, "speak reverently, mildly, and charitably of their queen, so as that I cannot gather by their speech any intention of cruelty or violence, yet I do find by intelligence that the queen is in very great peril of her life, by reason that the people assembled at this convention do mind vehemently the destruction of her. It is a public speech amongst all the people, and amongst all the Estates (saving the councillors), that their queen hath no more liberty nor privilege to commit murder or adultery than any other private person, neither by God's law nor by the laws of the realm."* In another letter, dated two days subsequent to the former, Throckmorton writes to the Earl of Bedford that "the queen is in great danger, by reason of the great rage and fury of the people against her."

Public feeling against Mary.

The queen's person having been thus secured, and the infant prince committed to the custody of one of their friends, the Earl of Mar, the confederates now determined to dispatch letters to England and the court of France, explaining and justifying the measures they had adopted. In addressing themselves to the English queen, they declared that their only motive in taking up arms against their sovereign had been her separation from Bothwell and the punishment of the murderers of the late king. They expressed their determination not to desist from their enterprise till these objects were secured, but that when these were accomplished they would willingly return to their allegiance and restore the queen to liberty. They alluded to their rumoured intention of dethroning Mary, crowning the infant prince, and establishing a regency, and solemnly declared that such an idea had never been entertained. In these circumstances they entreated her majesty to put a favourable construction on their conduct, and to afford them countenance in the enterprise in which they were engaged, by sending them some three or four thousand crowns, which might be expended in the hire of mercenaries, in which case they promised to submit themselves wholly to her guidance; and they hinted that should these wishes not be complied with, they should be obliged to turn to France, the court of which would certainly make them very advantageous offers of assistance and co-operation.†

The confederates dispatch letters to England and France.

In their despatches to France, the confederates expressed themselves in more general terms. They were already certified of the willingness of the government to afford them substantial aid. De Croc, the ambassador, as already noticed, had expressed himself to the confederates as favourable to their cause, and had even ventured to recommend that the infant prince should be intrusted for safety to the custody of France, as Mary herself had been in troublous times. It appears indeed that he had gone further, and had actually advised the lords, now that they had secured the person of the queen, to keep her in their own hands.‡ Letters were at the same time dispatched to the Earls of Lennox and Moray, relating the recent events, and intimating that their presence would be acceptable in Scotland.§

—and to Lennox and Moray.

On the night of the queen's journey from Holyrood to Lochleven, two persons were apprehended on

Mary. The surface of the lake having been reduced by draining, it was feared that the island would be joined to the main land, and become a suburb of Kinross. This is not the case, and the appearance of the island is much improved; the dark, massive ruins of the castle are conspicuous amid the delightful scenery of Kinross, standing out in the lake, which is now reduced from a circumference of fifteen to twelve miles, and from a depth of nineteen feet to that of fourteen. (Keith, vol. ii. p. 642, note by Editor.)

* Melvil's Memoirs, printed for the Bannatyne Club, p. 185.

* MS. Letter, State Paper Office.

† MS. State Paper Office, Sir John Foster to Cecil, June 20, 1567.

‡ Ibid., Drury to Cecil, June 20, 1567.

§ Ibid., July 9, 1567.

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suspicion of having been concerned in the murder of Darnley. These were Captain William Blackater, and a foreigner, named Sebastian de Villours. One Captain Cullen, a follower of Bothwell, and well-known as an unprincipled and desperate man, had also been seized on the arrival of the confederates in Edinburgh. The foreigner either made good his escape or was set at liberty, nothing having been proved against him. Of Cullen there is nothing further related; and, as is shrewdly remarked by a recent historian, "it is possible he may have been commanded to say nothing, because he might have told too much." Blackater, however, was tried before the Privy Council, convicted, and executed in the presence of an immense crowd at the Cross of Edinburgh.*

Discovery of the celebrated casket said to afford proofs of Mary's guilt.

An event now happened which remains to this day involved in considerable mystery. This was the discovery of that famous silver casket, which it is said contained indubitable proofs of the guilt of Mary. It appears that this casket was the property of Bothwell, and having been left for security in the Castle of Edinburgh, had been sent for by that nobleman, and instead of being conveyed to him, had, through the treachery of a servant, been delivered into the hands of the confederates. The principal papers contained in it consisted of letters and sonnets, alleged to be in the handwriting of the queen, and addressed to the earl. It was asserted, on the part of the confederates, that these and other documents found in this casket furnished an ample justification of their conduct, and the most unanswerable proof that they had not without reason charged Mary with being implicated in the murder of her husband. There is one circumstance to be taken into account in judging of the truth or falsehood of this story, namely, that in the confidential letters of Drury to Cecil at this period, written from day to day, and containing the minutest information respecting all the current events of the period, there is no allusion to the discovery of such papers as implicated Mary, which, if it had been made, could hardly have escaped the notice of so acute an observer. It is not to be forgotten, however, that the confederates were not likely to make too much of this discovery in one aspect of it, however they might do so in another. Anxious as they were to secure any documents which might justify their own conduct, they would shrink from exposing the contents of this casket until they had been carefully examined,—inasmuch as they knew that the bond implicating some of their own number in the murder of the king was in the possession of Bothwell, and might be contained among these papers. The whole affair is mysterious, and probably incapable of being cleared up. One thing may be mentioned, that on the 20th of June, the day of the reported discovery, George Douglas, one of the most trusted of their number, was dispatched by the confederates on a secret mission to the Earl of Bedford.*

Feelings and conduct of Elizabeth when informed of the late events.

Elizabeth, on receiving the intelligence communicated by the confederates, was perplexed by conflicting feelings. On the one hand, she was by no means displeased that her rival should be distressed and humbled, or that the affairs of the kingdom should be embroiled in such a manner as to afford her an excuse for interposing between the contending parties. Always desirous of establishing the ascendancy of English counsels in Scotland, she gladly hailed the opportunity now afforded for her interference. On the other hand, she held extreme opinions on the subject of the royal prerogative. Regarding the person of the sovereign as inviolable, she could not view with indifference the seizure of Mary, and her imprisonment in Lochleven. That subjects, however much they might resent the proceedings of their princes, should venture to take up arms against them, and deprive them of authority, was a doctrine altogether abhorrent to Elizabeth. And as in this respect the confederates had set a bad example to her own subjects, she felt herself called upon to put on, at least, the appearance of concern and indignation. Elizabeth was further influenced by several considerations of an opposite character. However much disposed to resent the outrage upon Mary, and to vindicate the royal prerogative, she was not unaware of the importance of giving countenance to the confederates, as representing the great party of Protestant Reformers. Bearing in mind the hint thrown out in the letter of the lords, that France was disposed to countenance their enterprise, and dreading that another alliance between this kingdom and Scotland might be contemplated, she at once perceived what advantages might be secured to herself, and how much the interests of Protestantism might be advanced by entering into some relations with the confederates, and persuading them, if possible, to entrust the prince to the guardianship of England. Thus influenced by motives of an opposite description, Elizabeth appears to have adopted a course which neither compromised her with the one party nor the other. In appearance she openly and warmly sympathised with Mary, and dispatched Robert Melvil, then at court, with a letter to intimate to his mistress how deeply she resented the treatment she had received. Throckmorton, her ambassador, a man who had hitherto shown himself rather friendly than otherwise to the Scottish queen, was ordered to hold himself in readiness to proceed to Scotland. In his instructions we find him required to remon-

* "The 24th day of June, Captain William Blackater was drawn backward in a cart from the Tolbooth of Edinburgh to the Cross, and there was hanged and quartered, for being a participant in the king's murder. He solemnly denied any participation in that crime, as he should answer to the eternal God at the day of judgment. The captain, however, had but little chance of escape whether guilty or not, having been tried by a jury of gentlemen of Lennox, who were for the most part vassals and servants to the earl thereof."—*Diurnal of Occurrents in Scotland*, printed for the Bannatyne Club, p. 116.

* Anderson, vol. ii. p. 92; MS. Letter, State Paper Office, Bedford to Cecil; Tytler, vol. vii. pp. 139-140.

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trate with the confederates in the following terms: "By earnest speeches" he was to show them "how incredible we took it at the first when we heard of her imprisonment, thinking surely that persons of such honour as they be (being the principal of the nobility of that realm) could never be induced to offer such violence to her, their sovereign, as to commit her to any manner of prison. For though we will not deny but she may be charged with some faults or oversights, yet we take it not to be appertaining to subjects in such a manner to reform their prince, but otherwise to deal by advice and counsel; and failing thereof, to commend the rest to Almighty God. And this you may say, we do not think as a prince that would partially regard the privilege of another prince, because we ourselves are called by God's order to that estate; but that we think it so ordained by God, and received for a truth in doctrine in all good Christian government." *

The violence of the measures adopted with regard to Mary produced, as was naturally to be expected, a re-action in her favour. The queen's party, though dispirited and broken up, was not extinct; and, soon after her imprisonment in Lochleven, attempts were made to re-unite her scattered adherents. Accordingly, several of the nobles convened at Hamilton, and consulted as to the measures to be adopted. At the head of this party were the Duke of Chatelherault and the Archbishop of St. Andrew's, his brother. The latter was the real leader and mainspring of the movement, as the duke had been for some time a resident in France. It is easy to understand the motives which urged upon the faction of the Hamiltons the necessity of making a demonstration in favour of the queen. They might, indeed, have been disposed to take up arms in her defence in virtue of her relationship to their chiefs; but this was altogether a subordinate consideration. The grand motive which actuated their conduct was their dread lest the continued captivity of the queen should lead to what of all things they desired least—the coronation of the young prince, and the appointment of a regency. This they regarded as the ultimate design of Morton and his party, and they determined that, if possible, it should be defeated. For this purpose, a convention of the nobility was held at Dunbarton, on the 29th of June, which was attended by all the principal leaders of the movement. At this meeting it was determined that a proclamation should be issued, summoning all good citizens to be ready on nine hours' warning to take arms for the rescue of the queen.†

The queen's party reconstructed by the Archbishop of St. Andrew's.

The lords hold a convention at Dunbarton.

Here they were joined by Argyle and Huntley, who had deserted the confederates; and by the Earl of Crawford, Lords Herries, Seton, and Fleming. The proceedings of this convention were regarded with great interest by the ambassador De Croc, and reported by him to the French court.*

The confederates were naturally much alarmed at the tidings which they received of this rival association. Deliberating on the measures most calculated to strengthen their cause and increase the number of their adherents, they resolved on consolidating a more close and intimate alliance with the Reformed party. The leaders of the movement against the queen were for the most part Protestants; and on their first arrival at the capital they had sought to engage on their behalf the popular feeling by a display of zeal against popery in the shape of an attack upon the chapel of Holyrood, in which they demolished the altars, shrines, and images. This outrage was perpetrated by Glencairn and his retainers on the 24th of June, the day on which Captain Blackater was tried and executed for the murder of Darnley.

Knox had for some time been absent from Scotland; but shortly after the murder of the king he returned to the kingdom, to play that foremost part in its troubled history for which he was so well fitted by his eminent abilities, his indomitable spirit, and the extraordinary influence he possessed over all classes. The assistance which the confederates were anxious to secure from the Reformer he was willing enough to render, provided they should comply with certain conditions which he laid down. He stipulated that the parliament held at Edinburgh in 1560 should be recognised as valid, and its acts incorporated among the statutes of the kingdom. This was the famous parliament by which popery had been overthrown, and the Reformed faith established; the acts of which were repudiated by Mary, although virtually they were held valid, in spite of her refusal to recognise them. Further, it was stipulated by the Reformer that the patrimony of the Church, which had been so scandalously appropriated by the nobles, should, as far as practicable, be restored; that the instruction of the young, and the superintendence of the public seminaries of education, should be entrusted to the clergy of the Established Church; that popery—or, as he termed it, idolatry—should, if requisite, be put down by force of arms; that the young prince should be committed to the guardianship of faithful tutors, who should be held responsible for his education and godly upbringing; and, finally, that measures should be taken to bring to justice the murderers of the king.† These stipulations having been readily agreed to, Knox embraced the cause of the confederates, and supported it with all his characteristic energy and enthusiasm.

Knox joins the confederates.

At this time also an attempt was made to induce the Hamiltons, and some of their friends, to

* Copy of instructions for Sir Nicholas Throckmorton, for matters to be imparted to the lords of Scotland, Keith, vol. ii. p. 670.

† MS. State Paper Office, Drury to Cecil. He states that the confederates are very anxious for the return of Knox to Scotland to beard the Hamiltons.

* MS. State Paper Office, Drury to Cecil.

† Knox, p. 419.

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identify their interests with those of the confederates. For this purpose letters were addressed to Argyle, Huntley, Herries, and others, requesting them to repair to Edinburgh, to be present at a meeting of the Assembly of the Church, which had been adjourned to the 20th of July. With the view of securing their compliance, Knox was dispatched, in company with three of his brethren, Douglas, Row, and Craig; and, bringing to bear upon them all the weight of his personal influence, he besought them to attend and aid the great work of confirming the authority of the Church, and re-establishing it in the possession of its alienated patrimony. The Hamiltons, however, probably from some suspicion of the sincerity of the lords, obstinately refused to give in their adherence.

Overtures made to the Hamiltons by the confederates.

It has been already remarked that Mary was peculiarly unfortunate in the servants whom she selected for any more than usually important service, which required not only talent and experience, but above everything, fidelity and conscientiousness. Whatever may have been the qualifications of Robert Melvil in respect to ability, he was lamentably deficient in honesty and good faith. We have seen that he was dispatched by his mistress to England on a mission of the greatest delicacy. To this trust he proved altogether faithless. Instead of furthering the interests of his queen, he laboured to create and cement an amicable understanding between the confederates and Elizabeth; and, as the sequel showed, with success. He informed them that they might expect support from England; that their projects were far from displeasing to the sovereign of that country; that in particular she thought well of the plan of obliging Mary to resign her crown in favour of her infant son. The character of Melvil's negotiations will, however, be best explained by the following extracts from a letter addressed by him to Cecil, previous to his visit to Mary at Lochleven Castle, whither he repaired to give an account of his mission. "It may please your honour," he says, "to be advertised I came to this town [Edinburgh] upon the twenty-ninth of June, and have imparted the queen's majesty's good disposition in the assisting and partaking with the lords to prosecute the murderers of the king, and to preserve the prince in the custody of the Earl of Mar. Whereof the said lords most humbly thank her highness. The whole particularities that I had your honour's advice in, according to the queen your sovereign's meaning, is not at this present resolved on, by reason the most part of noblemen are gone to their houses to repose them and their friends, except the Earls of Morton and Atholl, with my Lord Home, my Lord Ledington, Sir James Balfour, captain of the castle, who is daily in council with them, and Mr. James Macgill, and the Justice Clerk. The cause of their going from this town is by some bragging of the Hamiltons, with the Earl of Huntley, minding to convene their forces and make their colour [pretence] for the delivery of the queen; albeit it be credibly reported that they fear the king's murder to be laid to some of their charges; I mean the Bishop of St. Andrew's; wherefore it was thought most convenient that the noblemen and gentlemen should in the meantime have their friends in readiness. Before my coming the lords did write divers instructions unto me, besides a letter written to the queen's majesty subscribed by them. The effect whereof was, that as they did understand by me of the good inclination of your mistress and council, being addicted to help them in their most need, so, for their parts, their goodwill to do her majesty service, before all other, with time shall be declared. As for their dealing with France, they have used them so discreetly, as neither France may have any just cause to be offended, and the queen your sovereign well pleased. The lords presently needs but money, for they have already listed divers men of war, and is taking up more. The Hamiltons is judged to be maintained by the queen's substance, and countenanced by France to have money, seeing that France is in doubt to persuade our noblemen. Wherefore, sir, it is most needful that with all expedition money may be procured of the queen your sovereign, and sent thither with Sir Nicholas Throckmorton, or by some of the Borders, for that necessity that they will be pressed to, will be within eight or ten days, which I thought meet to advertise your honour of; and what order shall be taken for my going to the queen is not agreed upon, by reason the most part of the lords are not present; and my Lord Ledington being greatly empeached with affairs, might not have leisure to concur at length, but is glad to understand of the care your honour has, that we should do all things by justice and moderation. And that the queen your sovereign may be content with your conference with me, he does well like of your advice in divers heads: always there is matter enough probable [proveable] to proceed upon that matter we first agreed upon, and farther is thought expedient. Ye shall with diligence be advertised; and refers the rest to my Lord of Ledington's letter, who does repose himself upon the care he hopes your honour will continue in for to set forward their honourable enterprise; and the lords, for their part, will accord with your ambassador to keep the prince; and to her highness's desire will put him in the custody of her majesty, if at any time hereafter they shall be minded to suffer him to go in any other country. The whole novels [news] here I refer to my Lord of Ledington's letter; and as I learn further your honour shall be advertised. At Edinburgh, the first of July. R. Melvil."*

Robert Melvil's mission to England, and return.

From this letter it is sufficiently obvious what the intentions of Elizabeth professedly were.

* MS. Letter, State Paper Office, Robert Melvil to Cecil, 1st July, 1567; Tytler, vol. vii. p. 152.

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apparently instructed to remonstrate with the confederates, and to secure the deliverance of Mary from captivity, in reality Throckmorton was to assure them that assistance would not be wanting in the hour "of their utmost need," and to urge on them the speedy carrying out of their design—the dethronement of Mary, the seizure of the person of the prince, the establishment of a nominal regency, and the virtual ascendancy of English counsels.

Supposed intention of the confederates to bring the queen to public trial for the murder of the king.

In the letter from Melvil to Cecil, just quoted, the reader cannot fail to have remarked a mysterious sentence, which conveys no definite information, but, through dark and almost unintelligible hints, alludes to a subject which seems to have been so paramount in the mind both of the writer and of his official correspondent, as to be at once apprehended by the latter on the slightest allusion to it by the former.*

The words adverted to intimate that Lethington approved of some advice tendered to him by Cecil in a matter equally important to both, and that there was information enough already possessed to enable them to go on with it, with the prospect of a successful issue. The question not unnaturally suggests itself—what was this matter alluded to by Melvil in such mysteriously guarded language? We cannot accept Mr. Tytler's supposition, who conjectures—as he confesses wholly without authority—that this sentence related "to the scheme of compelling their sovereign to agree to their wishes, by a threat of bringing her to a public trial for the murder of the king." That the words will bear such an interpretation is doubtless true; that such an intention on the part of the confederates was entertained by them, and seriously too, is also, we think, undoubted; but we question whether such a nefarious project had at this period at least suggested itself; and we think the conjecture, that the language in dispute referred not to Mary, but to one or other of the guilty associates concerned in the king's murder, whom the rest had resolved to betray, and to deliver up to punishment, in order that through this parade of justice the public mind might be satisfied and appeased, rests upon as much authority, and is a supposition as plausible as that made by the historian alluded to. It is well known that one of the professed objects for which the confederates were banded together, was the punishment of the king's murderers; but if no steps were taken in this direction, and if all their efforts were seen to have for their object the seizure of the queen's person and the subversion of her government, public indignation would be directed against them, and the tide would be turned in the queen's favour. Pledged therefore, as it were, to fix the murder on some personage who might be held responsible for the deed, and baffled in the meantime in their endeavours to capture Bothwell, what more natural than that they should adopt the expedient indicated, and prove their zeal in this matter by the betrayal of some one of their less ignoble associates, who might be powerless either to accuse them or to defend himself?

Melvil visits Mary at Lochleven.

Having returned to Scotland, Melvil's first step was to visit his mistress in her confinement at Lochleven. At this interview he delivered the letter of the Queen of England, but was much disappointed that he was not allowed to see her alone, as Lindsay, Douglas, and Ruthven, insisted on being present at the conference. Some days afterwards, however, he was again sent to Lochleven, and permitted to see the queen alone. At this interview he states that he exerted his influence to induce Mary to renounce Bothwell, but without producing the least impression on her mind.

Throckmorton, the English ambassador, arrived at Edinburgh about the 12th of July. We have seen the nature of his instructions to the confederates. To the queen he was commissioned to express the dissatisfaction his royal mistress felt with the manner in which Mary had neglected to prosecute her husband's murderers; to intimate her extreme displeasure at the marriage she had contracted with a man like Bothwell, adding that she had almost resolved to hold no further intercourse with one who had shown so little regard to what was due to her own dignity and honour; but that the indignities which had been put upon her by her own nobles, and the hardships and imprisonment to which she had been subjected, had excited compassion for her sufferings and reprobation of the conduct of the confederates, as opposed to the duty which they owed as subjects to their sovereign; and that in these circumstances she would endeavour to compel them to do her justice and to set her at liberty.*

Arrival in Scotland of Throckmorton.

The ambassador, on his way to Scotland, was met by Secretary Lethington at Coldingham, and by him escorted to Fastcastle, a stronghold on the coast, near St. Abbs Head, described by Throckmorton as "very little and very strong; a place fitter to lodge prisoners than folks at liberty." Here he obtained an interview with Sir James Melvil, which gave him little satisfaction. In a letter written on the same day to Cecil, he expresses his conviction that the confederates were suspicious of the sincerity of Elizabeth, and feared "that if they were not fortunate, she would leave them in the briars."

From Fastcastle Throckmorton proceeded to the capital, attended by Lord Home and an escort of four hundred horse. His conjectures as to the disposition of the confederates were not without good foundation. He was received by them with extreme coldness. Morton, whom he accidentally met in the streets, evaded entering upon business with him, on the plea that a solemn fast was held on that day; nor did he intimate at what time the

* The sentence runs thus:—"He [Lethington] does well like of your advice in divers heads; always there is matter enough probable [proveable] to proceed upon that matter we first agreed upon, and farther as thought expedient."

* Copy of instructions to Throckmorton, June 30, 1567

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confederates would meet with him. In the evening he was waited upon by Lethington, from whom he learned that the confederates were resolved that he should not be allowed to visit the queen. She was guarded in her island prison with extreme rigour, and every precaution taken to prevent any communication being made to her which did not first pass through the hands of her guardians. Access to her presence had already been denied to Monsieur Villeroy, who had been commissioned to visit her in the name of the King of France; and, therefore, it was alleged if admission were granted to the English ambassador it would be regarded as an insult by the French court. The policy pursued by the confederates towards England was extremely cautious. Far from wishing to embroil themselves with this government, they hoped rather by conciliation, and the moderate character of their designs, to secure its sympathy and co-operation. The proposals of the French court at this time did little honour to their originators, considering in what relation they had hitherto stood towards the unfortunate Mary. It was intimated that no opposition would be made to the dethronement of the queen, provided that French influence was allowed its due ascendancy in any government that might be formed during the minority of the prince. As to Mary herself, it was proposed by the ambassador, De Croc, to seclude her for life in some French convent.*

Proposals of the French court.

These propositions were fully reported to the English minister by Secretary Lethington. That they were not exaggerated appears, among other circumstances, from the extraordinary efforts made by the French court to induce the Earl of Moray to adopt their views, and promote them by his personal influence in his native country. "Great is the travail and pain," writes Norris to Cecil, "that hath been here taken to win the Earl of Moray, offering both the Order and great augmentation of living; which, as he hath sent me word, he hath refused; lest, by taking gifts, he shall be bound, where he is now free." † To the honour of Moray he declined these magnificent offers, and, so far from affording any countenance to the designs of the confederates, he dispatched a gentleman of the name of Elphinstone to convey to the queen an assurance of his fidelity, and his determination to devote himself to her interests.

Endeavours to gain Moray.

This messenger arrived in England shortly after the departure of Throckmorton, and was immediately admitted to an interview with Elizabeth. This conference, we are informed, was secret, and lasted fully an hour. What passed we have no means of ascertaining; but whatever were the tidings he communicated, or the arguments he used, they had a favourable effect on the mind of the queen, inclining her to take a more lenient view of the conduct of Mary, and to look with corresponding severity on the proceedings of the confederates. Certain it is, that on the termination of this interview a messenger was sent immediately to Cecil, informing him that Moray had dispatched letters to Mary, praying her to accept of his assurances of devotion, and placing himself solely at her disposal; and that by the same channel he had addressed bold remonstrances to the confederates, upbraiding them with their rebellious and audacious conduct. Further, he was charged to tell Cecil to prepare instantly a letter to Mary, which she would herself sign; though unwilling, as she said, to write it herself, seeing "that she had not used her well or faithfully in these broken matters that be past. The purport of it," she continued, "must be to let her know that the Earl of Moray never spoke defamedly of her for the death of her husband; never plotted for the secret conveying of the prince to England; never confederated with the lords to depose her: on the contrary, now in my sister's misery, to let her learn from me the truth, and that is, that she has not a more faithful and honourable servant in Scotland." *

Curious letter from Elizabeth to Mary.

The fortunes of Mary were now at the lowest ebb. Her communication with the world was almost wholly cut off; she was surrounded by stern and jealous keepers, such as Lindsay and Ruthven, "men familiar with blood, and of coarse and fierce manners." Elizabeth amused her with fair words, France was avowedly hostile, and the Hamiltons, from whom she had naturally expected to receive hearty and disinterested support, were, to say the least, indifferent and lukewarm. Throckmorton, indeed, does not hesitate to avow his opinion that, as the Hamiltons were next heirs to the crown, they would have been very willing to see both Mary and her son securely disposed of; "making a show," as he says, "of the liberty of the queen, that they might induce those lords to destroy her, rather than they should recover her by violence out of their hands." †

Conduct of the Hamiltons.

The only person on whom Mary could place any reliance was, perhaps, the last to whom in this emergency she would have been inclined to look—viz. the Earl of Moray—whose messenger arriving at the capital, and demanding audience of the queen to deliver his letters, received a peremptory refusal. About this time, also, Robert Melvil being again admitted to her presence, besought her with much earnestness to renounce Bothwell; and a letter from Throckmorton, of which he had consented to be the bearer, urged her to the same course. But, with a strange infatuation, she clung to this brutal villain; and believing herself to be pregnant, she absolutely refused to dissolve her marriage with him, and thus to brand her child with illegitimacy. Several important concessions, however, she did make at this interview, protesting

* Throckmorton to Cecil, 12th July, 1567.

† MS. Letter, State Paper Office, Norris to Cecil, 16th July, 1567.

* This information is derived from a gentleman of the court, a Mr. Heneage, who happened to be in waiting in the antechamber, and was sent to Cecil.—*M.S. Letter, State Paper Office.*

† Throckmorton to Elizabeth, 18th July, 1567.

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that she was willing to consent to commit the government either to the Earl of Moray or to a council of the nobles. Adverting to the place and the rigour of her confinement, she entreated the confederates to remove her to Stirling Castle, as her health was already materially injured by her residence in Lochleven. To this effect she addressed a letter to the lords, in concluding which she appealed to them, in affecting language, that if they would not give her the respect due to her as their sovereign, they should at least treat her as the mother of their prince and the daughter of their king. It is said that at this interview she produced a letter, requesting Melvil to transmit it to Bothwell. This he indignantly refused, upon which she threw it passionately into the fire.*

While the current of public opinion was thus strongly directed against Mary, the Assembly of the Church was convened, at which the conduct of the queen was made the subject of long and stormy debates. Many of the ecclesiastical leaders proposed the adoption of the most violent measures, holding that the queen was demonstrably guilty of most of the dreadful crimes of which she was accused, and that she ought therefore to suffer the extreme penalty of the law. Others argued for a more moderate course, pointing out that advantage might be taken of the circumstance that Mary had already offered to resign the government into the hands of the Earl of Moray. After much altercation this course was adopted, and three instruments were drawn up in conformity therewith, which were entrusted to the bitterest enemy of Mary, the brutal Lord Lindsay, who was ordered to proceed at once to Lochleven, and to compel the queen to attach her signature to them. The first of these important documents intimated her abdication of the crown in favour of her infant son, and authorised preparations for his immediate coronation. The second invested "her dear brother," the Earl of Moray, with the regency, in consequence of the tender age of the prince. The third appointed the Duke, together with the Earls of Lennox, Argyle, Atholl, Morton, Glencairn, and Mar, as a council of regency, to carry on the government till the arrival of the Earl of Moray; and in case of his declining to accept of his high office, invested them with power to continue in that capacity.

Meeting of the General Assembly.

Abdication of the crown forced on Mary.

Three instruments drawn up—their import.

Previous to the interview of Lindsay with his sovereign, it is said that Melvil assured her privately that her refusal to comply with the demands of the confederates would endanger her life. Arguments were also used to the effect that such documents—executed in captivity and under compulsion—were invalid, and that she might therefore sign them without scruple. Melancholy and humiliating was the position in which this unfortunate queen now found herself. An immured captive and an accused criminal—a disowned sovereign and a weak woman—it was in vain that during a few moments of stormy passion she avowed her determination to renounce her life rather than her crown. The necessities of the moment were inevitable, and the scowling countenance of Lindsay, as he laid before her the fatal instruments, shadowing out as it were the doom awaiting her if she should persist in her resolution, overcame her repugnance, and forced her, with trembling hand and eyes filled with tears, to attach her signature to the documents which stripped her of her authority, and brought to a close the first act of this most tragic history of the beautiful, but erring and suffering, daughter of the house of Stewart.

Mary attaches her signature.

From the now uncrowned queen Lord Lindsay hastened to the Keeper of the Privy Seal, in order that this being affixed to the resignation, the apparent validity of the document might be complete. The keeper, however, Thomas Sinclair, having protested that the signature had been obtained by compulsion, and was therefore invalid, Lindsay resorted to his usual brutal violence, assaulted Sinclair's house, tore the seal from his hands, and forced him to attach it to the documents he had brought.*

On the evening of the 25th of July, the abdication of Queen Mary, and the appointment of a regency, were proclaimed at the Cross of Edinburgh. No time was now lost by the confederate lords, and every preparation was made for the immediate coronation of the youthful prince. Invitations were issued to the English ambassador and the Hamiltons to be present at this ceremony. From both parties, however, were received courteous but decided refusals. Throckmorton stated that the whole proceedings were contrary to the wishes of his sovereign, and would certainly occasion her extreme displeasure. The Hamiltons reminded the lords that they had taken no part in these contests, and declined to countenance the contemplated proceedings. They offered, indeed, no opposition to the course proposed, but intimated their wish, which was allowed, to present a formal protest that this coronation should not be considered as in any way prejudicial to the claims of the Duke of Chatelherault as next heir to the crown.

Abdication proclaimed, July 25.

The High Church at Stirling having been selected as the place where the coronation should be held, the lords and ecclesiastical leaders early repaired to that city. Here disputes arose as to the manner in which the ceremony should be performed. Some contended, and Knox among the number, that the prince should not be anointed, but simply crowned,—"anointing being a Jewish rule, and abrogated by the Gospel dispensation." On the other hand, it was argued that the anointing was not a superstition, but "an ancient solemnity," recognised universally throughout Christendom, and ought not therefore on this occasion to be

* Melvil's Declaration, Hopetoun MSS., Throckmorton to the Queen, July 18, 1567.

* Mr. Riddell, in Blackwood's Magazine, October, 1817.

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omitted. This opinion ultimately prevailed. Every effort was made by the confederate lords to render the ceremonial effective and imposing. The church, which is now known as the West Kirk, is a magnificent Gothic fabric of hewn stone, with an arched roof, supported by two rows of plain but massive pillars. A procession was formed from the castle to the church, in which the Earl of Atholl bore the crown, the Earl of Morton the sceptre, and the Earl of Glencairn the sword. The infant prince, who was then but fourteen months old, was carried in the arms of the Earl of Mar. The ceremony lasted from two till five in the afternoon, and was inaugurated by the reading of the deeds of abdication. Knox preached the sermon; Bothwell, Bishop of Orkney, performed the "anointing;" the crown was held over the king's head by the Earl of Mar, and his infant hands were made to touch the sword and sceptre. The Earl of Morton and Lord Home took the oaths on the Gospels on behalf of their sovereign, that he would maintain the Reformed faith, and root out heresy; the lords swore allegiance by placing their hands on his head; the burgesses followed their example; and at the conclusion of the protracted ceremonial, the infant king was carried back to the castle by the Earl of Mar. Loud rejoicings in the capital celebrated the consummation of this event; and at night bonfires blazed, and the protracted revels bore witness to the general satisfaction of the people.*

Coronation of James VI., July 27, 1567.

As had been predicted by the English ambassador, the intelligence of these astounding events was received by his sovereign with alarm and anger. Although in no inconsiderable degree to blame for the circumstances which excited her wrath, she pretended that her whole line of conduct had pointed to results of an opposite character. Ever working out her dark and selfish policy towards Scotland, no sooner did that policy develop itself in disastrous consequences, than she hastened to exculpate herself, protesting that she was the aggrieved party, and simulating a well-enacted surprise, or even a righteous indignation.

Feelings of Elizabeth on hearing of the coronation.

In the present instance her tone was loud and threatening. She prohibited Throckmorton, her ambassador, from holding official relations with men who had treated her counsels with marked and contemptuous indifference, and vowed that "she would make herself a party against them, to the revenge of their sovereign and an example to all posterity."† At the time when these letters were delivered, Morton, Mar, Glencairn, Home, and Lethington arrived in Edinburgh, in order to be on the spot when the Regent Moray should land, to whom they had dispatched an envoy, informing him of his high appointment. Obedient to his instructions, Throckmorton refrained from holding any intercourse with them. He was visited, however, by the Comptroller, Tullibardine, brother-in-law of the Earl of Mar, and one of the council of regency. This interview was the occasion of some most astounding revelations, made voluntarily on the part of Tullibardine, as to the treachery of the Hamiltons, hitherto regarded as the most devoted of the queen's adherents. "Within the last forty-eight hours," said the Comptroller, "the Archbishop of St. Andrew's, on the part of the Hamiltons, has proposed to us to put the queen to death. They have recommended this course as the only certain method of reconciling all parties; and on our consenting to adopt it, they are ready to join us to a man, and to bring Argyle and Huntley along with them."

Extraordinary revelations of the treachery of the Hamilton party.

Throckmorton, a man of honour and integrity, was inexpressibly shocked at this statement, and ventured to express his doubts as to its authenticity. He reminded his informant that there was nothing to be gained by the queen's death, but much by her life,—as being divorced from the infamous Bothwell, she could be induced to marry a son of the duke's or one of Argyle's brothers. To this Tullibardine replied: "My lord ambassador," said he, "these matters you speak of have been in question amongst them, but now they see not so good an outgait by any of those devices as by the queen's death. For she being taken away, they account but the little king betwixt them and *home*,* who may die. They love not the queen, and they know she hath no great fancy to any of them; and they fear her the more because she is young and may have many children, which is the thing they would be rid of." In the evening of the same day, Throckmorton was visited by Secretary Lethington, who substantially confirmed the statements made previously by Tullibardine. The conversation which then ensued has been minutely detailed in a letter from the ambassador to his royal mistress, and its discovery we owe, like many other documents which have thrown new light on this important period of our history, to the indefatigable exertions of Mr. Tytler. This conversation is of too interesting a character not to be given in the words of its recorder. "The same day," says he, speaking of the events of the 7th of August, "the Lord of Lethington came to visit me, on behalf of all the lords. He demanded of me when I heard from your majesty, and what was the matter why I had sent to Stirling for audience. I answered, to let the lords and him understand what your majesty did think of their rash proceedings; finding the matter very strange in this hasty sort to proceed with a queen, their sovereign, being a prince anointed, not having imparted their intent to your majesty. For answer, the Laird of Lethington said, 'My lord ambassador, these lords did think their cause could suffer no delays; and as for imparting their purposes to the queen's majesty your sovereign,

* Throckmorton to Elizabeth, July 31, 1567.
† Instructions to Throckmorton, July 27.

* *Home* means here the succession to the throne, to which the Hamiltons were the nearest heirs after Mary and her son.

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they doubted that neither she would allow that such was meet for them to do, neither could take any of their doings in good part. And where you have charged us with deprivation of the queen from her royal estate, it doth appear by such instruments as I sent you from Stirling, that we have not denuded the queen of her royalty, but she hath voluntarily relinquished the same to her son.' 'I asked him,' continued Throckmorton, 'What free will there might be, or uncompulsory consent, for a prisoner, and such an one as every day looked for to lose her life?' 'Yea,' said he, 'it is you that seek to bring it to pass, what show soever the queen your mistress, or you do make to save her life, or set her at liberty. For the Hamiltons and you concur together; you have nothing in your mouths but liberty, and nothing less in your hearts. My lord ambassador, I have heard what you have said unto me; I assure you, that if you should use this speech unto them which you do unto me, all the world could not save the queen's life three days to an end; and as the case now standeth, it will be much ado to save her life.' 'I said, 'My Lord of Lethington, if you remember, I told you at my first coming hither, when I understood you minded the coronation of her son, that when you had touched her dignity you would touch her life shortly after.' 'Well, my lord,' said he, 'I trust that you do not take me to be one that doth thirst my sovereign's blood, or that would stain my conscience with the shedding of the same? You know how I have proceeded with you since your coming hither. I have given you the best advice I could to prevent extremity; and either the queen your sovereign will not be advised, or you do forbear to advise her. I say unto you, as I am a Christian man, if we which dealt in this action would consent to take the queen's life from her, all the lords which hold out and lie aloof from us, would come and conjoin with us within these two days. This morning the Bishop of St. Andrew's and the Abbot of Kilwinning, have sent a gentleman unto us for that purpose. And likewise the Earl of Huntley hath sent to Duncan Forbes within this hour, to conclude with us upon the same ground; and, to be plain with you, there be very few among ourselves which be of any other opinion.'"

This acknowledgment on the part of Lethington, frank as it was terrible, drew from Throckmorton urgent remonstrances against proceeding to such a desperate extremity. To this it was replied by the secretary, that such a course would never find an advocate in him; but said he, "'How can you satisfy men that the queen shall not become a dangerous party against them, in case she live and come to liberty?' I said, 'Divorce her from Bothwell.' He said, 'We cannot bring it to pass: she will in nowise hear of the matter.'" Here terminated this remarkable conversation, somewhat abruptly, owing to the arrival of Sir James Balfour to summon Lethington to the council.* It thus appears that Mary was at this time placed in circumstances of extreme peril. Relentlessly pursued by her enemies, she was even more endangered by the falsehood, treachery, ambition, and cold-blooded cruelty of her once boasted friends, and apparently most devoted adherents. One only chance of saving her life appeared to remain to this forlorn queen, and that depended on the disposition of her "brother," the newly appointed regent. With what anxious solicitude must the poor beleaguered prisoner have expected his arrival! The eyes, indeed, of the nation were directed to Moray as their only hope. They were growing weary of this state of inquietude and suspense—all things falling into wreck and chaos, the vessel of the State drifting visibly towards shoals and quicksands; and it was a source of satisfaction and comfort, that the helm of government was about to be assumed by a man of such capacities and spirit as the Earl of Moray.

Departure of Moray from France.

On the first intimation being made to him of his election to the regency, Moray prepared instantly to leave France, and embark for his native country. It may be presumed that the nature of the policy to be adopted by the new governor was anxiously debated both at home and abroad. At home, the question whether he would support the queen or unite with her adversaries against her, was the subject of agitating conjecture. Nor was it easy to determine what course he would pursue, as it was some time before reported that he approved of the designs of the confederates; though, as they were extremely anxious to gain him, this may have been merely a rumour industriously circulated from partisan motives; and latterly he had decidedly sided with the queen, sending over his servant from France with expressions of sympathy and offers of service. Abroad, it was equally important to France and to England that the policy of the regent should be in accordance with the principles which led each country to labour for the establishment of an ascendant influence in the counsels of Scotland. Accordingly, each court anxiously endeavoured to obtain from him an expression of his views favourable to their plans. We have seen what munificent offers the French government made to gain him over to its interests, and how all those brilliant offers were resolutely refused. This circumstance induced that court to throw in his way every obstacle in their power to hinder his departure,—their fears suggesting the not unnatural suspicion that overtures had already been made to him on the part of England, which he was disposed to entertain. From this difficulty Moray escaped with his usual adroitness. Refraining from committing himself by any promise, he assured the king in general terms that he would be faithful to his sovereign, and in all his actions to consult her true interests. With this understanding, he departed from court, accompanied by Monsieur de Lignerolles, who apparently had no other object in view than the conveyance of a message from his

* MS. Letter, State Paper Office, Throckmorton to Elizabeth, 9th of August, 1567.

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sovereign to the associated lords; but whose real object was to watch the conduct of the regent, and if possible prevent his interview with the English queen. Although this was impossible, yet, on account of a circumstance which happened shortly before the departure of Moray, his interview with Elizabeth was extremely unsatisfactory. This was the intelligence communicated to him by Elphinstone, whom he had sent with letters to Mary, that conclusive proofs of her guilt had been discovered, and that he himself had seen and read an epistle from her to her fugitive husband, by which it was unquestionably shown that she had been an accomplice in the murder of Darnley.*

His interview with Elizabeth.

Such tidings could not fail to leave the most unpleasant impressions on the mind of Moray, prejudicing him against his sovereign, and proportionably inducing him to put a more favourable construction on the conduct of the confederates. Elizabeth, it was well known, was making loud protestations of indignant sorrow at the ignominious treatment of their sovereign by the Scottish rebels, and of her determination at all hazards to effect her delivery. On explaining, however, her projects to the Earl of Moray, she was met on his part by such manifest coldness and indifference as to rouse the anger of Elizabeth, and lead her to indulge in some hasty expressions, which Moray construed into threats. This language was resented by him, and they parted with feelings of mutual distrust.

After an absence of five months, Moray returned to Scotland, accompanied by Lignerolles, and reached Berwick on the 8th of August. Here he was met and entertained by Bedford, an old friend and ally, and also by the Lord Clerk-Register, Sir James Macgill, and by Sir James Melvil. These gentlemen had been deputed by two opposite factions, into which the confederates were now divided: the one apparently resolved to be satisfied with nothing short of the destruction of the queen; the other, willing to spare her life, and afford her honourable treatment. From Berwick the regent proceeded to Bound Rode, the boundary between the two kingdoms, where he was met by a body of four hundred noblemen and gentlemen. On the 10th, Moray rode to Whittingham, where he was received with great cordiality by Morton and Maitland, in the very house where, a year and a half previously, the murder of Darnley had been discussed. This strange coincidence, however, by no means prevented Maitland and Morton from echoing the expressions of abhorrence which the regent used in speaking of that infamous transaction, and promising to aid him in making every exertion to bring the murderers to justice.

His arrival in Scotland.

On the 11th of August Moray entered Edinburgh, and was received with the enthusiastic acclamations of the citizens. The regent entered on his duties with great activity, his first object being to make himself acquainted with the character and views of the two factions, whose respective representatives had met him at Berwick. On that occasion he had refused to commit himself to either party, alleging his resolution to inquire into and judge personally of the state of matters. This he endeavoured to do during the first few days after his arrival. According to the testimony of Throckmorton, Moray seems to have been at this time acting with fairness and sincerity.

His entrance into Edinburgh, and reception.

The only objection which Moray entertained to the acceptance of the regency, was founded on the rumour which had reached him that the demission of the queen had been extorted from her by threats. In these circumstances, before giving his final answer, he requested the confederates to allow him to visit her at Lochleven. This request they were at first unwilling to grant; but fear of the consequences of their refusal at length induced them to consent.

On the 15th of August, Moray, accompanied by Morton, Atholl, and Lindsay, proceeded to Lochleven, and were admitted into the presence of the captive queen. They were received with tears, and many bitter complaints respecting the unworthy treatment to which she had been subjected. Both before and after supper Mary conversed privately with Moray, endeavouring to sound his intentions, pathetically reminding him of her grievances, alluding to the affection she had always entertained for him, craving his protection from the malice of her enemies, and relying, as she said, with confidence on his wisdom and generosity. To all this Moray at first made no reply.* Implored, however, to speak plainly, whatever might be the nature of his communications, Moray reminded her of the whole history of her past reign and life: the shameful manner in which the kingdom had been misgoverned—her own imprudent and criminal conduct—the murder of Darnley—the mock trial of Bothwell—her love for that abandoned and dishonoured man—her disgraceful marriage—the indignation of her subjects—the misfortunes that had now overtaken her—and, lastly, the determination of some of the confederates to bring her to an ignominious trial, the consequences of which might be fatal to her liberty—perhaps to her life. His manner in delivering his sentiments was severe, his language bitter, and almost fierce. "He behaved himself," remarks Throckmorton, "rather like a ghostly father unto her, than a counsellor." This conversation detained them till past midnight, and he at length left her, "leaving her that night in hope of nothing but God's mercy." †

Moray's interview with Mary at Lochleven, 15th Aug.

In the morning, Moray had a second interview with Mary, in which, seeing that she was now completely subdued, he gave her some hopes that her life might be preserved. He could not, he said, assure her of her liberty, as that lay not

* MS. Letter, State Paper Office, Norris to Cecil.

* Throckmorton to the Queen, Keith, vol. ii. p. 734.
† Ibid.

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THE REGENT MURRAY

OBIIT 1570

From the Original at Holyrood House, [illegible]

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within his power; "neither was it good for her to seek it, nor presently for her to have it, for many respects." This speech re-assured the queen, and gave her much comfort. She expressed her gratitude, took him in her arms and kissed him, and urged upon him the acceptance of the regency. This was a step, he said, which many reasons induced him to decline. After some time spent in pressing him to assume the government, he at length consented; and she committed to his keeping her jewels and other valuable articles, offering at the same time to sign any papers which might be required for the establishment of his authority. On his departure, she again embraced him lovingly, and shed many tears, charging him to give her blessing to the prince her son.*

Moray declared regent, Aug. 22, 1567.

Leaving Lochleven, Moray repaired to Stirling, on a visit to the prince. From thence he returned to Edinburgh on the 19th of August, and the next day was proclaimed regent with the usual ceremonies. His inauguration into this high office took place within the council chamber of the Tolbooth. Here assembled the lords temporal and spiritual, the lords of the secret council, and the commissioners of burghs. The instruments granted by the queen were first read. After this, the regent delivered an address, in which he declared his own abilities to be inferior to the great trust which was now made over to him; but expressed his determination to discharge it with all fidelity, to the best interests of the prince and the country. He then took an oath on the Gospels, that he would serve God according to his word, revealed in the Old and New Testaments; that he would maintain the national form of religion as then adopted; that he would govern the people according to the ancient and loveable laws of the kingdom; procure peace, repress all wrong, maintain justice and equity, and root out from the realm all heretics and enemies to the Church of God.†

His oath.

Shortly after his solemn inauguration into the office of regent, Moray had an interview with the English ambassador, Throckmorton. At this interview Maitland of Lethington was present. The envoy of Elizabeth lost no time in expressing the indignation of his mistress at the late events, and especially at the conduct of the confederate lords. Maitland, in a spirited address, vindicated himself and those associated with him. He disclaimed all intentions of proceeding to extremities with Mary. "So far from it," said he, "Mr. Ambassador, we wish her to be queen of all the world; but now she is in the state of a person in the delirium of a fever, who refuses everything which may do her good, and requires all that may work her harm. Be assured nothing will be more prejudicial to her interest than for your mistress to precipitate matters. It may drive us to a strait, and compel us to measures we would gladly avoid. Hitherto have we been content to be charged with grievous and infamous titles; we have quietly suffered ourselves to be condemned as rebels and unnatural traitors, rather than proceed to anything that may touch our sovereign's honour. But beware, we beseech you, that your mistress, by her continued threats and defamations—by hostility, or by soliciting other princes to attack us, do not push us beyond endurance. Think not we will lose our lives, forfeit our lands, and be challenged as rebels throughout the world, when we have the means of justifying ourselves. And if there be no remedy, but your mistress will have war, sorry though we be, for rather will we stake our fortunes than put our queen to liberty in her present mood, resolved as she is to retain and to defend Bothwell, to hazard the life of her son, to peril the realm, and to overthrow her nobility. For your wars we know them well:—you will burn our borders, and we shall burn yours; if you invade us, we do not dread it, and are sure of France. For your practices to nourish dissensions among us, we have an eye upon them all. The Hamiltons will take your money, laugh you to scorn, and side with us. At this moment we have the offer of an agreement with them in our hands. The queen, your mistress, declares she wishes not only for our sovereign's liberty, and her restoration to her dignity, but is equally zealous for the preservation of the king, the punishment of the murderer, and the safety of the lords. To accomplish the first—the queen's liberty—much has been done; for the rest, absolutely nothing. Why does not her majesty fit out some ships of war, to apprehend Bothwell, and pay a thousand soldiers to reduce the forts and protect the king? When this is in hand, we shall think her sincere; but for her charge to set our sovereign at liberty, and restore her to her dignity, it is enough to reply to such strange language, that we are the subjects of another prince, and know not the queen's majesty for our sovereign."*

Moray's interview with Throckmorton.

Maitland's vindication of the confederates.

This language was by no means pleasing to Throckmorton, who, turning to Moray, said he trusted that such sentiments were not approved of on his part. To this the regent replied—"Truly, my lord ambassador, methinks you have had reason at the Laird of Lethington's hands. It is true that I have not been at the past doings of these lords, yet I must commend what they have done; and seeing the queen, my sovereign, and they have laid on me the charge of the regency, a burden I would gladly have avoided, I am resolved to maintain their action, and will reduce all men to obedience in the king's name, or it shall cost me my life."†

Throckmorton now perceived that his further residence in Scotland was useless. Elizabeth accordingly gave him permission to return, after he had again addressed a remonstrance to the confede-

Departure of the English ambassador.

* Throckmorton to the Queen, Keith, vol. ii. p. 734.
† Anderson's Collections, vol. ii. pp. 252, 253

* Throckmorton to Elizabeth, Keith, vol. ii. p. 744.
† Ibid.

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rates, and in vain requested leave to visit Mary in her confinement. On the 29th of August he took his departure for England.

Measures taken to apprehend Bothwell.

The regent commenced his reign by taking the most active and energetic measures with a view to the capture of Bothwell. "He went stoutly to work," says Throckmorton, "resolved rather to imitate those who had led the people of Israel than any captains of that age." Bothwell, it seems, after skulking about for some time, a wretched fugitive, had fled to Orkney, and turned pirate. Murray of Tullibardine, with the Laird of Grange and three armed ships, were dispatched in pursuit of him. It may be perhaps as well to mention in this place the fate of this wretched man, with whom, so far as the history of Scotland is concerned, we shall have no more to do. According to Lord Herries, Bothwell fled from Orkney to Denmark. There, being recognised by some Scotch merchants, they informed the regent of his presence in that country. Moray, on hearing this, instantly sent a message to the King of Denmark to put him to death, "for an example to all that shall attempt a prince's life." This request was not complied with; his life was spared; but it was made so miserable as to be rendered more unendurable than a thousand deaths. He was thrown into a loathsome dungeon, "where none had access to him but those that carried to him such scurvy meat and drink as was allowed, which was given him in at a little window. Here he was kept ten years, till, being overgrown with hair and filth, he went mad, and died—a just punishment for his wickedness." *

Fate of Bothwell.

The regent's next anxiety was to secure the kingdom in the name of the prince, and persuade the people to recognise his authority. This he managed with his usual ability and dexterity. He had at one time great suspicions of the designs of the Hamiltons, who had made a show of opposing him when he assumed the regency. But whatever might have been their intentions, they were unable to give effect to them, in consequence of their acting without a leader and without a plan. The next step was to obtain possession of the Castle of Edinburgh, retained in the hands of the notorious Sir James Balfour—one of the most unprincipled and profligate villains of his age or country. Beyond doubt, Balfour was one of the principal actors in the murder of the king; but, on his consenting to surrender the castle, he not only obtained an ample remission of his crime, but was presented with the sum of five thousand pounds and the Priory of Pittenweem, and his son received an annuity. This was a discreditable transaction, and in some degree to distract public attention from it, great activity was shown in bringing to justice some of the more obscure agents in the murder of Darnley. Among those apprehended were a page of the king's called Durham, John Hay of Tallo, John Spens, John Blackater, and James Edmonson.* Of Tallo's guilt there was no doubt; but according to Bedford, in a letter to Cecil, Moray rather repented having brought him to trial, as he laid open the whole conspiracy in its minutest details, "declared who were the executioners of the same, and went so far as to touch a great many, not of the smallest."†

Balfour surrenders the Castle of Edinburgh.

So perplexing was the position in which the regent found himself, that he suppressed Tallo's examination, and remanded him back to prison. The regent next made himself master of the Castle of Dunbar, which was still held in the name of Bothwell. For a few days the garrison held out, but, being bombarded by Moray, at length surrendered. All the measures taken to secure the safety of the kingdom were crowned with success; and, on the 15th of September, Cecil was informed that everything in Scotland was quiet, and the government of the regent completely established.

Parliament assembled, 15th Dec.

On the 15th of December parliament assembled, in compliance with a summons from the regent. It was attended by fourteen abbots, twelve earls, sixteen lords and masters,—as the eldest sons of noblemen were then called,—and twenty-seven commissioners of burghs. The discussions were opened by a speech from Secretary Lethington. The subjects, he said, which they had met to consider were of the greatest importance. They were called upon to consult for the establishment of a uniform system of religion; the acknowledgment of the just authority of the king, in consequence of the queen's free demission of the crown in his favour; the sanction to be given to the appointment of a regent to act during the minority of the king; and, lastly, the punishment of the murderers of the late prince. He concluded a spirited address, framed with wonderful adroitness, by an eloquent allusion to the manner in which the Reformed religion had spread during the short period that it had been in existence. "As to religion," said he, "the quietness you presently enjoy declares sufficiently the victory that God, by his word, has obtained among you within a space of eight or nine years; how feeble the foundation was in the eyes of men—how unlikely it was to rise so suddenly to so large and huge a greatness—with what calmness the work has proceeded, not one of you is ignorant. Iron has not been heard in the house of the Lord; that is to say, the whole has been builded, set up, and erected to this greatness without bloodshed. Note it, I pray you, as a singular testimony of God's favour, and a peculiar benefit granted only to the realm of Scotland, not as the most worthy, but chosen out of his Providence from among all nations, for causes hid and unknown to us, and to foreshow his almighty power, that the true reli-

Speech of Secretary Lethington.

* Historie of the Reigne of Marie Queene of Scots, printed for the Abbotsford Club, p. 96. See Appendix E.

* MS. Letter, State Paper Office, Bedford to Cecil.
† Ibid; Tytler, vol. vii. p. 194.

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gion has attained a free course universally throughout the whole realm, and yet not a Scotsman's blood shed in the forthsetting of the whole quarrel. With what nation in the earth has God dealt so mercifully? Consider the progress of religion, from time to time, in other countries—Germany, Denmark, England, France, Flanders, or where you please; you shall find the lives of many thousands spent before they could purchase the tenth part of that liberty whereunto we have attained, as it were sleeping upon down beds."*

The first business of the parliament was the election of the Lords of the Articles; and this having been done, the three Estates sanctioned the queen's demission of the crown, the king's coronation, and the appointment of Moray to the regency. The next step was the promulgation of a solemn decree abolishing the authority of the Pope, thus ratifying the Act passed to the same effect in the disputed parliament of 1560. It was ordered that the Confession of Faith, formerly approved of, should now be published under the sanction of parliament. Heretics and hearers of mass were declared liable to various penalties—for the first offence confiscation of movables, banishment for the second, and death for the third. Persons who opposed the Confession of Faith, or refused to receive the sacrament after the Presbyterian form, were declared to be no members of the Church of Christ. The examination and admission of ministers were declared to be prerogatives inherent in the Church; but to lay patrons was committed the power of presentation, with an appeal to the General Assembly, if their nomination of a qualified person was not sustained by the ministers and superintendents; and, lastly, all kings, at their coronation, or princes, or magistrates acting in their place, were bound to take the oath for the support of the true Church and the extirpation of heresy.†

The question as to the restoration of the Church lands next came before the parliament. But this was by no means one easy of settlement. The laymen who had appropriated these lands exhibited a determination to retain them in their own hands, and with difficulty consented to restore a third of the benefices.‡ Some reformation was ordered in the schools and colleges, and the regulation was adopted that no teachers should be admitted but such as had been examined and approved by the appointed visitors and superintendents. Lastly, in regard to ecclesiastical matters, it was resolved that as concerned the preaching of the Word, the reformation of manners, and the administration of the sacraments, no other powers should be acknowledged than those which were now claimed by the Presbyterian church.§

These matters were arranged with great unanimity. But the question of the queen's guilt or innocence gave rise to conflicting opinions, awakened angry feelings, and occasioned debates of great violence. It was by one party argued that she ought to be brought at once to a public trial, and, if convicted, that she should be punished as the laws directed. This point was freely discussed, some going so far as to assert that the sovereign was not amenable to any earthly tribunal for any crime of which she might be guilty, and that she was accountable for her conduct to God alone. After a stormy debate, it was resolved that an Act should be passed indemnifying the confederate lords for all the proceedings they had taken against the queen, and resolving that her imprisonment should be continued. In this Act we find mention made of those letters to Bothwell, alleged to be in the handwriting of Mary, of which so much use was afterwards made during her trial. The Act made those letters the foundation of its exoneration of the lords. It stated that they should never be subjected to prosecution for what they had done; because, if the queen were confined, it was solely in consequence of her own fault and demerit; seeing that, by several of her private letters, written wholly with her own hand, and sent by her to Bothwell, it was most certain that she was cognisant, art and part, of the murder of the king, her husband. This Act having been ordered to be printed, the parliament was dissolved.* Whether the mystery that attaches to these letters will ever be cleared up is doubtful. They had been given up to the regent by the Earl of Morton, as appears from an Act of the Council, dated the 16th of September, 1568. But while Moray was thus placed in possession of proofs which were alleged to criminate his sovereign, he was also in a condition to bring home the murder of the king to several of the most distinguished of the confederate lords. It appears that the infamous bond which was drawn up with a view to that bloody deed, and which implicated Huntley, Argyle, Lethington, and Balfour, was intrusted to the governor of Edinburgh Castle for safe custody, and when the latter surrendered the castle, that bond, with the cognizance of Moray, was destroyed, while the letters criminating Mary were preserved. This we learn from a letter addressed by Drury to Cecil, in which he says, "The writings which did comprehend the name and consents of the chief for the murdering of the king is burned into ashes, the same not unknown to the queen; and the same that concerns her part kept to be shown, which offends her." On the other hand, it is strange to find Drury in the same letter observing that "Moray made fair weather with Mary, and was dealing very soundly and uprightly."†

Act of indemnity passed.

The Regent now determined that the criminals formerly arrested as accomplices in the king's murder should be brought to trial. They were four in number; Hay of Tallo; Hepburn of Bolton; George Dalgleish, a page; and

Trial of four men charged with Darnley's murder.

* MS. Letter, State Paper Office, in Lethington's own handwriting.

† Spottiswood, p. 214; Maitland, vol. ii. p. 1004; Tytler, vol. vii. p. 200.

‡ Maitland, vol. ii. p. 1007. § Ibid.

* Goodall, vol. ii. p. 62—69. † Tytler, vol. vii. p. 204.

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Wiliam Powrie, servant to Bothwell. It was natural that this trial should be looked forward to with the greatest expectations. It was confidently reported that revelations would then be made implicating some of the highest persons in the land, as it was generally believed that the whole details had been made known by Captain Cullen, who had lately been executed. In this, however, the public were disappointed. Nothing was revealed at the trial which was not already well known. The trial and execution occupied only one day; and the only declaration publicly made was that given forth on the scaffold, in his last moments, by Hepburn of Bolton, to the effect that the bond had been signed by Argyle, Huntley, and Lethington. The indignation of the people was very great when they found that no steps were taken, or likely to be taken, to bring to justice the more prominent criminals; who, in fact, from the deplorable state of the law, and the defective character of the administration of justice, as well as their own exalted station and great power and influence, found themselves in a position from which not even the regent, armed with all the authority of the law, could displace them. The punishment of these men, indeed, great offenders as they undoubtedly were, was, humanly speaking, impossible. The people, however, felt the disappointment bitterly; but showed their displeasure in a very harmless manner, by attaching handbills and pasquinades to the doors of the Privy Council and the regent's house. The following is an example: "*Quæritur*:—Why John Hepburn and John Hay of Tallo, are not compelled to declare openly the manner of the king's slaughter, and who consented thereunto."*

On this and various other grounds the government of the regent had already become unpopular. Many of the nobility also were alienated. The Hamiltons had ever feared him; Herries was not to be trusted; Balfour had retired in disgust; Morton, Lethington, and Atholl, were disaffected. But an event now took place which threatened to inflict a fatal blow on his authority. This was the escape of Queen Mary from her imprisonment at Lochleven. Mary had exerted herself from the first in endeavouring to excite the compassion of her keepers. Among those who were greatly interested in her fate, and attached themselves with a fidelity that never wavered to her falling fortunes, was George Douglas, the younger brother of Lochleven, and son of Lady Douglas, who kept the castle. It has been asserted that Mary, by her "flatteries and caresses," tempted this youth to aspire to her hand, and induced him to devote himself heart and soul to effect her deliverance. We have no reason to suppose that there is any truth in this allegation. It is perfectly gratuitous. There is not a particle of evidence in its favour left us by contemporary writers; and it is not to be supposed that, if there had been any foundation for this statement, such a man as the historian Buchanan would have omitted to notice it, seeing how greatly it would have reflected on a queen whom he has invariably sought occasion to disparage. George Douglas was nine years younger than Mary, and the explanation of his conduct given by Buchanan is perfectly rational, and consistent with the circumstances of the case. "Douglas," he says, "having a promise of indemnity from the queen for himself and his partisans, and being excited with the hopes of great wealth and power for the future, had resolved to effect the deliverance of the queen." The enterprise, however, was not of easy achievement, for the queen was guarded with the most jealous care. In a letter which she wrote to Catherine de Medici, the queen-mother of France, she thus expresses herself:—"I am so closely watched, that I have no leisure but during their dinner, or when they sleep, for their daughters sleep with me." In terms almost similar, but more significant, she had written to the Archbishop of Glasgow—"I have neither paper nor time to write further, except to beg the king, the queen, and my uncles, to burn my letters; for if they know that I have written, it will cost the lives of many, and put me more in danger, and cause me to be confined more closely." An attempt had already been made on the part of George Douglas to effect the escape of Mary, but had failed. She had nearly succeeded in making good her flight from prison in the disguise of a laundress, when she was discovered and recognised by the remarkable whiteness and beauty of her hands. It appears that no other precautions were adopted to guard against her escape, after this warning, than the banishment of Douglas from the castle. The queen, however, was determined to be free. Douglas was enthusiastically devoted to her cause, and continued to communicate with Mary by means of a page called Little Douglas, though it does not appear that he had much right to the family name. To the adroitness of this page Mary was indebted for her liberty. "On the evening of the 2nd of May," says Mr. Tytler, "this youth, in placing a plate before the Castellan, contrived to drop his napkin over the key of the gate of the castle, and carried it off unperceived. He hastened to the queen, and hurrying down to the outer gate, they threw themselves into the little boat which lay there for the service of the garrison. At that moment, Lord Seton and some of her friends were intently observing the castle from their concealment on a neighbouring hill; a party waited in the village below; while, nearer still, a man lay

Mary's attempted flight from prison—her failure.

* Another example may be given from a MS., State Paper Office, which bore the title of "A letter sent by Maddé to my Lord Regent and the haill Estates:"—

"My lordes all, the king is slain,—
Revenge his cause in hand,
Or else your doing is all in vain,
For all your general band.
If ye shall punish but *simple* men,
And let all the *principyl* pass,
Then God and man shall you misken,
And make you therefore base."

Tytler, vol. vii. p. 208.

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watching on the brink of the lake. They could see a female figure, with two attendants, glide swiftly from the outer gate. It was Mary herself, who, breathless with delight and anxiety, sprang into the boat, holding a little girl, one of her maidens, by the hand; while the page, by locking the gate behind them, prevented immediate pursuit. In a moment her white veil with its broad red fringe, the concerted signal of success, was seen glancing in the sun. The sign was recognised and communicated; the little boat, rowed by the page and the queen herself, touched the shore; and Mary, springing out with the lightness of recovered freedom, was received, first by George Douglas, and almost instantly after by Lord Seton and his friends." *

Mary makes good her escape from Lochleven.

Having thus adroitly effected her escape, Mary instantly took horse, hastened to the Ferry, and proceeded without drawing bridle to Niddry Castle, having been joined on the road by Lord Claud Hamilton with fifty horse. Here she rested for a few hours, wrote to her friends in France, dispatched Hepburn of Riccarton to Dunbar, with the hope that this fortress might be delivered into her hands, and directed him to proceed afterwards to Denmark, and carry to Bothwell the news of her deliverance. She then proceeded to Hamilton, where for the present she felt assured of her safety.

The tidings of Mary's escape flew like wildfire through the country, and in many districts were heard with enthusiastic expressions of loyalty and devotion. Numbers crowded to her court at Hamilton. Among the rest were the Earls of Argyle, Cassillis, Eglinton, and Rothes; the Lords Somerville, Yester, Livingston, Herries, Fleming, Ross, and Borthwick. Finding herself thus supported, and at the head of upwards of six thousand men, Mary adopted the boldest measures. First, she assembled her council, and declared to them that she had been coerced into signing the instruments which deprived her of her rights as a sovereign. An act was immediately passed by the council, stigmatising as treasonable and void the steps taken by the confederates to procure Mary's demission of the crown, the coronation of the prince, and the establishment of the regency. Nor was this all; a bond was at the same time drawn up, pledging all who adhered to it to fight to the last in defence of their queen; and to this bond were attached the signatures of nine earls, nine bishops, eighteen lords, twelve abbots and priors, and nearly one hundred barons.

The nobles gather about the queen.

She assembles her council.

The council draw up a bond, in which they bind themselves to unite for defence of the sovereign.

Meanwhile, the situation of the regent, who was then at Glasgow, was of the most critical nature. The city was only eight miles from Hamilton, and deserters were every moment passing over from his own camp to the more popular standard of the sovereign. At this time, he received a message from the queen couched in a friendly spirit, and making overtures for entering into negotiations. It was now that the remarkable character of Moray exhibited itself as fully equal to the emergencies of his position. He was advised to retreat. "Retreat," he said, with the decision of a man rapid in the calculation of consequences, "must not for a moment be contemplated. It is certain ruin; it will be construed into flight; and every hour's delay will strengthen the queen, and discourage our adherents. Our only chance is an instantaneous attack, before Huntley, Ogilvy, and the northern men, have joined the royal force." *

The regent, however, by pretending to deliberate upon the offers of negotiation, secured a brief interval for completing his preparations. He then issued a proclamation, calling upon all men to assist him in maintaining the government of the king; sending, at the same time, information to his friends and adherents. These measures were in part successful. In a remarkably short space of time he was joined by Morton, Glencairn, and Lennox, and their respective forces. Men and cannon were dispatched from Stirling by the orders of the Earl of Mar; the cavalry, though not numerous, were commanded by a veteran of great experience and military talents—Kirkaldy of Grange. In ten days the regent found himself at the head of four thousand men. In the meantime, John Beaton was dispatched by Mary into England and France, to request the assistance of their respective courts. Elizabeth, on hearing of the queen's escape, at once sent Dr. Leighton into Scotland, with orders to assure Mary that she rejoiced in her deliverance from captivity, and would assist her to regain her rights provided she would be guided by her counsels, and would reject the interference of all foreign powers. As to the court of France, there happened to be present in the camp of the queen its representative, Monsieur de Beaumont, who had come over with the intention of seeing her previous to her escape.

The policy which Mary proposed to follow in her present critical circumstances was cautious and prudent. She was anxious to avoid an encounter

* Tytler, vol. vii. pp. 211, 212. It is traditionally stated that, as soon as the queen's flight was discovered, a shot was fired from the castle, which fortunately missed the boat. The page threw the keys of the castle into the lake, and they lay in the bed of Lochleven till 1805, when they were found by a boy wading on the margin of the lake, at the close of a very dry autumn, when the water was uncommonly low. The keys were covered with rust, and fastened by an iron ring, which mouldered when rubbed by the hand. The boy carried them to the schoolmaster of Kinross, who sent them to George, sixteenth Earl of Morton, heritable keeper of Lochleven. The keys of Lochleven Castle are now in the Museum of the Antiquarian Society, Edinburgh. The spot where Mary landed is on the south side of the lake, and is well known as *Mary's Knowe*. At the east end of the adjoining parish of Cleish there is a bridge over the Gairney rivulet, which falls into Lochleven, with a stone inserted in it by the late Right Hon. William Adam, Lord Chief Commissioner of the Jury Court in Scotland, having an inscription marking the route by which Mary fled after her escape.

* Tytler, vol. vii. p. 214.

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with the enemy, and proposed to retire to Dunbarton, a fortress in possession of her adherents. In this step, however, she was opposed by the Hamiltons, who, presumptuously relying on the superiority of their forces, determined to take advantage of an opportunity which might never again present itself, of dealing a fatal blow at the government of the regent, and involving his authority and himself in one common destruction.* So much respect, however, was paid to the remonstrances of the queen, that her army was ordered to begin its march in the direction of Dunbarton. Moray's forces were advantageously posted on the lands of Barrowfield, near Rutherglen bridge over the Clyde, and in the immediate vicinity of Glasgow. The regent occupied the north side of the river; the queen moved along the south. Intelligence being received on the morning of the 13th of May that the royal forces were moving along the south bank, Kirkaldy of Grange, who was well acquainted with the ground, immediately forded the river with a hagbutter mounted behind every trooper, and posted them in the manner of modern sharpshooters and riflemen among the numerous cottages and hedges which abounded in that locality. The spot where the battle was fought was in the neighbourhood of the little village of Langside—the hill overlooking which was occupied by the forces of the regent, who crossed the river soon after Grange.† On the advance of the royal army, two thousand men, headed by Lord Claud Hamilton, endeavoured to force the position of Kirkaldy; but were so warmly received by a well-directed fire, as to be almost instantly compelled to retire with great loss. Rallying, however, under their intrepid leader, they again advanced, and endeavoured bravely to ascend the hill, in front of which they now found themselves. In this attempt they partly succeeded, but at the very moment when they had almost gained the summit, and were already breathless and exhausted with the effort, they were confronted by the flower of the regent's army, which had not yet engaged, and which were led by such distinguished soldiers as Morton, Home, Ker of Cessford, and the gallant Grange. Here a desperate combat took place, of which it is remarked by Sir James Melvil, that so closely were the spears of the pikemen interlaced with each other, that when the men behind threw their discharged pistols and the fragments of shattered spear-staves in the faces of their adversaries, they never fell to the ground, but remained lying upon the pikes.‡ Both parties fought with great courage, and the issue was for some time doubtful. The right wing of the regent's vanguard, consisting of the commons of the barony of Renfrew, began to give way, but were rallied by Grange, who brought up to their assistance a fresh body of troops, under Lindsay, Lochleven, and Sir James Balfour. This reinforcement turned the tide of battle, and threw the ranks of the queen's army into disorder. Moray seized the favourable moment to charge with the main battle; and this well-timed assault upon troops wearied and already half discomfited, threw them into instant confusion, forced them back, and drove them into flight.* The impetuous attack of some two hundred highlanders, "with the leaps and yells peculiar to their mode of fighting," completed the discomfiture of the queen's army. The contest lasted only three quarters of an hour, and the regent, it is said—though this is almost incredible—lost only a single man. Three hundred were reported as having fallen on the queen's side; according to some accounts, only half that number. Ten pieces of cannon were taken, and a number of prisoners. Among those of distinction may be enumerated Lords Seton and Ross; the sons of the Earls of Eglinton and Cassillis; the sheriffs of Ayr and Linlithgow; the lairds of Preston, Innerwick, Pitmilly, Balwearie, Boyne, and Trabrown; Robert and Andrew Melvil, two sons of the Bishop of St. Andrew's, and a son of the Abbot of Kilwinning, and Hamilton of Bothwellhaugh.†

Battle of Langside, and total defeat of the queen's forces, 13th May.

The unfortunate Mary witnessed this brief but decisive battle from a neighbouring eminence, near the Castle of Cathcart. Up to the year 1790 a hawthorn-tree marked the interesting locality, which being then completely decayed through age, has, we believe, been succeeded by another, to preserve the memory of the place from which the hapless queen witnessed the ruin of her cause. When all suspense was at an end, Mary—as it were a second time dethroned—took refuge in flight; and such was her terror of again falling into the hands of her enemies, that she did not venture to halt till she reached the abbey of Dundrennan, in Galloway, nearly sixty miles from the field of battle.‡ It was here that, contrary to the advice of her faithful friends and servants, Mary came to the fatal resolution of throwing herself upon the protection of Elizabeth. With the view of ascertaining whether she would be generously received by England, Lord Herries, by whom she was accompanied, sent a messenger to Lowther, the deputy governor of Carlisle, to inquire whether his royal mistress might safely take refuge in that city. Before, however, an answer could be received, the irretrievable step was taken. Travel-soiled and weary, she crossed over in a boat to Workington, in Cumberland, where she was recognised by the gentlemen of the country, and conveyed first to Cockermouth, and then to Carlisle. Thus miserably ended what may be called the fourth act of the tragic history of the unfortunate wife, mother, and queen, Mary Stewart.

* Melvil's Memoirs, p. 200.
† Ibid., pp. 200, 201; Memoirs of James VI.
‡ Melvil's Memoirs, pp. 200, 201.

* Melvil's Memoirs, p. 201.
† This was the assassin of the Regent Moray. Keith, vol. ii. p. 817; MS. State Paper Office, Advertisements of the Conflict in Scotland, May 16, 1568.
‡ MS. State Paper Office, Advertisements of the Conflict in Scotland.

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SANQUHAR.

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CHAPTER XXXIII.

REGENCY OF THE EARL OF MORAY.

A.D. 1568—1569.

It is very easy for us, with the record of subsequent events before us, to censure as imprudent the conduct of the unfortunate Mary in taking refuge within the territory of her crafty and unscrupulous enemy. But Mary's character was as remarkable for frankness and rashness as was that of her wily cousin for duplicity and dissimulation; and, notwithstanding all her experience of Elizabeth's treachery, she could not bring herself to believe that a sister sovereign, and a near relative, after solemn and reiterated professions of regard and affection, should receive her, in her present desolate situation, otherwise than with the respect due to her rank, and the commiseration required by her misfortunes. Besides these personal considerations, there were not wanting others sufficient to recommend the step even to less impulsive minds, and stronger and more matured judgments. It was reasonable to suppose that the indignities offered to royalty itself, in the person of Mary, would be resented with instinctive indignation by the sovereign of the sister kingdom; that she would naturally take part with Mary against her rebellious subjects, and assist in re-instating her in her lost authority. To have remained in Scotland was certain imprisonment—perhaps even death itself—whilst an escape to France was difficult, if not impossible. In addition to all this, Elizabeth had publicly intimated her displeasure at the treatment of the Scottish queen by the regent and his party; and, during the period of her imprisonment, had with great apparent earnestness urged her liberation. Elizabeth had even invited her to come to England for protection, promising to meet her in person, and to receive her as became the dignity of a sovereign princess.*

Notwithstanding all these promises, we are now to witness the utter frustration of Mary's hopes, and a base violation of all the promises of the English queen, accompanied and followed by such a series of acts of studied treachery and unrelenting malignity as will continue to stain the name of Elizabeth to the latest posterity.

Mary's letter to Elizabeth from Dundrennan Abbey.

Before crossing the Solway Frith, Mary had addressed a letter to Elizabeth from Dundrennan Abbey, in the following terms:—"My very dear sister, without giving you a narrative of all my misfortunes, since they must be known to you already, I will tell you that those of my subjects whom I have most benefited, and who are under the greatest obligations to me, after having revolted against me, kept me in prison, and treated me with the utmost indignity, have at last entirely driven me from my kingdom, and reduced me to such a condition that, after God, I have no hope in any one but you."* On her arrival at Workington, Mary wrote again to Elizabeth, representing in strong and affecting language the treatment she had received, and the deplorable condition to which she was now reduced, and requesting her assistance against her enemies. "God," she said, "in his infinite goodness, has preserved me, for I found refuge with Lord Herries, with whom, and some other lords, I am come into your country; being assured that, on learning their cruelty, and how they have treated me, you will, according to your kind disposition, and the trust that I place in you, not only receive me for the preservation of my life, but aid and assist me in my just quarrel, and summon other princes to do the like. It is my earnest request that your majesty will send for me as soon as possible, for my condition is pitiable, not to say for a queen, but even for a simple gentlewoman. I have no other dress than that in which I escaped from the field. My first day's ride was sixty miles across the country, and I have not since dared to travel except by night, as I hope to prove to you, if it pleases you to take pity on my extreme misfortune."† At the conclusion of this touching epistle, she signs herself "Your very faithful and affectionate good sister, and escaped prisoner."

Mary writes from Workington.

On receiving Mary's letter, Elizabeth, unmoved by the distress of the unfortunate queen who had made such touching appeals to her generosity, and regardless of her own professions and promises, immediately issued orders to the sheriffs and justices of the peace of the county of Cumberland, enjoining them indeed to treat the fugitive queen and her attendants with honour and respect, but at the same time charging them to keep strict watch over her, and prevent her escape.‡

Elizabeth gives orders to prevent Mary's escape.

Elizabeth and her advisers were now greatly perplexed as to what line of conduct they should adopt towards the illustrious fugitive, who had thus so unexpectedly placed herself in their power. Different courses of procedure were submitted for consideration, each of which, and its probable consequences, were examined and discussed with anxious care.§ To re-instate her on the Scottish throne, it was argued, would be to render her more powerful, and therefore more dangerous than ever, especially should she succeed in forming an alliance with France, and renew her pretensions to the throne of England. Nor would permitting her simply to return to Scotland be unattended with hazard, as she had still a numerous and powerful party there, who might again be organised, and obtain the ascendancy. To allow her to escape to France seemed equally perilous. An attempt on the part of the French king to restore to Mary her lost au-

* Camd., p. 489; Anderson, vol. iv. pp. 99, 120; Murdin, p. 369; Robertson, vol. i. p. 460.

* Labanoff, vol. ii. pp. 71, 72; Mignet, vol. ii. p. 2.
† Labanoff, vol. ii. pp. 76, 77; Mignet, vol. ii. p. 3.
‡ MS. Letter, State Paper Office, Tytler, vol. vii. p. 222.
§ Anderson, vol. ii. pp. 34, 39, 102; Robertson, vol. i. p. 393.

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thority—an event in itself highly probable—would involve the presence of a French army in Scotland, which might become a source of anxiety, if not of danger, to the English queen and her ministers, as well as to the great body of the people, who desired the preservation of the Protestant Church, which would thus be endangered. To allow her the privilege of a free asylum in England seemed more hazardous than all, as she would probably become the rallying point of the Roman Catholic party, who might hatch plots for the subversion of both Church and State.

One other course yet remained, free indeed from all the dangers which appeared so formidable in the plans under discussion for the disposal of the Scottish queen, but, at the same time, contrary to the most solemn pledges repeatedly and voluntarily given by Elizabeth, and at variance with every principle of justice and international law, and every sentiment of humanity—viz. to detain Mary a prisoner in England. Evil counsel and maxims of state policy prevailed, and the unprecedented spectacle was offered to the world of the sovereign of a great nation, and that sovereign a woman, forcibly detaining within her realm an independent princess, who had never injured her, who was, moreover, her near relative, and who had cast herself, in her hour of misfortune and peril, on her generosity and protection. Of this cruel policy, and the treachery and falsehood by which it was accompanied, it is scarcely possible for the Scottish annalist, even at this distance of time, to speak with the unimpassioned calmness which is generally expected from the historian.

Elizabeth resolves on detaining Mary a prisoner in England.

In the meantime Elizabeth, with characteristic dissimulation, dispatched Lady Scrope, sister of the Duke of Norfolk, to wait upon Mary; and Lord Scrope, the Warden of the Western Marches, and Sir Francis Knollys, the Vice-Chamberlain, were sent with letters of condolence. Mary, impatient of these formalities, strenuously demanded a personal interview with Elizabeth; but they replied, that while their mistress sympathised deeply with her in her misfortunes, she could not, consistently with her own honour, admit the Queen of Scots into her presence until she had cleared herself of the horrid imputation publicly made against her of the murder of her own husband. The unsuspecting queen fell at once into the snare thus artfully laid to entangle her. She expressed astonishment at this unexpected objection to her reasonable demand, and protested with indignation against the imputation cast upon her; but, at the same time added, that she was willing to produce before the English queen such proofs of her innocence, as would completely remove the scruples to which they referred. This incautious offer, which, as we shall see, was made an occasion of much subsequent misery to the unfortunate Mary, was eagerly urged in a third letter, which she now wrote to Elizabeth, entreating her without delay to admit her into her presence, and give her an opportunity of vindicating her character from the horrid imputations cast upon it by her enemies. But she added, if any resolution against assisting her had already been formed, she begged that she might be permitted to leave the kingdom as freely as she had entered it. She had sent up, she said, Lord Herries to communicate with the queen, and had dispatched Lord Fleming with a message to France. She remarked that the delay already incurred was most injurious to her cause, and complained of having been detained for fifteen days in the condition of a prisoner. Before concluding she reminded Elizabeth of some circumstances connected with a ring, which she now transmitted along with her letter, and which seems to have contained some device in the shape of a heart, in allusion to which she says, "Remember, I have kept my promise: I have sent you my heart in the ring, and now I have brought to you both heart and body, to knit more firmly the tie that binds us together."*

Mary demands a personal interview with Elizabeth.

Mary offers to refer her cause to Elizabeth.

Mary writes a third time to Elizabeth.

Lord Fleming was made the bearer of important letters from Mary to Charles IX., Catherine de Medici, and the Cardinal of Lorraine; in which she begged the court of France to assist her, by sending two thousand men to the relief of Dunbarton, which still held out against the regent, together with money for the maintenance and equipment of five hundred cavalry, with artillery and ammunition, to enable her to regain possession of the other fortresses of Scotland. In her letter to the cardinal, her uncle, which is remarkable at once for its pathos and simplicity, she says, "If you have not pity on me now, I may say with reason that it is all over with my son, my country, and myself; and that I shall be as ill off in another quarter of this country as in Lochleven. I entreat you to consider that my enemies are few, and that all the rest of the nobility are with me; their people begin to desert them, had I ever so little support. For they know well that their quarrel is unjust, and that in Scotland and here, where I have little to say to their calumnies and false reports, they are esteemed traitors and liars; and, on this account, they strive to prevent me from quitting the kingdom and confine me here. * * * * I beseech you to hasten to send us some support in earnest. * * * * I now commit myself to the competency of the bearer hereof, and beseech you to have compassion for the honour of your poor niece, and provide the assistance which the bearer will mention to you; and, in the meantime, send money, for I have not wherewith to purchase bread, nor linen, nor clothes.

Mary dispatches Lord Fleming with letters to Charles IX., Catherine de Medici, and the Cardinal of Lorraine.

* Anderson, vol. iv., part i., pp. 48—50; Tytler, vol. vii. p. 223.

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"The queen has sent me hither a little linen, and provides me with one dish. The rest I have borrowed, but I cannot do so any more. You will participate in this disgrace. * * * * God tries me severely: however, rest assured I shall die a good Catholic." *

Mary's hopes of aid, however, were bitterly disappointed; for, though all the continental princes took a lively interest in her cause, yet such was the state of public affairs at that period, that none of them durst venture to interfere actively in her behalf. Charles IX. had just concluded the second civil war, and was making preparations for a third, which proved still more arduous and protracted; and Philip II., to whom Mary had also applied for assistance, was occupied in quelling an insurrection in the Netherlands, and repressing a revolt among the Moors in Granada.†

Mary was not long in discovering that she had committed a fatal error in referring her cause to the judgment of Elizabeth. That wily princess, with a disingenuousness which formed so prominent a feature of her character, now laboured to found on that reference, which was made in unsuspecting confidence to her as a relative and an ally, a claim to bring Mary and her accusers to trial before her as a superior and a judge. Pretending to understand what was merely an offer of explanation to satisfy Elizabeth's private scruples, as an acknowledgment of jurisdiction, she proposed to appoint commissioners to hear both parties; and wrote to the regent, requiring him to authorise proper persons to appear before them on his behalf, and vindicate his conduct in taking up arms against his sovereign. With a view to impart to these proceedings the semblance, at least, of legality, the absurd and almost forgotten claim of superiority over Scotland was revived, so that with or without the consent of the parties, Elizabeth might assume as a right the prerogative of deciding the contest between the Queen of Scots and her accusers.‡ Moray, it is true, had no sooner heard of Mary's taking refuge in England, and of her offer to submit her cause to the judgment of the English queen, than he sent Wood, his secretary, to intimate his willingness to appear in person, accompanied by Morton, to answer any charges made against him, and to produce evidence in justification of his conduct. He even offered to enter himself prisoner in the Tower of London, if he failed to prove to the satisfaction of Elizabeth that Mary had been accessory to the death of her husband.§ Nevertheless, it was not without regret and apprehension that he now felt called on by a mandate which it was dangerous to disobey, to come forward as the public accuser of his sovereign; and to place his own authority, which it had cost him so much effort to establish, and possibly his rank, fortune, and even liberty, on the doubtful hazard of a trial by foreign and irresponsible judges. Elizabeth, however, had no intention to allow the matter to take such a turn as to damage either the regent or his party. Her aim was to stimulate Moray to make public every proof of Mary's guilt which he could possibly produce, in order that she might find a pretext for detaining the Scottish queen as a prisoner, if not for proceeding to greater extremities.

Elizabeth construes Mary's offer of reference into an acknowledgment of jurisdiction, and proposes to appoint commissioners to hear both parties.

In furtherance of her crooked policy, Elizabeth dispatched Mr. Middlemore with a message both to Mary and the regent. She informed the latter that he was accused by his sovereign of the highest crimes which a subject could commit against his prince—rebellion against her authority, imprisonment of her person, and expulsion from her dominions by force of arms; and she enjoined him to forbear "from all manner of hostility and persecution against all such as have lately taken part with the late queen, and to suspend all manner of actions against them both by law and arms." * She added that her royal sister, who would, in the meantime, observe the same abstinence, had committed to her the hearing and ordering of her cause; and required him to produce before her his defences against the crimes laid to his charge.

Middlemore dispatched with messages from Elizabeth to Mary and the regent.

Middlemore reached Carlisle on the 13th June, and on the following morning was admitted to an audience with Queen Mary, in the presence of Scrope and Knollys. He represented to her that the queen, his mistress, could not at present, without compromising her own reputation, admit the Scottish queen into her presence, seeing that she lay under the imputation of the horrid crime of murdering her husband; and that, in fact, it would be prejudicial to Mary's own cause should such an interview take place; for, as Mary herself had constituted the English queen as judge in her cause, such a meeting previous to the trial would give occasion for suspicions of partiality on the part of Elizabeth, which, for the sake of the Queen of Scots, as well as her own, she was anxious to avoid. "But," he added, "if it could please you to forbear until some good trials be made of your innocency, then you would see with what love, with what heart, and with what joy her majesty would both receive you and embrace you, yea, and do everything for you that you could desire." †

Elizabeth refuses Mary a personal interview.

At the mention of the words *judge* and *trial*, Mary's indignation was roused. She now clearly saw through the artful policy of the English queen,

* Contemporary copy, British Museum; Sloane MSS., 3199, fol. 341.
† Mignet, vol. ii. p. 6.
‡ Robertson, vol. i. p. 398.
§ MS. Letter, State Paper Office, Drury to Cecil, May 22, 1568, and June 17, 1568; Tytler, vol. vii. p. 224.

* Letter from Elizabeth to Moray, June 8, 1568; Tytler, vol. vii. p. 227; Mignet, vol. ii. p. 12.
† Letter from Middlemore to Cecil, 14th June, 1568; Anderson, vol. iv. pp. 81, 87; Mignet, vol. ii. p. 13.

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and retracted the unfortunate appeal she had made to the judgment of that princess.* "I have no other judge but God!" she exclaimed; "neither can any take upon themselves to judge of me. Of my own free will, indeed, and according to the good trust I reposed in the queen, my sister, I offered to make her the judge of my cause. But how can that be, when she will not suffer me to come to her?" She accused Elizabeth of partiality, inasmuch as she had summoned Moray and the other rebels who had joined him to appear in her presence, to accuse their sovereign, while she refused to that sovereign the like privilege in making her defence. "Whoever heard," she asked, "that subjects and traitors should be permitted to plead against their prince? And yet," she added, "if they must needs come, bid the queen, my sister, call up Morton and Lethington, who are said to know most against me—confront me with them—let me hear their accusations—and then listen to my reply. But I suspect that Lethington would be loath of such an errand." †

Mary retracts her offer to submit her cause to Elizabeth.

Middlemore, somewhat disconcerted at the storm which he had raised, endeavoured to pacify the queen by assuring her that Elizabeth, in this investigation, was chiefly anxious to prove Mary's innocence; and that undoubtedly it would issue in her triumphant acquittal of all the charges brought against her, in the utter discomfiture of her enemies, and her ultimate restoration to her authority as Queen of Scotland. Mary, however, continued to demand a personal interview with Elizabeth, or otherwise to be supplied with assistance, and to be permitted to return to Scotland and punish her rebellious subjects.

It would seem that, from some expressions let fall by Scrope and Knollys, Mary had been led to entertain the belief that the proposed investigation would be conducted entirely with a view to clearing her character from the imputations cast upon it; that, in fact, no evidence would be permitted to be brought against her; but, on the contrary, that the proceedings would be so regulated as to criminate her accusers. She was now completely undeceived. She protested vehemently against Moray's being required to repair to England to produce evidence against his sovereign; and, in a letter written to Elizabeth the same day (13th June, 1568), she expresses astonishment that Elizabeth should refuse her an interview on such a frivolous pretext; and inveighs indignantly against the degradation of being confronted, in a judicial investigation, with her own subjects, and rebels too against her authority. "Remove from your mind, madam," she says, "the idea that I came here for the preservation of my life (for neither the world nor the whole of Scotland have rejected me), but I came to regain my honour, and to request aid to chastise my false accusers; not to reply to them, as if they were my equals, but to accuse them before you, whom I chose in preference to all other princes, as being my nearest relative and staunch friend; doing you, as I supposed, an honour in naming you the restorer of a queen, who expected to receive this benefit at your hands. I find, however, to my great regret, that you have put another interpretation on what I have done. * * * * I neither can nor will reply to their false accusations, and justify myself as a defendant against my own subjects. They and I, madam, are in no respect on an equality; and, even were I to be kept prisoner here, I would rather die than submit to this indignity." *

This spirited letter, which threatened to frustrate Elizabeth's machinations, she laid before her Privy Council, who determined, notwithstanding Mary's protest and remonstrance, to proceed with the investigation. They decided that, until the Queen of Scots had vindicated her character, Elizabeth could not, in consistency with her own honour, either give her the assistance which she demanded, or permit her to leave the kingdom; and that, for the safer custody of her person, they considered it necessary to have her removed to some place of strength in the interior of the country. They further gave it as their opinion that, in virtue of the ancient feudal superiority of England over Scotland, Mary might legally be brought to trial.†

Elizabeth and her Privy Council resolve to proceed with the trial.

On the 13th of July, the decision of the Privy Council with respect to the custody of the captive queen was carried into effect. Sir George Bowes was sent to Carlisle, accompanied by a strong escort, and under pretext of bringing Mary near to Elizabeth, conveyed her, in spite of her strong remonstrances, to Bolton, a castle in Yorkshire, belonging to Lord Scrope.‡ The unfortunate Scottish queen was now completely in the power of her ruthless enemy, and, though still treated with somewhat of the outward respect due to her rank, was in reality a prisoner.

Mary is removed to Bolton.

After his victory at Langside, the regent commenced vigorous proceedings against the queen's broken and scattered party. Six gentlemen who had been taken prisoners were tried for treason, and condemned to death; but, after being led out for execution, were pardoned, at the intercession of Knox. Moray soon afterwards proceeded with a numerous army towards the western counties, where the adherents of the queen were most numerous, and where indeed the nobility were nearly all of that party; and he would have acted against them with unsparing rigour, but, having received from Middlemore Elizabeth's message at Dumfries, he, in deference to her demand, suspended hostili-

* Robertson, vol. i. p. 399.

† Letter from Middlemore to Cecil, 14th June, 1568; Anderson, vol. iv. pp. 87—90; Mignet, vol. ii. p. 14; Tytler, vol. vii. p. 229.

* Letter from Mary to Queen Elizabeth, 13th June, 1568, Labanoff.

† "A memoriall of the consultation of the Privy Council of England touching the Queene of Scotts, June 20, 1568," Anderson, vol. iv. pp. 102—106.

‡ Anderson, vol. iv. p. 14.

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ties,* and expressed his readiness to appear before her as the accuser of his sister and sovereign, and in defence of his own conduct.†

The only remaining obstacle to the trial of this great cause was the adverse resolution of the Scottish queen; and, accordingly, to shake this resolution, Elizabeth now employed all her art, and every form of duplicity of which her subtle mind was capable. The regent, as we have seen, had already acknowledged Elizabeth's jurisdiction; but, in doing so, he desired to be informed what further proceedings were meant to be adopted in the event of his being able to prove the truth of his accusations against Mary.‡ Cecil, in his answer, informed the regent that it was not the intention of Elizabeth to encourage any accusation against the Scottish queen, much less to proceed to any condemnation; that she was unwilling to admit of any faults in her sister; and that her sole object was to settle all disputes, and bring the controversy to an amiable conclusion.§ There is reason to believe that this answer was intended to be communicated to Mary by Herries, who was then at the English court; and that, if sent to the regent at all, it was nullified by a subsequent message. On the other hand, Lord Herries, gained over by false promises, was made an instrument of persuading his mistress to accept of Elizabeth's adjudication. He was dispatched to Bolton, instructed to inform Mary that the English queen desired to investigate the matters in dispute, not as a judge, but as her dear cousin and friend, and with the purpose of restoring her to her royal authority, if she should establish her innocence; and that even if the regent and his party were to succeed in justifying their conduct, it was nevertheless the intention of Elizabeth to make arrangements peaceably between Mary and her subjects. To this promise certain conditions were annexed—viz. that she was to renounce all claim to the throne of England during the life of Elizabeth and her issue—that she should give up the league with France—and that she should renounce the mass, and receive the Common Prayer after the form of England.‖ While Mary was cajoled by this mendacious message, the regent, it is believed, was secretly encouraged to prepare all the evidence he could against his sister, with the assurance that if he should succeed in proving his case, Mary would continue to be detained a prisoner in England.¶ These negotiations were conducted by Herries on the part of Mary; and, by Cecil's direction, such parts only of the proposals made by Herries were communicated to Moray as it was deemed expedient for him to know,* whilst all the messages of the regent were carefully concealed from the Scottish queen.

In the meantime, the contests of the two opposite factions had thrown Scottish affairs into a very disturbed condition. Owing to the severity of the regent's government, he had become extremely unpopular with the great mass of the nation. Many of his former supporters had become estranged from him, while his enemies were united through a sense of common danger. A conspiracy was even formed for taking away his life, at the head of which were Murray of Tullibardine and his brother, who had taken so conspicuous a part in the arraignment of Bothwell.† These discontents were fanned into a flame by the regent's summoning a parliament to proceed to the forfeiture of all persons of distinction who refused to submit to the authority of the young king. The queen's party became greatly alarmed at this proceeding; and Argyle, Huntley, and the Hamiltons, uniting in favour of the queen, held a convention at Largs, on the 28th July, when they resolved to rouse the Borderers to invade the English territory, and wrote to the Duke of Alva, earnestly requesting his assistance.‡

Disturbed state of Scotland.

The regent summons a parliament.

While these events were in progress in Scotland, Elizabeth at last prevailed on Mary to consent that a conference should be held, in which the differences between her and her subjects should be submitted to the decision of commissioners appointed by the English queen. Herries having arrived at Bolton, submitted to his mistress the proposals of Elizabeth; and Mary, whose spirit was now much subdued by her misfortunes, was at length persuaded to yield. He told her that Elizabeth had charged him to say to her, "that if she would commit her cause to be heard by her highness's order, but not to make her highness judge over her, but rather as to her dear cousin and friend to commit herself to her advice and counsel; that if she would thus do, her highness would surely set her again in her seat of regiment and dignity regal, in this form and order:—First, her highness would send for the noblemen of Scotland that be her adversaries, to ask account of them, before such noblemen as this queen herself should like of, to know their answer, why they have deposed their queen and sovereign from her regiment; and that if, in their answers, they could allege some reason for them in their so doing (which her highness thinks they cannot do), that her highness would

Mary consents to the conference.

* MS. Letter, State Paper Office, Drury to Cecil, 17th June, 1568; Tytler, vol. vii. p. 230.

† MS. Letter, State Paper Office, Moray to Cecil, 22nd June, 1568; Tytler, vol. vii. p. 231; Moray's answer to Middlemore, 22nd June, 1568, in Goodall's examination of the letters said to be written by Mary Queen of Scots to James, Earl of Bothwell, vol. ii. p. 75, Edinburgh, 1754; Mignet, vol. ii. p. 20.

‡ Goodall, vol. ii. p. 75; Moray's answer to Middlemore, 22nd June, 1568.

§ Goodall, vol. ii. p. 89; Answer by Cecil to the Earl of Moray's proposals, 31st June, 1568; Tytler, vol. vii. p. 231.

‖ Letter from Knollys to Cecil, 28th July, 1568; Anderson, vol. iv. pp. 109, 114; Mignet, vol. ii. p. 22.

¶ Tytler, vol. vii. p. 231, 232.

* MS. Letter, State Paper Office, Moray to Cecil, 22nd June, 1568, with enclosure.

† MS. Letter, State Paper Office, B C, 20th July, 1568, Drury to Cecil; also *id ibid.*, same to same, 31st July, 1568; also *id ibid.*, same to same, 3rd August, 1568.

‡ MS. Letter, State Paper Office, B C, 10th July, 1568.

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set this queen in her seat regal *conditionally;* that those her lords and subjects should continue in their honours, estates, and dignities to them appertaining. But if they should not be able to allege any reason of their doings, that then her highness would *absolutely* set her in her seat regal, and that by force of hostility, if they should resist." *

Perhaps in no single instance is the detestable duplicity of the English queen more conspicuous than in the communication which she addressed, about the same time, to the regent. "Whereas," she says, "we hear say that certain reports are made in sundry parts of Scotland, that whatsoever should fall out now upon the hearing of the Queen of Scots' cause, in any proof to convince or acquit the said queen concerning the horrible murder of her late husband, our cousin, we have determined to restore her to her kingdom and government, we do so much mislike hereof, as we cannot endure the same to receive any credit; and therefore we have thought good to assure you that the same is utterly devised by the authors to our dishonour. For as we have been always certified from our said sister, both by her letters and messages, that she is by no means guilty or participant of that murder (which we wish to be true), so surely, if she should be found justly to be guilty thereof, as hath been reported of her (whereof we would be very sorry), then indeed it should behove us to consider otherwise of her cause than to satisfy her desire in restitution of her to the government of that kingdom. And so we would have you and all others think, that should be disposed to conceive honourably of us and our actions." †

The affairs of Scotland continued in a very unsettled state. Huntley and Argyle were still at the head of a numerous force, and having reduced all the northern and western parts of the kingdom under the queen's authority, were advancing rapidly towards the southern provinces, when their progress was interrupted by an order from the queen, who, in compliance with the wish of Elizabeth, commanded them to suspend hostilities, at the same time informing them that the regent would be compelled by Elizabeth to adopt a similar course.‡ There is reason, however, to believe that no such mandate had as yet been issued to Moray; at all events, if issued, it was not obeyed. The object of Huntley and Argyle had been, to prevent Moray from holding the parliament which threatened with ruin both themselves and their party. No sooner, however, were their forces disbanded than the parliament assembled; and had it not been for the energetic interference of Lethington, every baron who had espoused the queen's cause would have been proscribed. Among those who were declared traitors and forfeited were the Archbishop of St. Andrew's, Lord Claud Hamilton, the Bishop of Ross, and many other persons of distinction.* The lords of the queen's party vehemently complained of the cruelty and injustice of these proceedings, and were about once more to have recourse to arms. Moray, however, got the start of them, and, with a force which he hastily raised, repaired to the districts of Annandale and Galloway, where the severity and promptitude of his proceedings would speedily have put down all opposition, when a message from the English queen at last arrived, commanding him instantly to lay down his arms, and send commissioners to York to answer for his conduct to his sovereign. This imperious mandate, which was, doubtless, at such a moment highly distasteful to the regent, was enforced by the threatening, that on the least resistance or delay the Scottish queen would immediately be set at liberty, and assisted by Elizabeth against her enemies, while his refusal would be regarded by the English queen as a proof of Mary's innocence and his own guilt.† Moray proceeded, though reluctantly, to obey; and all hostilities in Scotland were suspended until the result of the conference should be known.

Mary chose as her commissioners Lesley, the Bishop of Ross, the Lords Herries, Boyd, and Livingston, Sir John Gordon of Lochinvar, the Abbot of Kilwinning, and Sir James Cockburn of Stirling.‡ The regent was summoned to appear in person;§ and with him were joined as commissioners, by his own appointment, the Earl of Morton, the Bishop of Orkney, Lord Lindsay, and the Commendator of Dunfermline. To these he added several assistants, among whom were the celebrated George Buchanan, James Macgill of Rankeilor, Henry Balnaves of Hallhill, and Maitland of Lethington, whom the regent suspected of a leaning to the queen's cause, and from his great popularity dreaded to leave behind.‖ Elizabeth appointed as commissioners on her part the Duke of Norfolk, the Earl of Sussex, and Sir Ralph Sadler.¶ The first of these was at this time Earl Marshal, and one of the most powerful of the nobility; the second was president of the council at York, and held the military command of the northern districts; and the third was chancellor of the Duchy of Lancaster, a member of the Privy Council, and a statesman of high ability and long experience.**

Mary chooses her commissioners.

The regent summoned to appear in person.

Previously to appointing her commissioners, Mary had desired an interview with the Bishop

* Anderson, vol. iv. pp. 109, 110; Tytler, vol. vii. p. 234.

† Letter from Elizabeth to Moray, 20th September, 1568; Robertson, Appendix XXVIII.; Mignet, vol. ii. p. 23.

‡ Anderson, vol. iv., part i., pp. 125, 126.

* Anderson, vol. iv., part. i., pp. 125, 126.

† Camden *apud* Kennet, vol. ii. p. 412; Tytler, vol. vii. p. 236.

‡ Anderson, vol. iv., part ii., pp. 33, 34; Mignet, vol. ii. p. 24; Robertson, vol. i. p. 475; Tytler, vol. iii. pp. 196, 197.

§ Mignet, vol. ii. p. 24.

‖ Tytler, vol. vii. p. 237; Mignet, vol. ii. p. 25; Robertson, vol. i. p. 405.

¶ Anderson, vol. iv., part ii., pp. 3—7; Goodall, vol. ii. p. 109.

** Mignet, vol. ii. p. 25.

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of Ross, a man of great ability and warmly attached to her cause, but whom she had not consulted before agreeing to the conference now to be held. When he arrived at Bolton on the 18th September, he expressed great sorrow at the resolution which Mary had taken. He remarked that if she brought forward evidence to criminate the regent and his party, it might naturally be expected that "they would undoubtedly utter all they could for their defence, although it were to her dishonour and that of the realm;" and maintained that it would have been much better to attempt deciding the dispute by an amicable arrangement, without accusation on either side. Mary, however, relying on the promises of Elizabeth, and probably still more on the assistance of the Duke of Norfolk,—who had become secretly attached to her cause,—was in high hopes of a favourable issue. She declared her belief that "there was no such danger in the matter as he supposed; for she trusted she would find the judges favourable, principally the Duke of Norfolk, who was first in commission, and doubted not that the Earl of Sussex would be ruled by him as his tender friend, and Sir Ralph Sadler would not withstand their advices."* Her hopes from the favourable disposition of the Duke of Norfolk were not without foundation. The duke's sister, Lady Scrope, had assured her of the duke's assistance to the utmost of his power; and it is even understood had made the first overtures to her of a marriage between her and the duke, when, by his assistance, she should be re-instated in her dominions;† a project which, as we shall afterwards see, proved fatal both to the duke and to the Scottish queen. The duke himself had moreover, according to Mary's own statement to the Bishop of Ross, sent her a message to Bolton expressing attachment to her interest.‡

Mary's interview with the Bishop of Ross.

Mary's hopes at this juncture were no doubt much damped by the arrival of Robert Melvil at Bolton with a message from Lethington. He informed her that the regent had resolved to produce against her all the evidence in his power, and particularly the letters found in the silver casket, copies of which Lethington had procured and now sent for her inspection. He farther informed her that he had been induced to come to England solely with a view to her interest, and requested to know in what manner he could best promote that interest at the approaching conference.§ Mary, having carefully examined the letters, which were translations from the original French into the Scottish language, did not dispute their authenticity.‖ In her reply to Lethington she requested him "to stay the rigorous accusations of Moray," to confer with the Bishop of Ross, in whom she had entire confidence, and to "labour with the Duke of Norfolk in her favour."*

Melvil arrives at Bolton with a message from Lethington.

The 4th of October was the day fixed on for the commencement of the trial of this important cause—a proceeding altogether without a parallel in history, whether we consider the magnitude of the matter at issue, the rank of the parties principally concerned, the distinguished individuals of whom the commission was composed, or the remarkable anomaly of one sovereign pleading by her deputies at the bar of another, opposed by the head of a faction that had deprived her of her throne and expelled her from her dominions.

On the day appointed, the conference was opened with great solemnity. The Duke of Norfolk presided, and, for what purpose does not very plainly appear, commenced the proceedings by reviving the obsolete assertion of feudal superiority formerly claimed by England over Scotland, and demanding that Moray, having consented to refer his cause to Elizabeth, should now do homage to the English crown. Moray, who regarded this preliminary assertion, and the demand founded upon it, as nothing less than a studied insult to the whole Scottish nation, as well as to himself and the Scottish commissioners, coloured with indignation, seemed to hesitate what course to pursue, and remained silent; but Maitland, with characteristic adroitness and presence of mind, replied, that when England restored to the Scottish sovereigns the counties of Northumberland and Cumberland, and the manor of Huntingdon, which they formerly possessed, it would be time enough to talk of homage. "This recognition of supremacy," he added, "had always been conditional and limited on the part of Scotland, which had remained entirely independent as regarded its own territory, and in this respect had been more free than England, which until lately had paid Peter's pence to the Pope." † After this spirited answer, the duke did not think proper to urge the point; but when the oaths had been administered, protests were entered on both sides.‡

Opening of the conference, 4th Oct.

The real business of the conference now commenced. The commissioners of the Scottish queen were first permitted to prefer their complaint against the regent and his party. It comprised a clear and distinct narrative of their treasonable proceedings: their making open war against the queen's troops, their violent seizure and imprisonment of her person, their forcing her to resign her crown, and the usurpation of the royal authority by Moray, under pretext of acting in the name and on the behalf of

Complaint of Mary's commissioners against the regent and his party.

* Murdin, p. 52. Examination of the Bishop of Ross at the Tower, Mignet, vol. ii. p. 26; Tytler, vol. vii. p. 238.
† Murdin, p. 52; Mignet, vol. ii. p. 26.
‡ Murdin, p. 52.
§ Ibid. ‖ Tytler, vol. vii. p. 196.

* Murdin, pp. 52, 53; Tytler, vol. vii. p. 196; Mignet, vol. ii. p. 27.
† Melvil's Memoirs, p. 206; Lesley's Negotiations, Anderson, vol. iii. p. 15; also, Norfolk to Cecil, 9th October, 1568, Anderson, vol. iv., part ii., p. 42; Tytler, vol. vii. p. 198; Mignet, vol. ii. p. 30.
‡ Anderson, vol. iv., part ii., pp. 49, 50.

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the young prince, the queen's infant son. In conclusion, Mary's commissioners demanded in her name redress of all these flagrant grievances, and her speedy restoration, through the aid of the Queen of England, to the peaceable enjoyment of her royal authority.*

Moray desires a preliminary conference with the English commissioners.

Before proceeding to reply, the regent desired and obtained a preliminary conference with the English commissioners. He wished to know whether they could guarantee that their mistress would, after the production of the evidence, proceed to give judgment in the case, and pronounce Mary guilty or not guilty; and whether, in the event of finding her guilty, Elizabeth would signify her approval of his proceedings, maintain him in the regency, and support the government of the young king.† These questions the commissioners did not consider themselves authorised to answer, but remitted them to Elizabeth herself.

Defence of the regent.

It was now expected that the regent would, in his own vindication, prefer his accusation against Mary, and produce his proofs of the horrid crime with which she had been publicly charged by him and his party. To the astonishment and dismay, however, of the English commissioners, and even of his own friends, he made no allusion whatever to the alleged complicity of the queen in the murder of her husband; but attempted a tame and feeble defence, grounded on the odious marriage of the queen with Bothwell, the danger to which the infant prince was thus exposed, and the temporary restraint on the queen's personal liberty necessary for his safety and that of the State, her subsequent abdication, and her acquiescence in the regency during her son's minority. On this occasion, Moray betrayed a timidity and hesitation that did not seem naturally to belong to his character, and which at once mortified and surprised the Scottish commissioners, and astonished those of the English queen. The mystery, however, is now easily solved.

The Duke of Norfolk, though in obedience to the command of his sovereign he was acting in his present capacity, was extremely desirous to avoid the exposure which he apprehended would result from this investigation, and therefore strove anxiously, though secretly, to bring about a reconciliation between Mary and the regent. For this purpose he sought an interview with Lethington,

The Duke of Norfolk seeks an interview with Lethington.

in which he expressed astonishment that a man enjoying such a reputation as he justly did for wisdom and moderation, should have been induced to take part in these proceedings against his sovereign. "Is England," he asked, "judge over the princes of Scotland? How could we find it in our hearts to dishonour the mother of our future king? or how could we answer afterwards for what we have done, seeing that, by bringing his mother's honesty in question, we jeopardise his right to the crown of England? It had been rather the duty of you, his subjects," he continued, "to cover her imperfections, if she had any, leaving her punishment unto God, who is the only judge over princes."* Lethington warmly concurred in these sentiments; declared that he was there as the friend, not the enemy of the queen, and professed himself ready to do everything in his power to promote a reconciliation.† Norfolk inquired if, in this matter, the regent might be trusted? Lethington replied, that he might; and readily undertook to communicate with the regent on the subject, and to make arrangements for a private interview between the regent and the duke.‡ The interview took place at night, in a gallery of the house in which the duke at that time resided.§

Norfolk's secret interview with the regent.

In the conversation which ensued, Norfolk remonstrated with the regent, as he had done with Lethington, on the impolicy and even danger of his appearing there as the public accuser of his sovereign. He expressed his astonishment that Moray, whom he had always regarded as an honourable and prudent man, should seek to fix a stain on the reputation of his mistress by the imputation of crimes, which, if proved against her, would not only be discreditable to the country and to himself, as her kinsman, but would even endanger her son's succession. He assured the regent that Elizabeth would never consent to regulate the succession to the English crown; being less solicitous to avoid the danger to the country of a disputed succession after her death, than the anxieties and apprehensions which might arise from nominating her successor during her lifetime. The point being thus left undetermined, the Queen of Scots and her son would, he argued, unquestionably possess the true title, which none would venture to dispute, provided that nothing were now done to weaken their claim.‖ He did not fail further to work on the fears of the regent by suggesting to him, that, in the event of Mary's recovering her authority, he could expect no mercy at her hands, after having endeavoured to fix an indelible stain of infamy on her character; and that he might rest assured he would receive neither succour nor countenance from the Queen of England. In conclusion, he recommended that the dispute should be compromised by Mary's ratifying her abdication in favour of her son, and Moray's agreeing, on the other hand, to suppress the letters intended to be produced as evidence of Mary's guilt.¶ Moray objected, that these documents having already been communicated to the Scottish parliament, their suppression, even if that

* Anderson, vol. iv. p. 52; Goodall, vol. ii. pp. 123, 126.
† Goodall, vol. ii. pp. 130, 131, 9th October, pp. 126, 127.

* Melvil's Memoirs, p. 94; Mignet, vol. ii. p. 31.
† Ibid.; Tytler, vol. vii. p. 200, 201.
‡ Mignet, vol. ii. p. 31.
§ Letters from Moray to Lord Burleigh, Robertson, Appendix XXXIII.
‖ Melvil, p. 206, 207.
¶ Robertson, Appendix XXXIII.; Mignet, vol. ii. p. 32.

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were now possible, would not benefit Mary, while it would expose him to the reproach of having preferred a charge which he was unable to substantiate. Norfolk strove in vain to persuade the regent to destroy the letters; the utmost he could extort from him was a promise not to produce them. "You are grievously deceived," said Norfolk, "if you imagine the Queen of England will ever pronounce sentence in this cause. Do you not see that no answers have been returned to the questions which, upon this point, were addressed by you to us, and forwarded to the queen? Nay, you can easily put the matter to a more certain proof: request an assurance, under the queen's hand, that when you accuse your sovereign, and bring forward your proofs, she will pronounce sentence. If you get it, act as you please; if it is not given, rest assured that my information is true, and that all that will come of your accusation will be repentance for your own folly."*

Moray, upon whom this conversation made a deep impression, determined to follow the advice of Norfolk, in so far as to abstain from bringing any accusation against Mary, without first having some assurance, such as he had already demanded from the English queen. In this determination he was confirmed by Lethington and Melvil, to both of whom he had, in confidence, given an account of his secret interview with Norfolk,—a circumstance, however, which he carefully concealed from the other Scottish commissioners.†

The regent sends Melvil to Bolton with a secret message to Mary.

The regent now dispatched Robert Melvil on a secret mission to Bolton, with instructions to propose to Mary terms of accommodation, founded on the suggestion made to him by Norfolk at their interview. He proposed that she should ratify her abdication made at Lochleven in favour of her son, confirm Moray in the regency during the young prince's minority, and agree to reside in England under the protection of Elizabeth, with a revenue suitable to her rank as a queen; while, on his part, he would agree to abstain from bringing forward any accusation against her.‡

Proofs of Mary's guilt privately exhibited to the English commissioners.

In the meantime, Moray, with a view to satisfy the English commissioners that he had ample materials for defending himself and proving the guilt of his sister, instructed Lethington, Macgill, and Buchanan, privately to exhibit to them the alleged proofs; consisting of documents already referred to, which, it was asserted, had been found in the famous silver casket given by Mary to Bothwell.§

* Melvil's Memoirs, p. 207, 208, 4to edition; also Dépêches de La Motte Fénélon, vol. i. p. 17; Tytler, vol. vii. p. 201; Mignet, vol. ii. p. 33.
† Melvil's Memoirs, p. 208, 4to edition.
‡ Hopetoun MSS., Declaration of Robert Melvil; also MS. Letter, State Paper Office, Knollys to Cecil, 25th October, 1568; Mignet vol. ii. p. 36.
§ Letter to Elizabeth from her commissioners at York, 11th October, 1568, Anderson, vol. iv., part ii., pp. 58—63; Mignet, vol. ii. p. 36; Tytler, vol. vii. p. 202.

A summary of the proofs transmitted to Elizabeth.

The English commissioners having carefully examined these papers, Norfolk drew up a summary of their contents, and transmitted it to Elizabeth. This document was accompanied by a letter signed by Norfolk, Sussex, and Sadler; in which they requested their royal mistress to inform them whether, in her judgment, the evidence thus furnished would be sufficient to convict the Queen of Scots of the crime laid to her charge. They added, at the same time, in their own names and those of the other commissioners, that in their opinion the letters and papers referred to furnished conclusive evidence against Mary, provided they were really in her handwriting.* Norfolk's object in being a party to this communication, which was confidential, and not intended to be made public, evidently was to save Mary's reputation from the infamy with which he clearly saw it would be covered, if these documents should be produced at the conference. He hoped in this way to obtain a private, extra-judicial sentence from Elizabeth, which, even though unfavourable to Mary, would be the less of two evils. This course, he seems to have taken for granted, would be more agreeable to Elizabeth than to publish the dishonour of her sister; in whom, as she said, she was not disposed "to allow of any faults." "Our best plan," said he, in a consultation with the Bishop of Ross, "is to get quit of present infamy and slander, and let time work the rest."† Norfolk, though no stranger to the treacherous disposition of Elizabeth, had not fathomed the depth of her duplicity. She had determined, if possible, to induce Moray publicly to accuse his sovereign of the murder. His unexpected moderation was to her a source of bitter disappointment; as she conceived that to blacken the character of the Scottish queen would afford a pretext for detaining her as a prisoner, and, even were she to be re-instated in her dignity, might otherwise be turned to the advantage of England.

The conference transferred to Westminster.

With a view to bring the proceedings of the conference more immediately under her own control, and to defeat the plans of Norfolk and the regent,—of which certain vague rumours had reached her ears,—Elizabeth now suddenly transferred the conference to Westminster, under the pretext that the distance of York from the capital caused much delay in the settlement of this important cause; not, however, without special precautions to prevent either Mary or her commissioners from taking the alarm by suspecting some sinister motive on her part.‡ In a letter from Elizabeth, the original draft of which is still extant, Norfolk and those who acted with him are warned to take especial care to prevent or lull suspicion on the part of Mary and her commissioners, by inducing them to believe that this change was made solely with a view to the more speedy adjustment of the contest, and the restora-

* Anderson, vol. iv., part ii., pp. 62, 63.
† Murdin, p. 53; Mignet, vol. ii. p. 38.
‡ La Motte Fénélon, vol. iv. p. 18.

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tion of the Scottish queen to her throne in a manner at once honourable and safe to herself and her subjects.* In this arrangement both Mary and the regent were induced to concur.†

Mary consents to the regent's proposal.

It was not without difficulty that Melvil had succeeded in persuading Mary to agree to the proposal of the regent for an accommodation, by ratifying her abdication and confirming him in his authority. At length, however, Melvil's arguments prevailed, and he was dispatched to Moray to signify her consent. At the same time Mary wrote to Elizabeth, declaring her satisfaction that her cause and her honour were now in the hands of her sister, to whose care, above that of all others, she desired to confide them. Four of her commissioners, Boyd, Herries, the Bishop of Ross, and the Abbot of Kilwinning, were sent to London as the bearers of this message.‡

Mary's commissioners are admitted to an audience with Elizabeth.

Preparatory to the new conference, Elizabeth employed every artifice which her ingenuity could devise, to induce Moray to bring forward his accusations. On the arrival of Mary's four commissioners, she admitted them to an audience, when she informed them that, having carefully reviewed all the proceedings of the former conference, she was of opinion that the regent and his confederates had utterly failed to produce any satisfactory defence of their conduct; and that no course now remained for them but to confess their guilt, and to sue for pardon, which she would endeavour to obtain for them. With this view, she added, she had transferred the conference to London; and, to give greater solemnity to the proceedings, had named certain additional commissioners, who, in conjunction with those formerly appointed, would forthwith proceed to the final adjustment of this controversy, unless the regent had something more weighty to urge in his defence.§ The desire, indeed, to consummate her triumph over the fallen queen took such possession of Elizabeth's mind, that she could no longer conceal it; but, in defiance of common decency, she threatened to deprive Moray of the regency, and to bestow it on his ancient rival, the Duke of Chatelherault, if the former persisted in his refusal to accuse his sovereign.‖ In the midst of these menaces, whose object, however detestable, was at least openly avowed, Elizabeth was once more playing her game of hypocrisy with Mary's commissioners, by secretly encouraging them to hope for the speedy restoration of their mistress to her country and throne.¶

In the meantime, Mary's fears were roused by intelligence privately communicated to her by Hepburn of Riccarton, a gentleman who had formerly been a follower of Bothwell's, and who was now in London. He assured her that Elizabeth, so far from being favourably disposed to her cause, was most anxious to obtain proof against her, and would most probably succeed in forcing Moray to desert Norfolk, and to accuse his sovereign.* Alarmed by this intimation, Mary sent fresh instructions to her commissioners, enjoining them on no account to suffer the opposite party to assume any other position than that of defendants, and allowing them no power of action beyond bringing about a reconciliation. Being desirous, she said, to conduct herself as a mother towards her subjects, she was reluctant to treat them rigorously, or to prosecute them before a foreign tribunal,—a mode of proceeding which would tend to widen the breach between her and them, instead of restoring a friendly feeling, which she was most anxious to cultivate. She accordingly gave authority to her commissioners to extend her royal clemency to Moray and his confederates in the presence of the English queen, and to endeavour to bring about an accommodation, without prejudice, however, to her honour and queenly dignity, which she was determined not to submit to any prince in the world. She added, that if they should observe any encouragement given to her adversaries to accuse her, they were immediately to demand for her a personal interview with Elizabeth, and, in the event of being refused, to break off the negotiation.†

Mary sends fresh instructions to her commissioners.

The regent admitted to an audience with Elizabeth.

At this time a circumstance occurred which still further increased Mary's fears, and roused her suspicions regarding the object of Elizabeth in appointing this second conference. On the arrival of the regent in London, he was admitted to an audience with the queen, and was received by her with marked tokens of respect, and even of affection. Mary naturally felt deeply mortified, as well as indignant, at this partiality; and immediately wrote to her commissioners, charging them to complain before the English nobility, as well as the ambassadors of foreign princes, of the unjust and cruel treatment to which she had been subjected. Her adversaries, she said, and rebels against her authority, were freely admitted into the presence of the queen, while she was not only denied that privilege, but even detained at a distance, and confined as a prisoner; they were encouraged to prefer accusations against her, while she was not permitted to appear in her own defence. In these circumstances, she enjoined her commissioners once more to demand for her a personal interview with the English queen, and instructed them to declare that, if this

* Original draft, State Paper Office, Papers of Mary Queen of Scots, October 16, 1568, Elizabeth to her commissioners, Tytler, vol. vii. p. 246.

† Haynes, p. 454.

‡ Mary to Elizabeth, 22nd October, 1568, Anderson, vol. iv., part ii., p. 95, Lesley's Negotiations.

§ Anderson, vol. iv., part. ii., p. 95; Lesley's Negotiations, Anderson, vol. iii pp. 25, 26.

‖ Tytler, vol. vii. p. 205.

¶ Mignet, vol. ii. p. 39.

* MS. Letter, State Paper Office, Papers of Mary Queen of Scots, Knollys to Cecil, 21st Nov., 1568, Tytler, vol. vii. pp. 205, 206.

† Labanoff, vol. ii. pp. 229—231; Goodall, vol. ii. pp. 185—187.

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were refused, she recalled her consent to the conference, and protested that all further procedure would be null and invalid.* Her commissioners, however, did agree to the opening of the conference: either Mary's letter did not arrive in time, or, what is perhaps more probable, they had been cajoled by Elizabeth's professions of affectionate regard for their mistress.†

Embarrassment of the regent.

The position of the regent had now become embarrassing in the extreme. He had proceeded to London with the determination of adhering to his compact with Norfolk, and of abstaining from all accusation against his royal sister; or, if any unexpected event should occur to render that course impracticable, to revert to the ratification of her demission of the crown, according to his former proposal, to which she had already agreed. To his dismay, however, he discovered that Elizabeth was fully cognisant of his arrangement with Norfolk. The secret had been betrayed by a confidant of Mary to Morton, and he had revealed it to Cecil, who had communicated it to the queen. To add to his embarrassment, he now received a message from Mary, informing him that Norfolk had forbidden her to ratify her demission of the crown, and she therefore could not abide by her agreement. It is difficult to imagine a combination of circumstances more perplexing. To persist in withholding his proofs of Mary's guilt was in effect to become his own accuser, and to draw down upon himself the indignation even of his own party,—and, what was probably even more dreaded, to incur the enmity of the English queen, who had threatened to strip him of his authority in Scotland, and who certainly had the power to carry her menace into effect; while, on the other hand, to proceed with his accusation was certain to ensure his own ruin and that of his party, if ever Mary should be restored to supreme power. In this dilemma, he resolved to pursue a middle course—to draw up his accusation, but to refuse to submit it to the conference until he obtained the assurance he had demanded from Elizabeth during the proceedings at York.‡

Mary withdraws her consent to the regent's proposal.

Conference commenced at Westminster, 25th Nov.

The conference commenced at Westminster, on the 25th November, in the hall called the *Camera Depicta*, the Scottish commissioners having refused to assemble in any chamber where judicial sentences were wont to be pronounced.§ To the three English commissioners formerly appointed, Elizabeth now added Lord Chancellor Bacon, the Earls of Arundel and Leicester, the Lord Admiral Clinton, and Mr. Secretary Cecil.‖

* Goodall, vol. ii. p. 184.
† Anderson, vol. iii. p. 25.
‡ Tytler, vol. vii. p. 205; Mignet, vol. ii. p. 40.
§ Calderwood's History of the Kirk of Scotland, vol. ii. p. 448.
‖ "The Journal of First Session of the Commissioners upon the 25th day of November, 1568," Anderson, vol. ii., part ii., p. 101.

The proceedings were opened by the delivery of a protest on the part of Mary's commissioners, that no steps should be taken to compromise the rights and dignity of their royal mistress, who, as an independent sovereign, acknowledged the jurisdiction of no prince on earth; and they demanded that, as Moray had been admitted into the presence of Elizabeth, and allowed to prefer accusations against his sovereign, a similar privilege should be granted to Mary, that the queen might hear her defence from her own lips. Elizabeth disclaimed any wish to injure the honour of their sovereign, or to assume over her the office of a judge, but declared that she could not admit her into her presence until the cause was decided.* The Lord Chancellor, who acted as president, informed Moray that his defence at the York conference was considered inconclusive; and for the purpose of stimulating the regent to speak out more freely, he added—"Her majesty principally wishes that, upon the hearing of this great cause, the honour and estate of the Queen of Scots may be preserved, and found sincerely sound, whole, and firm; but if she shall be justly proved and found guilty of the murder of her husband—which were much to be lamented—she shall either be delivered into your hands, upon good and sufficient sureties and assurances for the safety of her life and good usage of her, or else she shall continue to be kept in England, in such sort as neither the prince her son, nor you, the Earl of Moray, shall be in any danger by her liberty. And for the time to come, her majesty will maintain the authority of the said prince to be king, and the government of the realm by you, the Earl of Moray, according to the laws of Scotland." †

By this declaration, the regent felt considerably re-assured, and, addressing the commissioners, said that it was with extreme reluctance he entered upon this odious task; that he and his party had ever been averse to publish anything to the dishonour of their sovereign; and that, rather than accuse her before foreigners, they had already suffered in their own reputation, and would willingly suffer much more—even exile itself; but that the violence and importunity of the opposite faction constrained them to produce, in their own defence, those accusations which they had hitherto withheld, and which, if it were possible, they would still gladly consign to oblivion.‡

Before, however, producing their accusation and the evidence by which it was supported, the regent required an assurance, under the queen's hand, such as he had demanded at York. To this Cecil, with feigned indignation, pertly replied, that he had already received ample assurance, and that it ill became the regent to suspect or doubt the word of the Queen of England. "Where," he demanded, "is your accusation?"—"It is here," answered John

* Goodall, vol. ii., pp. 188, 189, 23rd November, 1568.
† Goodall, vol. ii. pp. 201, 202; Anderson, vol. iv., part ii., pp. 109—113.
‡ Anderson, vol. iv., part ii., pp. 115, 118.

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Wood, the regent's secretary, who sat beside him at the table, at the same time plucking the document from his bosom; "it is here, and here it must remain till we see the queen's handwrit."* At this instant, Bothwell, the Bishop of Orkney, who, in common with Morton, Lindsay, the Abbot of Dunfermline, and Buchanan, was dissatisfied with the timid policy of the regent, and was desirous to push matters to extremity, stepping hastily up to Wood, snatched the paper from his hand, and, running towards the table, laid it before the English commissioners. Wood rushed after him, amid the ill-suppressed laughter of the spectators of this strange scene, but too late to prevent the bishop from accomplishing his purpose. The die was cast, and the long-suppressed accusation against Mary was now in the hands of her enemies. It is suspected that this extraordinary proceeding was the result of a preconcerted arrangement between Wood and Cecil, with the concurrence of such of the regent's commissioners as were known to be adverse to Mary.† Be this as it may, such an unseemly scramble was, if not supremely ludicrous, certainly very unbefitting the dignity of such grave personages, and on such a momentous occasion. The regent, seeing his policy thus suddenly and unexpectedly baffled, was confounded and dismayed; while Cecil, smiling complacently, was delighted to see his embarrassment. Lord William Howard vociferously applauded the dexterity of Bishop Turpy, as Orkney was facetiously called, and Lethington, in despair, whispered in the regent's ear that he had ruined his cause for ever.‡

The regent's accusation surreptitiously laid before the conference.

Extraordinary scene in the conference.

The accusation set forth, in strong and distinct language, that, while Bothwell was the chief perpetrator of the murder of the late king, Mary was in the foreknowledge of the horrid crime; that it was committed not merely with her consent, but at her special desire; and that she actually assisted in the formation and execution of the plan. This, it was alleged, was evident from her having openly interfered to frustrate the ends of justice at the trial of Bothwell, and still more from her precipitate and scandalous marriage with that nobleman. At this critical moment, the Earl of Lennox opportunely appeared before the tribunal, and, with tears in his eyes, accused Queen Mary of having conspired the death of his son, and demanded justice. He declared that he had hitherto despaired of obtaining justice at the hands of man; but now that the Queen of England, whose natural born subject his son was, had appointed a commission for the trial of this great cause, he placed his case with entire confidence in the hands of their lordships.* It is difficult to believe that the appearance of Lennox on this occasion was a spontaneous movement on his part. There is, on the contrary, a strong presumption that it was the result of a preconcerted arrangement, for the purpose of adding greater solemnity to the proceedings, and greater weight to any accusation that might be brought forward against Mary. Her commissioners, perplexed and alarmed at the nature and extent of the accusation against their mistress, deliberated for two days on the course they should pursue.† In conformity with their instructions, however, before breaking up the conference, they indignantly repelled as false and calumnious the imputations which had been made on the honour of their mistress, and complained that a proceeding so contrary to law and justice should have been tolerated in England. Writing to the English commissioners, they say, "My lords, we are heartily sorry to hear that our countrymen intend to colour their most unjust, ungrateful, and shameful doings against their natural sovereign, liege lady, and mistress, who hath been so beneficial to them. Her grace hath made them, from mean men, earls and lords; and now, without any evil deserving on her part, in either deed or word, to any of them, she is thus recompensed with calumnious and false reports, and slandered to her reproach in this great matter, whereof they that now pretend herewith to excuse their treason were the first inventors—having written with their own hands that devilish bond, the conspiracy for the slaughter of that innocent young gentleman, Henry Stewart, late spouse of our sovereign, and presented her in marriage to their wicked confederate, James Earl Bothwell, as was made manifest before ten thousand people in Edinburgh."‡ They further denounced Moray and his party as "rebels and calumniators," whose example might prove dangerous to other princes; and go on to say, "If this in them be tolerated, what prince lives upon the face of the earth whose ambitious subjects may not invent some slander to deprive them of their supreme authority during their lifetime? Your wisdoms well understand how far their doings exceed the bounds permitted to subjects in the holy and sacred Scriptures, and violate the loyal duty which they owe to their native princes."

The regent's accusation.

The Earl of Lennox appears at the conference, and accuses Mary.

Mary's commissioners now demanded an immediate audience of Queen Elizabeth.§ Being admitted into her presence, they solemnly protested against the irregular and unjust manner in which the proceedings had been conducted. They reminded her of her royal promise, that, in the absence of their mistress, no procedure should be permitted to be taken that might in the

Mary's commissioners demand and obtain an audience with Elizabeth.

* Melvil's Memoirs, pp. 96, 97.
† Melvil's Memoirs, p. 96.
‡ Anderson, vol. iv., part ii., p. 119; Tytler, vol. vii. p. 208.

* "The Journal or Third Session of the Commissioners, 29th November, 1568," Anderson, vol. iv., part ii., pp. 121, 122.
† Laing, vol. i. p. 155.
‡ "A letter from the commissioners of the Queen of Scots to the commissioners of the Queen of England, 1st December, 1568," Anderson, vol. iv., part ii., pp. 129, 130.
§ Goodall, vol. ii. pp. 209—213.

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slightest degree affect her honour and dignity, or compromise her royal authority; and they justly complained that this promise had been grossly violated; that the rebellious subjects of the Queen of Scots had been admitted into her presence, and not only allowed, but encouraged to traduce the honour of their sovereign by the false and calumnious imputation of a horrid and unnatural crime; and they now reiterated their demand that, in common justice, their mistress should be permitted to appear personally, and be heard in her own defence; and that, in the meantime, her traitorous accusers should be arrested and kept in custody until brought to answer the charges made against them.*

Elizabeth was at first embarrassed by the boldness of this demand. That it was just and reasonable she could neither doubt nor deny; but compliance with it formed no part of her tortuous policy. Her mean and spiteful malignity had been so far gratified by the public production of a revolting accusation against her unfortunate kinswoman; but her triumph was not complete until she obtained possession of the alleged proofs of Mary's guilt. Her crafty mind was not wanting in expedients to accomplish this end. Addressing Mary's commissioners, she remarked that the Queen of Scots had an undoubted right to be heard in her own vindication, but that the regent and his party having, in their own defence, accused the queen of being accessory to the murder of her husband, it was proper that they should first be called on to produce such evidence as they pretended to possess to substantiate their accusation. She declared she had never believed her sister to be guilty, and that the only reason for hitherto refusing her a personal interview was on account of the scandalous imputations under which she lay; but, having resolved to send for the commissioners and demand their proofs, she would afterwards willingly hear the queen in her own vindication.† Mary's commissioners expressed indignation and astonishment at the manifest partiality and injustice of allowing parties who stood charged with the guilt of treason, in a most aggravated form, and who ought consequently to be placed on their own defence, to come forward a second time as the accusers of their sovereign, and that too before that sovereign had been permitted to be heard in her own justification; and they solemnly protested that they would be no parties in any subsequent proceedings, and that nothing hereafter to be done should receive their consent, or in any degree prejudice the rights of the queen, their mistress.‡

It has been noticed as a strong presumption of Mary's guilt, or at least of her complicity in the infamous transaction in question, that on the same day her commissioners sent a message to the regent, proposing a compromise, in virtue of which he and his accomplices, notwithstanding all that had happened, might once more be admitted into the favour of their sovereign, and this painful dispute be finally set to rest.* But, in justice to Mary, it should be borne in mind that this proposal did not emanate from her, but from her commissioners alone, without her knowledge or consent;† and that, whether or not the alleged proofs afforded conclusive evidence of her guilt, would, after all, be only matter of opinion, on which different minds would adopt opposite views, according to prejudice or their capability of weighing evidence; while her commissioners were naturally anxious that nothing farther should be adduced to strengthen suspicion, and thus leave a stain or a doubt on the reputation and honour of their mistress. Elizabeth, however, rejected the proposal as inconsistent with the honour of her royal cousin, and insisted that a queen labouring under so horrible an imputation ought, in justice to herself, to enter into no compromise; and that, as Moray and his associates had presumed, in order to justify their own proceedings, to prefer such an odious charge against their sovereign, they were bound to prove what they had advanced, on pain of being denounced at once as traitors against their queen's authority, and calumniators of her character.‡ It was accordingly resolved that, at the next meeting of the conference, the regent should be called on, in his own defence, to produce evidence of the truth of his allegations against the Queen of Scots, his rightful sovereign.

Elizabeth refuses her consent to a compromise.

At this meeting, which was held on the 6th of December, the Bishop of Ross and his associates demanded admission. They complained of the violation of Elizabeth's promises of friendship, as well as of the shameful departure from all the ordinary rules and forms of justice by which these proceedings had been characterised; and declared that, as the Queen of England had determined to receive from the regent his proofs of his injurious allegations against their sovereign, before she was permitted to be heard in her own defence, they were compelled to dissolve the conference. They then delivered a written protest, in which they formally declared that they would hold as null and void anything that might subsequently be done against the honour or royal dignity of the queen, their mistress.§ Cecil declined to receive this protest, under pretence that it was founded on a misrepresentation of the answer of Queen Elizabeth; but Mary's commissioners withdrew, repeating that they would neither treat nor appear again.‖

Meeting of the conference, 6th Dec.

Protest of the Bishop of Ross. Withdrawal of Mary's commissioners from the conference.

* Goodall, vol. ii. pp. 213—219; Correspondence of La Motte Fénélon, 10th Dec., 1568, vol. i. p. 38—51; Mignet, vol. ii. p. 46; Tytler, vol. vii. p. 209; Calderwood, vol. ii. p. 456.

† Goodall, vol. ii. p. 221, 4th Dec.; Mignet, vol. ii. p. 47; Tytler, vol. vii. p. 210.

‡ Goodall, vol. ii. p. 223.

* Anderson, vol. iv., part ii., pp. 135, 137. The Journal of the Privy Council of England, 4th Dec., 1568; Mignet, vol. ii. pp. 47, 48.

† Tytler, vol. vii. p. 211.

‡ Goodall, vol. ii. p. 224.

§ Anderson, vol. iv., part ii., p. 145, 6th Dec., 1568.

‖ Ibid., p. 146.

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Notwithstanding this declaration, followed by the withdrawal of Mary's commissioners, a step which, according to common justice, as well as all law and precedent in such matters, should have terminated the conference, the commissioners of the English queen, in obedience to her command, summoned Moray and his associates before them, and delivered to them a message from Elizabeth, which may be pronounced a masterpiece of hypocrisy and mean artifice. They declared that the queen, their mistress, had commanded them to testify to the regent her high indignation and displeasure at his conduct, in having so grossly violated his duty to his sovereign as to accuse her of such an odious and unnatural crime, and that he was now required to defend himself. They stated to him and his friends that "the queen's majesty thought it very strange that they, being native subjects of the Queen of Scots, should accuse her of so horrible a crime, hateful both to God and man—a crime against law and nature—which, if their accusation were true, would render her infamous in the sight of all princes in the world. Her majesty, therefore, had willed her commissioners to tell them that, although in this deed they had forgotten their duties of allegiance towards their sovereign, she did not mean to forget the love of a good sister, a good neighbour, and a good friend of the Queen of Scots." *

The regent produces his proofs of Mary's guilt.

This piece of artful perfidy was followed by the effect so long desired by Elizabeth, and pursued through a labyrinth of treacherous policy such as has no parallel in history. The regent, thus placed in a dilemma, at last laid his proofs before the English commissioners. These consisted of the depositions of some servants of Darnley, and the confessions made upon the scaffold by Hepburn, Hay of Tallo, and Powrie, who were executed for the murder of the late king; the Book of Articles, drawn up for the instruction of the Scottish council, and containing the examinations of Dalgleish, Powrie, Hepburn, and Hay; the Acts of the Scottish parliament, confirming the authority of the regent and the abdication of the queen; and, finally, both the originals and certified copies of the letters, sonnets, and other documents said to have been found in the silver casket, and which Elizabeth had already privately examined.†

The whole evidence against the Scottish queen having now been laid before the commissioners, it might be supposed that nothing farther remained but to pronounce judgment. The malignity of the English queen, however, was not yet fully gratified. With a view still more effectually to ruin the reputation of Mary, she desired to bring the cause before a more numerous and public tribunal. For this purpose she summoned a meeting of the Privy Council, and deputed the Earls of Northumberland and Westmoreland, both of whom were Catholics, and the Earls of Shrewsbury, Worcester, Huntingdon, and Warwick, to assist in the deliberations.* The meeting took place at Hampton Court, on the 14th of December; and, from some expressions of Cecil's in a letter to Norris, it may be inferred that there was at first an intention of bringing the matter to a final decision.† Their lordships having been first sworn to secrecy, the whole evidence against the Queen of Scots was laid before them; and sundry authentic letters written by her to Elizabeth were compared with those found in the silver casket. After a careful examination of the handwriting and the orthography, which, at that period, was in some measure arbitrary, the council declared they could find no difference between them.‡ Yet still, instead of pronouncing judgment on the cause before them, they went no farther than to signify their general approbation of the course pursued by their sovereign.

Meeting of the Privy Council, 14th Dec.

Declaration of the council.

Elizabeth, thus fortified, began to throw off the mask. She sent for the Scottish commissioners, and informed them, in reply to their reiterated demand that the Queen of Scots should be admitted to a personal defence, that, after what had just transpired, it was more than ever imperative upon her, from a due regard to her own honour, to refuse to accede to such a demand. There were three ways, she said, open to the Scottish queen: either she might send to court some confidential person charged with her defence; or, Elizabeth would send commissioners to receive it; or, lastly, Mary might instruct her own commissioners to defend her cause. She added, that, if the Queen of Scots declined to avail herself of any one of these methods, such a refusal would be considered tantamount to an admission of her guilt.§ The Bishop of Ross and his friends once more vehemently protested against the flagrant injustice with which their sovereign had been treated, and insisted that, as she had been denied the privilege of defending herself—a privilege freely accorded, as a matter of right, to common malefactors—she should be permitted forthwith to return to Scotland or to retire to France; and farther, as their own services were no longer required, they requested their dismissal. To this Elizabeth answered, that they were at liberty to go to Bolton and confer with their mistress, but should not be be permitted to quit the kingdom until the conclusion of the conference.

Elizabeth sends again for Mary's commissioners.

Her proposals to them.

A few days afterwards, Elizabeth wrote a letter

* Anderson, vol. iv., part ii., pp. 146, 147.

† Anderson, vol. iv., part ii., pp. 150—154, 165—173; Goodall, vol. ii. pp. 141, and 257—259; Calderwood, vol. ii. p. 466.

* Anderson, vol. iv., part ii., p. 170.

† Cabala, p. 155; Tytler, vol. vii. p. 213.

‡ Journals of the proceedings of the Lords of the Privy Council of England with some of the chief of the nobility, at Hampton Court, 14th and 15th days of December, 1568, Anderson, vol. iv., part ii., pp. 172, 173; Mignet, vol. ii. p. 51.

§ Goodall, vol. ii. pp. 257, 260, 263, 264.

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to Mary, in which, as well as in all her subsequent letters to the Queen of Scots, we no longer meet with those expressions of respect and affection which she had so hypocritically employed in all her former communications. On this occasion, she blamed Mary's commissioners for breaking up the conference without replying to the regent's accusation, and then added, "We have long been very sorry for your mishaps and great troubles, but we find our sorrows now doubled in beholding such things as are produced to prove yourself the cause of all the same. And our grief therein is also increased, in that we did not think at any time to have seen or heard matters of so great apparance and moment to charge and condemn you; nevertheless, both in friendship, and nature, and justice, we are moved to cover these matters, and stay our judgment, and not to gather any sense thereof to your prejudice, before we hear of your direct answer thereunto."* Before concluding, Elizabeth urged Mary to send an answer by one of the three methods proposed to her commissioners. It is impossible to determine with certainty whether this was really the point to which she was most desirous of bringing the matter, or whether, as is more probable, her object was to intimidate Mary, so as to induce her to ratify her abdication, to continue to reside in England, and to consent to her infant son being brought thither also, to be placed under Elizabeth's protection. At all events we find Elizabeth, the very next day, propounding this scheme in a private communication to Knollys, in whose keeping Mary then was. She expressed herself desirous of proceeding no farther in the cause of the Scottish queen, and remarked that it would be much better to persuade Mary to resign the government into the hands of Moray, and to agree to reside in England; while the infant prince, for his safety, should be placed under the protection of the English queen. The more effectually to gain Mary's consent, she further suggested that the whole cause so long under trial should be consigned to perpetual silence;† and she artfully instructed Knollys to make it appear to Mary as if this suggestion was made by himself.

Elizabeth writes to Mary.

Elizabeth writes to Knollys to urge Mary to resign her crown.

Rejecting with indignation this insidious proposal, as derogatory to her honour, Mary wrote to her commissioners, directing them to demand inspection both of the originals and copies of the letters and other writings that had been produced against her, declaring her readiness, when this was done, to give in such answers as would not only fully establish her own innocence, but prove her enemies to have been themselves the authors and perpetrators of the crime which they charged upon her, their sovereign. Though clothed in the diction of the sixteenth century, this document, which is still extant, exhibits little or none of that heavy, lumbering style so common in writers of that period. It is fresh, eloquent, vigorous, pathetic; and, with some slight verbal alterations, might very well pass for a production of the present day. "Forasmuch," she says, "as the Earl of Moray and his adherents, our rebellious subjects, have added unto their pretended excuses, produced by them for colouring of their horrible crimes and offences committed against us, their sovereign lady and mistress, in these words:—'That as the Earl of Bothwell hath been principal executor of the murder committed on the person of the late Henry Stewart, our husband, so we knew, concealed, devised, persuaded, and commanded the said murder.' The answer which we think good to be given them in our name thereon is, they have falsely, traitorously, and wickedly lied; imputing unto us maliciously the crime whereof they themselves are authors, inventors, doers, and some of them proper executors. And where they alleged that we impeded and stopped inquisition and due punishment to be made of the said murder, it is another calumny; to the which having sufficiently answered by the reply produced at York, wherein they were stricken dumb, and likewise in that which they rehearse of our marriage with the Earl Bothwell, think not necessary to make them further answer, but to refer them to the answer on both these points in the said reply. And, as to when they allege we should have been occasion to cause our son follow his father hastily, they cover themselves with a wet sack. And that calumny should suffice for proof and inquisition of all the rest. For the natural love of the mother toward her child confoundeth them; and the great thought that we ever had of our son showeth how shamefully they are bold to set forth, not only that which conformably to the malice and impiety of their hearts they judge in others by their own proper affection, but of that whereof in their conscience they know the contrary."* She farther goes on to maintain, that their sole object was to obtain possession of her person, and usurp her authority; and that, for this purpose, they had feigned a wish to free her from the power of the Earl of Bothwell, who had seized her person with their consent; to avenge the murder of the king, of which they themselves had been guilty; and to preserve the life of the young prince, who was in the hands of the Earl of Mar, one of their own accomplices. Before concluding, she formally retracts her abdication, as having been extorted from her by force.†

Mary rejects the proposal.

Mary's letter to her commissioners.

Mary's commissioners, in obedience to her command, did not fail to accuse Moray and his confederates of the crime which they had imputed to their sovereign.‡ This unexpected denunciation

* Letter from Elizabeth to Mary, 21st Dec., 1568; Anderson, vol. iv., part ii., pp. 183, 184.
† Goodall, vol. ii. p. 279, 22nd Dec., 1568.

* Letter from Mary Stewart to the Bishop of Ross, Lord Herries, and the Abbot of Kilwinning, 19th December, 1568; Labanoff, vol. ii. pp. 259, 260; Calderwood, vol. ii. pp. 463, 464.
† Ibid.
‡ Goodall, vol. i. pp. 271, 272; Laing, vol. i. p. 178.

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greatly perplexed Elizabeth, who took time to deliberate on the matter, and to consult with Cecil as to the course she should pursue. In the meantime, however, the Bishop of Ross demanded an audience. His mistress, he said, was prepared to answer her accusers so soon as she had access to the writings, or at least copies of the writings, that had been produced in evidence against her; and he now, peremptorily required that, in common justice, these documents should be furnished to her, that she might prove her calumniators to be the authors of the murder they denounced, and expose them as liars and traitors before the whole world. This demand, so just and reasonable in itself, Elizabeth attempted to evade, by falling back on the original proposal of an abdication and a compromise; but Ross promptly replied, that he was commanded by his mistress to declare, once for all, that she never would consent to this proposal; that, on the production of the letters she was ready to defend herself; that she was even willing, on honourable and safe conditions, to extend her royal clemency to her adversaries, notwithstanding their aggravated offences; but that, to enter into any compromise with them, or to resign her rightful authority, would be to accuse herself; that this was a course she would rather die than adopt, and that the last words she should utter should be those of a queen of Scotland.*

Mary's commissioners accuse Moray and his confederates of the murder of Darnley.

By this resolution, if persevered in, Elizabeth's darling scheme, so long cherished and so unscrupulously pursued, was effectually frustrated. She was mortified to the heart, and, like a perverse child, testified her characteristic impatience of restraint and contradiction. She urged Ross to write again to his mistress, but he firmly refused. She next required him to hold a conference on the matter with her Privy Council. He complied, but would not move one hair's-breadth contrary to his instructions: he persisted in declaring Mary's determination to be final.

With a view to weaken, if not to nullify the impression made by the letters, the Bishop of Ross, not as a commissioner, but in his private capacity, as one concerned for the honour of his sovereign, wrote a letter to Elizabeth, in which he sets forth that the presumptions of Mary's criminality, arising out of these documents, would not be held sufficient to convict any private person. He argued that it could not be verified that the letters were written by her hand, and that it was highly improbable, even on the supposition of her guilt, that she would hazard her estate and character by such writings; that, moreover, his mistress had declared them to be forgeries; and that several persons were known to be able successfully to counterfeit her handwriting. He farther urged, with some reason, that parties who had been traitors to their sovereign, and had even had the presumption to imprison her person, were not likely to scruple to counterfeit her handwriting; and that persons who themselves stood chargeable with the crime of treason, could not be lawful accusers or witnesses in such a case. He adds—"If they would press to verify their cause by comparison of letters, the same is not sufficient, *cum de jure fallcissimum sit genus probandi, per conjurationem literarum;* that writings which are written in form of missive letters or epistles make no faith, specially where in the same no words depositive, or giving express command are contained, as in these may be seen; and also that they are not subscribed by her, sealed or signeted, no certain date of year, month, or day set down."* Whether this letter had any influence on the mind of Elizabeth we have no means of ascertaining; but, in the absence of the writings themselves, or even authentic copies of them, the opinion of the Bishop of Ross (though an adherent of Mary), addressed to the English queen while the documents were still extant, may in some measure help to guide the judgment of posterity on the delicate and much vexed question to which his letter refers.

The Bishop of Ross writes to Elizabeth.

It is impossible to avoid the suspicion that the manifest and shameful partiality of Elizabeth in refusing to exhibit to Mary the writings produced in proof of her guilt, arose from some secret dread of the disclosures which might follow, tending to criminate Moray and his associates, whom she had determined at all hazards to support; yet the demand was in itself so reasonable, that, although she had resolved to avoid compliance with it, she was unwilling to incur the odium of an explicit and final denial. Moray earnestly requested permission to return to Scotland, on the plea that his adversaries were endeavouring in his absence to raise commotions in the kingdom. The conference was now dissolved; and it was in vain to expect that Mary would revoke her resolution, as communicated to her commissioners. No ingenuity, therefore, could find a plausible pretext for further protracting these negotiations. Nothing now remained but to pronounce judgment. Accordingly, on the 10th of January, 1569, Moray and his associates were summoned to appear before the Privy Council, to receive the final judgment of Elizabeth in this important cause. Cecil, in the queen's name, then informed them that, in her majesty's opinion, "nothing had been as yet adduced against him (Moray) and his adherents that might impair their honour and allegiance;" while, with regard to Mary, "on the other hand, nothing had been sufficiently proven or shown by them against the queen, their sovereign, whereby the Queen of England should conceive any evil opinion of her good sister." In the conclusion of his address, he informed Moray that he should forthwith receive permission to return to Scotland, and resume his government.†

Elizabeth pronounces judgment.

* Goodall, vol. ii. p. 301.

* Calderwood, vol. ii. p. 467.

† Goodall, vol. ii. pp. 301, 305; Labanoff, Chronological Summary; Mignet, vol. ii. p. 60; Tytler, vol. vii. pp. 216, 217.

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It is needless to comment on the utter absurdity and inconsistency of this sentence; these must be palpable to the plainest understanding. As emanating from Elizabeth herself, after so many displays of tortuous and contradictory policy, shuffling, evasion, subterfuge, and tergiversation, it needs excite no surprise; she, like the unjust judge, "feared not God, neither regarded man." But it is certainly matter of surprise that men like Cecil, claiming to be men of honour, high in social position and official station, and ranking among the acutest intellects of the age, should, by concurring in such a judgment, subject themselves to the merited condemnation and unmitigated contempt of posterity. This conclusion, however, was in perfect accordance with Elizabeth's original policy; and, indeed, seems to have been resolved on before the meeting of the conference at York, as plainly intimated by Norfolk at his first secret interview with the regent.* Nor need we be at any loss to discover what Elizabeth's motive was in thus instituting proceedings which she intended from the first should end precisely where they began, and leave the great matter in dispute just where she found it. That object was unequivocally manifested towards the conclusion. It was, so effectually to damage the reputation of her unfortunate relative, as to furnish a plausible pretext for detaining her as a prisoner in England; and so to humble her spirit as to induce her to consent finally to ratify her abdication, and to signify her willingness that the infant prince should be transferred to the custody of the English queen. Matters being so arranged, Elizabeth expected to be able to exercise, though indirectly, a paramount influence in Scottish affairs, especially as the regent would thus be indebted to her for the confirmation of his authority, and partly dependant on her for its continuance.

The regent confronted with Mary's commissioners.

The last scene of the drama had yet to be enacted; and before the regent received permission to depart, he was once more, at his own desire, confronted with Mary's commissioners.† A meeting of the English council was summoned at Hampton Court. There were present the Duke of Norfolk; the Earls of Pembroke, Derby, Bedford, and Leicester; Sir William Cecil, and Sir Walter Mildmay. Ross and Herries, on the one side, and Moray, Morton, Lethington, Macgill, Orkney, Balnaves, and Buchanan, on the other, were summoned to attend. Cecil opened the proceedings by delivering a message from the queen, to the effect that she had resolved to give permission to the Earl of Moray and his adherents to return to Scotland; but a report having been spread abroad that they had been concerned in the murder of the late king, Moray had desired to meet the deputies of the Queen of Scots, and he now wished to know whether, in their own name, or in that of their mistress, they were prepared to make such an accusation against him and his friends.* Mary's commissioners replied, that, in their own name, they had not hitherto, and would not now prefer any accusation; but that they had written instructions from the queen, their mistress, to accuse Moray and his party as the chief authors of that murder, and some of them as its actual perpetrators; that these instructions had been communicated to the English queen; and that the charge had been publicly made, and never departed from. They farther declared, that if they were allowed to inspect the writings produced against their mistress, or authentic copies of them, they were ready not only to prove her innocence, but to show by incontestable evidence who the parties were that had committed this foul deed.† Moray strongly, and with great apparent indignation, asserted his innocence; and offered to proceed to Bolton, to answer to the charge in the presence of his sister. He was told, however, that this was quite unnecessary, as her written accusation had already been submitted to the English queen. What result was expected from this meeting does not very clearly appear; but, whatever was its object, it broke up, like all the others, without arriving at any definite conclusion.

The regent receives permission to return to Scotland.

Next day (12th January) the regent received permission to return to Scotland;‡ but before his departure he was supplied with a considerable sum of money by the English queen, who, at the same time, promised to support to the utmost of her power the authority of the young king.§ Shortly after, Mary's deputies were again called on to appear before a meeting of the Privy Council, when Cecil informed them that the original writings produced against the Scottish queen had been delivered back to the regent; but that his mistress had consented to furnish copies of them to Mary, on condition of her giving a declaration, under her hand and seal, that she would reply to the charges contained in them. The deputies replied, that two written declarations of the kind required had already been communicated to the English queen, and that to ask for more would only be productive of unnecessary and inconvenient delay. They complained of the partiality and injustice which had been displayed in the conduct of these proceedings; and demanded to know, since the regent and his associates were permitted to depart, why this privilege was still denied to their mistress, and even to themselves. The regent, they added, ought to have been detained to answer to the charges brought against him, if the Queen of England was really desirous that the Scottish queen should enter on her defence. To this it was answered, that the regent had engaged to return when required, and that they would also probably be allowed to depart; but with respect to the Queen of Scots, she could not

Mary's deputies again called before the Privy Council.

* See *supra*, p. 92.
† Goodall, vol. ii. p. 307; Laing, vol. i. pp. 185, 186.

* Goodall, vol. ii. p. 307.
† Ibid., p. 308.
‡ Ibid., p. 309.
§ Ibid.

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be permitted to leave the kingdom. The deputies energetically denounced this iniquitous determination, and withdrew; after having formally protested against anything that might be done to the prejudice of the estate, honour, or person of their mistress, and against the validity of any documents they might cause her to sign during her captivity.*

Their protest.

Mary, in the meantime, had been removed from Bolton to Tutbury, as being at a greater distance from the Scottish frontier; and transferred from the custody of Lord Scrope, brother-in-law to the Duke of Norfolk, to that of the Earl of Shrewsbury.† She arrived at Tutbury on the 3rd February; and, four days afterwards, the Bishop of Ross, Lord Herries, and her other commissioners, waited on her, to present her with the account they had prepared of the conferences at York and Westminster, and to receive her approbation of their proceedings.‡

Mary removed from Bolton to Tutbury.

It is not to be wondered at that Mary, exasperated at the treatment she had received at the hands of her perfidious and unnatural kinswoman, should now concert measures for her own deliverance and the punishment of her enemy. With this view she entered into correspondence with her partisans in Scotland, and encouraged and entreated them to hold themselves in readiness to commence a contest on her behalf.§ She endeavoured to interest the court of France in her favour, to excite the Spaniards to an invasion of the island, and to rouse the Roman Catholics in the north of England in her defence.‖ In the meantime, a scheme had been concocted by Elizabeth, in conjunction with Cecil, her principal minister, for drawing the affairs of Scotland entirely within her own control, and ultimately bringing that country under the domination of England. By this project,—an outline of which in the handwriting of its author is still extant,—the young prince was to be sent by Moray to be educated in England, under the inspection of Elizabeth; Moray was to be nominally continued in his regency, but was to be entirely dependant on the English queen, by whom his whole public policy was to be dictated; while Mary was to be persuaded, by certain arguments minutely detailed by Cecil, to remain in England.¶

Mary's efforts for her own deliverance.

Elizabeth plans the subjugation of Scotland.

Mary was not long discovering this iniquitous plot, and having communicated it, in a highly coloured and probably somewhat exaggerated form, to her friends in Scotland, the whole country was roused to indignation. The intelligence flew like lightning from one extremity of the kingdom to the other. It was represented that the regent had sold his country to the English queen, "had offered to put the young king in her hands, to deliver to her the castles of Edinburgh and Stirling, and to receive English garrisons in them, and to do his endeavour to put in her hands all the rest of the strengths of the realm; that the regent should be legitimated and proclaimed successor, if the young king died without issue, and that he should hold the kingdom in fealty and homage of the Queen of England."* Among other rumours far too improbable for belief, it was alleged that an arrangement had been made for settling the English succession on the Earl of Hertford, who had engaged to marry one of the daughters of Cecil.† To allay the ferment excited by these reports, Elizabeth issued a proclamation, in which she specifically notices, and pointedly denies, every one of them in detail. With regard to the transference of the young prince to England, she says, "Although it is truth that some motions have been made,—as well by the Earl of Lennox and the lady his wife, being, as it is known, parents to the late murdered father of the prince, as by others,—that if hereafter it should be seen that the said prince could not safely continue in Scotland, from the attempts of the murderers of his father, and others his mortal enemies, that then he might be nourished in England, under the custody of such as now have the charge of him, and are known to have most tender care of him. But hereof was there never more of convention or accord; neither yet was there heard of her majesty any word of the Earl of Moray, or any of his company, to allow of any removing of the same prince out of Scotland, or out of the charge of them that now have his custody."‡ This statement, though destitute of truth, has nevertheless an appearance of candour, which must have told in Elizabeth's favour, and tended to re-assure the minds of the people of Scotland.

Consequent alarm in Scotland.

Elizabeth issues a proclamation to the Scottish people.

Moray, though he had received permission to return to Scotland, was in no haste to commence his journey. He had placed himself in a very embarrassing and even dangerous predicament. The Duke of Norfolk was greatly enraged against him for having broken the promises he had made at York, and thus damaged the cause of Mary, and interposed fresh obstacles in the way of the duke's marriage, so ardently desired, with that princess; and as the power of that nobleman was paramount in the northern counties of England, through which Moray must necessarily pass on his homeward journey, he was, not without reason, in dread of being waylaid and assassinated before he could reach the Scottish border. Nor was this all; the Earls of Northumberland and Westmoreland were

Moray's dangerous position.

* Goodall, vol. ii. pp. 310, 313; Tytler, vol. vii. p. 219; Labanoff.
† Labanoff, vol. ii. pp. 279, 280, 286, 296.
‡ Ibid., pp. 296, 297.
§ Labanoff; Mignet, vol. ii. pp. 64, 65.
‖ Mignet, vol. ii. p. 65.
¶ MS. British Museum, Caligula CI. fol. 273, 22nd December, 1568; Tytler, vol. vii. p. 223.

* Calderwood, vol. ii. pp. 473, 474; Tytler, vol. vii. p. 223.
† Robertson, vol. i. p. 494.
‡ Calderwood, vol. ii. p. 475; Haynes, pp. 500—503; Robertson, Appendix, No. XXVIII.

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exasperated at his having accused of such heinous crimes the Catholic heir to the English throne, to whose accession the Romish party looked forward with such high expectations; and, it is alleged, that a plot for the destruction of the regent had actually been organised, with the cognisance of both Mary and Norfolk, and the execution of it entrusted to the Earl of Westmoreland.* In this perplexing and perilous situation, Moray, through the intervention of Throckmorton, sought an interview with Norfolk;† during which he expressed deep contrition for what he had done, but declared that he was involuntarily drawn into the line of conduct he had pursued through the stratagems of the English queen. He affirmed that his only motive for having engaged at all in this distressing controversy, was his desire for the safety of the young prince, his sovereign; that his affection for his sister, who had ever been dear to him, remained unaltered; and that, if she would only renounce her impious marriage with Bothwell, and espouse some honourable person, such as the duke himself, he would be happy to promote the union, convinced as he was that it would be for the benefit of both nations. He even mentioned the affair to the Bishop of Ross, dispatched Robert Melvil to Mary herself on the same errand, and promised to use his influence with the Scottish nobility to obtain their consent. By these promises and assurances he completely succeeded in re-establishing himself in the favour of Norfolk, who forthwith sent injunctions to his adherents to abstain from obstructing the progress of the regent;‡ and, at parting, the duke pathetically exclaimed, "Earl of Moray, thou hast Norfolk's life in thy hands!"§ Moray was fully aware of the plots which had been concocted for his destruction, and had the precaution to remain several weeks in London, after having obtained leave to depart.‖

Moray is reconciled to Norfolk.

Even Mary herself was deceived by Moray's professions and promises. She had a numerous and influential party in Scotland still devoted to her cause; and she had appointed as her lieutenants the Duke of Chatelherault and the Earls of Argyle and Huntley; to the first of whom she had given the flattering title of her adopted father. The duke had the whole strength of the Hamiltons at his command; the influence of the two earls was predominant in the north; and Lord Boyd, with other powerful nobles, were enthusiastic in her cause. Nevertheless, Mary was so far imposed upon by Moray's artifices, that she enjoined her adherents in Scotland to abstain in the meantime from all hostilities. At the same time the English queen, having been apprised of Moray's danger by means of intercepted letters and sundry reports, thinking her own credit at stake, sent strict injunctions to the wardens of the northern counties, that when the regent came near the Borders they should take care to have him safely conveyed into Scotland. Many of the courtiers, too, offered to accompany him with a retinue; but this he courteously declined. Lord Home, also, having learned that the hostile lords had raised two hundred Liddesdale men for the purpose of intercepting the regent between Morpeth and Berwick, advertised Lord Hunsdon, the Governor of Berwick, of the circumstance, and sent post to the regent himself, desiring him to be upon his guard. In consequence of these precautions, and of direct instructions from Elizabeth herself, Moray was escorted to Berwick by a numerous company of armed men, and he reached Scotland in safety on the 2nd day of February, 1569.*

Mary is deceived by Moray's professions and promises.

Moray arrives in Scotland, 2nd Feb., 1569.

The regent, on his return, found the kingdom comparatively tranquil; but he was too well aware of the strength and deeply-rooted hostility of his adversaries to allow himself to be lulled into a false security. On the 12th of February he summoned a convention at Stirling, consisting of the nobility, clergy, and commissaries of the burghs, and obtained from them a general approbation of his conduct, and a ratification of his proceedings in England. He next gave orders for an immediate muster of his troops, and marched without loss of time to Glasgow, determined to surprise his enemies before they had leisure either to deliberate or to organise their forces.†

He summons a convention at Stirling, 12th Feb.

The Duke of Chatelherault having now returned to Scotland, his adherents assembled in great numbers, and having been joined by Cassillis and Lord Herries, he issued a proclamation, as the queen's deputy, commanding that no orders should be obeyed except those which were issued by himself and such persons as he might appoint, and stigmatising the regent as a usurper.‡ Disconcerted, however, by the activity and energy displayed by Moray, the duke and his adherents, whose followers lying in different quarters of the kingdom had not had time to unite their strength, were reduced to the necessity of coming to an accommodation. At a personal conference held with the regent at Glasgow, on the 13th of March, a provisional treaty of peace was concluded.§ It was stipulated, on the one hand, that the duke's party should acknowledge the young king's authority; and, on the other, that all who had been forfeited

The Duke of Chatelherault and his party meet the regent at Glasgow.

* Murdin's State Papers, p. 51; Melvil's Memoirs, p. 99.
† Melvil's Memoirs, p. 98.
‡ Melvil's Memoirs, p. 99; Lesley's Negotiations, Anderson, vol. iii. pp. 40, 41; Tytler, vol. vii. p. 224.
§ Robertson, Appendix xxxiii.; Anderson, vol. iii. pp. 36—39; Mignet, vol. ii. p. 53.
‖ Letter from Moray, Robertson, Appendix xxxiii.

* Calderwood, vol. ii. p. 476, 477.
† MS. Letter, State Paper Office, Moray to Cecil, 8th February, 1568-9; ibid., same to same, 17th February, 1568-9; ibid., 25th February, 1568-9; ibid., B C, Moray to Sir John Foster, 15th March, 1568-9.
‡ Calderwood, vol. ii. p. 477.
§ Diurnal of Occurrents, p. 141; MS. Letter, State Paper Office, 13th March, 1568-9.

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for their adherence to the queen should be restored, and that measures consistent with the sovereignty of the king should be taken for upholding her honour and dignity. It was farther agreed, that a committee selected from the nobles on both sides, and including the regent himself, the duke, the Earls of Argyle and Huntley, Morton, Mar, Atholl, Glencairn, and Lord Herries, should assemble at Edinburgh on the 10th of April, and concert measures for a general and definitive pacification of the kingdom. Finally, the regent agreed that the duke and his adherents should be allowed to return in security to their estates, whilst they consented to disband their forces, and to surrender, if required, themselves or their eldest sons as securities for the due performance of their part of the treaty.* This arrangement being concluded, the leaders of both parties repaired to Stirling, to pay homage to the young king; and there the Archbishop of St. Andrew's, the Earl of Cassillis, and Lord Herries, delivered themselves up to the regent as hostages; while he, on the other hand, liberated the prisoners who had been taken at the battle of Langside.†

A committee appointed for the pacification of the kingdom.

The regent, with his characteristic vigilance and activity, hastened to turn to account the interval of tranquillity thus afforded him. Instead of disbanding his forces, as was expected, he marched them against the Border freebooters, whose excesses, during his absence in England, had given rise to much grievous complaint and alarm throughout the frontiers of both kingdoms. In this expedition he was completely successful; and he and his followers, animated with fresh confidence in their own prowess, returned to Edinburgh in triumph.

The regent marches his troops to the Border.

In the meantime, Mary and her friends in England had not been idle. Plans had been secretly formed and matured, and negotiations entered into for her restoration; and the French king, having nearly completed his subjugation of the Huguenots, would, it was hoped, in a short time be at leisure to render assistance to his friends in Scotland. Mary, however, alarmed at the defection of her adherents and their recognition of the young king's authority, wrote to the duke and Lord Herries, expressing astonishment and dissatisfaction at the course they had adopted.‡ Her letters reached them the evening before the convention, and occasioned them such poignant distress, that the duke wept the whole night, Herries even fell sick,§ and both resolved to retract their acknowledgment of the king's authority.

Schemes of Mary and her friends in England.

On the morrow, the duke, Herries, Cassillis, and other nobles, who composed the committee, met at Edinburgh, as agreed on. Huntley and Argyle, who had refused to be included in the treaty, were not present. As a preliminary to the proceedings, the regent handed to the duke a paper containing an acknowledgment of the king's authority, and desired him to sign it. The duke objected to this demand as premature. They had met, he said, to deliberate regarding the measures to be pursued with respect to their captive queen, and this matter being arranged to their mutual satisfaction, he and his adherents were prepared to sign the acknowledgment. They had, he continued, observed every article of the treaty; they had placed themselves confidingly in his power; they had delivered hostages into his hands, and their lives and properties were now at his disposal; but they acted in reliance on his honour, and trusted that he would not sully his own reputation by deceiving them. The regent, without answering this remonstrance, immediately ordered his guards to arrest the duke and Herries. The latter was conveyed, a prisoner, to the castle without a moment's delay; and next morning the duke himself was subjected to the same indignity, both being placed in the custody of Kirkaldy of Grange.*

Meeting of the committee at Edinburgh.

The Duke of Chatelherault and Lord Herries imprisoned in Edinburgh Castle.

This unwarrantable and violent stretch of authority excited alarm and indignation throughout the country, and alienated from the regent many who had hitherto been his friends. The opposite party were exasperated beyond measure; but the regent allowed them no time to rally. He immediately marched his troops against Argyle and Huntley, who had risen in arms in the north, and who, in fact, had nearly the whole power of the northern districts at their command. Intimidated, however, by the bold conduct of the regent, finding him at the head of a numerous force, and having nothing less to expect, in case of defeat, than forfeiture and all the pains of treason, they did not venture to oppose him, but thought it prudent to come to an accommodation. Argyle was the first to submit, and Huntley, being left alone, soon afterwards followed his example. On the 10th of May they met at St. Andrew's, signed an acknowledgment of the authority of James VI., surrendered their artillery to the regent, and gave hostages for their peaceable behaviour for the time to come.† Pursuing his advantage, the regent now marched his army into the northern highlands, where the clans still remained faithful in their allegiance to the queen. He ravaged the

Popular alarm and indignation. Argyle and Huntley submit to the regent.

The regent reduces the clans to obedience.

* MS. Letter, State Paper Office, 15th March, 1569; Tytler; La Motte Fénélon, Correspondence, vol. i. pp. 300—302; Mignet.

† Tytler, vol. iii. p. 226; Cabbala, p. 161; Crawford's Memoirs, p. 106; Robertson; Tytler.

‡ Despatch from La Motte Fénélon to Charles IX., 6th May, 1569; Mignet.

§ Ibid.

* Melvil's Memoirs, p. 219; History of James the Sext, pp. 39, 40; MS. Letter, State Paper Office, Herries to Elizabeth, 5th July, 1569; Tytler; Crawford's Memoirs, p. 111.

† MS. Letter, State Paper Office, B. C., Lord Hunsdon to Cecil, 19th May, 1569; Spottiswood, p. 229; Tytler; Mignet.

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country, took possession of the castles, levied heavy fines on all who had distinguished themselves in the queen's cause; and, finally, succeeded in reducing them to obedience, and compelling them to swear allegiance to the king.

Proposed marriage of Mary with the Duke of Norfolk.

In the meantime, a numerous and influential party had been secretly organised in England for the purpose of promoting a marriage between Mary and the Duke of Norfolk. This union seemed a desirable one to men of all parties. The health of Elizabeth was in such a precarious condition, and had been liable for some time to such frequent fluctuations, that she was not expected long to survive; and as she had hitherto obstinately refused to regulate the succession to the crown, all classes looked forward with apprehension to the calamity of a dynastic war, such as had convulsed and desolated the country for nearly half a century, in consequence of the rival pretensions of the houses of York and Lancaster. The marriage of the first nobleman in the kingdom with the most direct descendant of Henry VII., and the nearest relative of the present sovereign, seemed to give assurance of an easy and peaceable solution of this difficulty, and was therefore looked on as a very desirable event. The Protestant party would view with pleasure the elevation of Norfolk, who professed to be a Protestant, to a position in which he might prove a bulwark to the established Church; and the Romanists gladly anticipated the accession of a princess under whose rule they might confidently hope, if not for ascendancy, at least for the utmost toleration. Accordingly, the scheme

Favourable reception of the project.

was joyfully acquiesced in by a large part of the nobility and other persons of influence both in England and Scotland. In the former, the Earl of Arundel, a member of the Privy Council, the Earl of Pembroke, Master of the Queen's Household, the Earls of Westmoreland and Northumberland, Lord Lumley, and other noblemen, all Roman Catholics, fully concurred in the project; and the Earls of Cumberland, Bedford, Sussex, and Derby, whom Norfolk consulted on the subject, gave at least a tacit approval. Even Leicester himself professed to be zealous in the cause, though his sincerity seems open to suspicion. Throckmorton and Cecil also signified their approval, and contributed their assistance.* In Scotland the scheme received the apparent concurrence of the regent and his secretary, John Wood, and was actively promoted by Lethington and the Bishop of Ross. Norfolk looked abroad as well as at home for assistance. He consulted with the ambassadors of France and Spain,† and received from them an assurance of the favourable disposition of their respective sovereigns;‡ nor did he and his coadjutors despair of obtaining the assent of Elizabeth, even by force, if other means should fail.*

Mary writes to Elizabeth.

Impatient of the state of captivity in which she was so long and unjustly detained, and reduced to desperation by the discomfiture and dispersion of her party, Mary now wrote in dignified and energetic terms to the English queen. She denounced the violent proceedings of Moray, who, notwithstanding Elizabeth's pledges, had proceeded to put down by force of arms, and to treat as rebels, all who had remained faithful in their allegiance to their queen; and she requested, once for all, and "without any further trifling," to be explicitly informed whether or not Elizabeth intended to restore her to her country. "Any other answer," she added, "I cannot but take to be a refusal, which would cause me, to my great regret, to accept any other aid that it might please God to send me."† Elizabeth, whose relations with foreign powers, particularly with France and Spain, were at that moment in a very precarious state, was justly alarmed by this menace; and, in accordance with her usual

Elizabeth opens negotiations with Mary.

temporising policy, sought to avert the danger, or at least to postpone the crisis, by entering into a negotiation with the captive queen. Recognising the Bishop of Ross as Mary's ambassador, she feigned a willingness to treat on the basis of certain proposals made by the bishop, and submitted to her and her Privy Council. In these proposals, which are said to have been drawn up by Leicester,‡ it

Elizabeth's proposals.

was stipulated: First, that the Scottish queen shall not disturb the government of the Queen of England, or the legitimate heirs of her body, by affecting any title to the crown during their lifetime, provided that, in their defect, the title of the Queen of Scotland and her heirs to the succession be fully recognised. Secondly, a treaty of alliance and friendship between the two kingdoms shall be entered into with the advice of the Estates in both countries. Thirdly, the two foregoing stipulations shall be confirmed by the oath of both queens, and sealed with their seals, having first been ratified by the parliaments of both nations; and, as a further guarantee on the part of the Queen of Scots, she will procure the Kings of France and Spain to be securities for the fulfilment of her promises. Fourthly, the Queen of Scotland shall extend her clemency to all her subjects who have offended her during the late troubles, provided they be now willing to return to their allegiance, to give up to her keeping the young prince her son, to restore to her her jewels and other property of which they had deprived her, and to deliver over to her the strongholds of the kingdom, now in their possession. Fifthly, all concerned in the planning and execution of the murder of the late king shall be

* Lesley's Negotiations, Anderson, vol. iii. pp. 51, 61, 62; Camden's Elizabeth, Kennet, vol. ii. p. 420; Throckmorton to Lethington, 20th July, 1569; Robertson, Appendix XXXII; Tytler; Mignet.

† Despatch from La Motte Fénélon, vol. ii. p. 127.

‡ Lesley's Negotiations, Anderson, vol. iii. p. 63.

* Despatch from La Motte Fénélon, 27th July, 1569, vol. ii. pp. 126, 127.

† Mary to Elizabeth, 26th April, 1569, Labanoff, vol. ii. p. 333.

‡ Camden's Elizabeth, Kennet, vol. ii. pp. 419, 420.

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brought to trial without delay, and punished according to the laws of the realm. Sixthly, the queen shall promise never again to receive into her kingdom the Earl of Bothwell, but shall, by the advice and consent of her nobles, obtain a divorce from him. Seventhly, all these stipulations having been agreed to, the Queen of England shall provide an honourable escort to convey the Queen of Scotland back to her dominions, where she shall be re-instated in her authority, and all acts and statutes to the contrary shall be annulled.* These proposals having been deliberately considered and adopted by the Privy Council, Lord Boyd was dispatched with them to Mary, with the understanding that, if they obtained her consent, they were to be submitted to the consideration of the Scottish nobility. Without the knowledge of Elizabeth, to these articles there was added one relating to the marriage of the Scottish queen with the Duke of Norfolk, and recommending this union as calculated to promote the tranquillity and cement the friendship of the two kingdoms. The article runs thus: "Because it was feared that the Queen of Scotland might marry some foreign prince, whereby the religion of the country might be altered, and the good estate of both realms endangered, it is therefore desirable that she should accept some nobleman of England in marriage, specially the Duke of Norfolk, who is first of the nobility of that realm, and most fit of all others."† To add greater weight to this overture, the Earls of Leicester, Arundel, and Pembroke, and Lord Lumley, sent Mr. Candish as a special messenger to accompany Lord Boyd to Tutbury, carrying with him some valuable presents to Mary, together with a very affectionate letter written by Leicester himself.‡ Mary at once assented to nearly all the conditions proposed; but, with regard to some of them, she requested time to consult some of her foreign allies. Respecting the marriage with Bothwell, she said, in reply to Mr. Candish, "that she had been so vexed by her marriages in times past, that she had no thought of any such matter, but rather was minded to live a solitary life all her days; yet, nevertheless," she added, "all other things being agreed and concluded to her honourable satisfaction, she was content to use the advice of the queen and nobility of England in her marriage, and specially in favour of the Duke of Norfolk, whom she liked before all others, because he was well reported of and loved by the nobility and estates of his country."§

Mary's answer.

The projected marriage was still carefully concealed from Elizabeth; but being strongly urged to complete a treaty for the restoration of Mary, on the basis of the proposals made by the Bishop of Ross, she once more submitted the matter to the consideration of her Privy Council. The conference resulted in Lord Boyd being dispatched to Scotland with the proposals of the Queen of England and her nobility.* He carried with him letters to the regent from Elizabeth, Mary, the Duke of Norfolk, and Sir Nicholas Throckmorton. He met Moray at Elgin, on his return from his expedition against the clans of the north, and presented him with his letters and despatches. In the letter of the English queen, three propositions were made with respect to Mary, any one of which might be adopted. First, she might be re-instated unconditionally and absolutely in her authority as Queen of Scotland; or, secondly, she might be associated with her son in the government of the kingdom, while Moray should continue to act as regent, until the prince should attain the age of seventeen years; or, thirdly, without having any share in the government, she might reside in Scotland as a private individual, but enjoy the title of queen in public acts and patents, and be provided with a maintenance suited to her exalted rank.† Mary's letter chiefly referred to her marriage with Bothwell, and intimated her desire that that marriage should be reviewed by properly qualified judges, in order that, if found illegal, it might be declared null, and she should be free to marry whom she pleased. Norfolk, in his letters to the regent, reminded him of his promise when they last met with regard to the marriage, and urged him to its fulfilment. "I have proceeded," he said, "so far therein that I can neither with conscience revoke what I have done, nor with honour proceed further, until you shall remove all such stumbling blocks as are hinderances to our more apparent proceedings. When these obstacles are removed, the rest shall follow to your contentment and comfort. Wherefore my earnest request to you, my good lord, now is, that you will proceed herein with such promptitude, that the enemies to this good purpose of uniting this land into one kingdom in time coming, and of maintaining God's true religion, may not have opportunity, through delay, to hinder our determination."‡ He farther referred the regent to Lord Boyd for the removal of any doubts or scruples he might entertain; and, in conclusion, assured him that he felt for him the affection not only of a faithful friend, but of a natural brother.§

Lord Boyd dispatched to Scotland with proposals from Elizabeth, and letters to the regent.

Throckmorton had entrusted Lord Boyd with letters both to the regent and to Lethington. To the former he remarked, that he must now lay aside all his conscientious doubts and scruples; that the proposed marriage of his sister with Norfolk had gained the approbation and support of a party so numerous and powerful that opposition on his part would be not only vain, but ruinous; while, on the other hand, his active co-operation would render

* Lesley's Negotiations, Anderson, vol. iii. pp. 46—49; Mignet, vol. ii. p. 79.
† Anderson, vol. iii. pp. 50—52.
‡ Camden, vol. i. p. 186.
§ Ibid., vol. iii. pp. 53, 54.

* Lesley's Negotiations, Anderson, vol. iii. pp. 54, 55.
† Calderwood, vol. ii. p. 489; Tytler, vol. vii. p. 232; Mignet, vol. ii. p. 85.
‡ Letter from Norfolk to Moray, 1st July, 1569, in Haynes, p. 520.
§ Ibid.

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him one of the most beloved and popular men of which the kingdom could boast. To Lethington, with whom he had contracted an intimate friendship during his frequent embassies to Scotland, he also strenuously recommended the union as a most fortunate one for both kingdoms, and urged him to promote it to the utmost of his ability. He assured him that the whole nobility of England were in favour of the project; that even Cecil himself had signified his approval; and that it only remained now to obtain the consent of Queen Elizabeth, which he believed would not be refused. "It has been hitherto," he added, "concealed from Elizabeth that you, as the fittest minister, might propound it to her on behalf of the regent and nobility of Scotland." *

Lethington was perhaps as eager for the accomplishment of the project as Throckmorton himself. With the regent, however, the case was different. The restoration of the queen would obviously involve the downfall of his own authority; and he was too ambitious of power, and had already sacrificed too much both of principle and character to acquire and to retain it, recklessly to lend himself to the promotion of a scheme by which it would be wrested from his hands. He was, however, desirous of saving appearances with Norfolk, whom it would now be dangerous, as well as disgraceful, a second time to deceive. He accordingly flattered Lord Boyd into the belief that he was personally anxious to forward the views of Norfolk, and would do his utmost to promote them. At the same time he referred him to the General Assembly of the Estates of the kingdom, which he had appointed to meet on the 26th of July. Meanwhile, however, with profound dissimulation, he secretly endeavoured to persuade his adherents to reject the proposal as fraught with danger both to the cause of the Reformation and of the young prince.†

The regent summons a General Assembly of the Estates of the kingdom.

The important convention, on which so many hopes and fears were suspended, met at Perth, as had been appointed, on the 26th July. The three proposals transmitted by the English queen claimed priority of consideration; and the result was precisely what that crafty princess had desired and anticipated, and the regent had laboured to secure. The first proposition—that Mary should be re-instated in her sovereign authority as Queen of Scotland—was rejected without discussion. The second—that she should be associated in the government with her son—was voted dangerous, if not impracticable.‡ The third—that she should live in Scotland as a private individual—though not absolutely rejected, met with but little favour, and after a brief discussion, was reserved for future consideration.

Meeting of the Assembly, 26th July.

When Mary's letter respecting a divorce from Bothwell was read to the convention a debate ensued, in which much violence and acrimony were displayed on both sides. In this discussion Lethington, on the one side, and Macgill, the Clerk-Register, on the other, took a prominent part. The former strongly advocated the dissolution of the marriage, and maintained that this might be effected without detriment either to the Church or the young king. Macgill, in reply, stigmatised the style of Mary's letter as an insult to their sovereign, inasmuch as she had designated herself Queen of Scotland, whereas they had no other sovereign than the young king, her son. He further expressed indignation at her having addressed as head of the Church the Archbishop of St. Andrew's, "an obstinate rebel, a heretic, and a papist." He maintained that the convention, by listening to such a proposal, would in some degree admit its justice; while to grant it, would involve them in the guilt of treason and blasphemy. It was answered that, as to the style of the queen's letter, a new procuration would be obtained, conceived in such terms as would be agreeable to all parties. To this it was replied, that there was no occasion for haste; for, as Bothwell was out of the country, the law required that he should have a citation of sixty days, within which time she would have leisure to send a new commission; but, if she really desired to get rid of Bothwell, she might write to the King of Denmark, requesting that he might be put to death for the murder of her husband, and then she might marry whom she pleased.* Lethington taunted his opponents, who had recently been clamorous for a divorce, with having so suddenly and unaccountably changed their minds, when he was interrupted by Richardson, the Treasurer, who charged him with having spoken treasonably, inasmuch as he had argued against the authority of the king; and he denounced as traitors, and threatened with the penalties of the law, all who should dare to support him. This menace put an end to this tumultuous debate; Mary's application for a divorce was refused,† and the Assembly broke up in anger and confusion. Thus were the prospects of the unfortunate Mary for a moment lighted up with an illusory gleam, only to be enveloped in more hopeless obscurity; whilst her relentless cousin, and her brother, triumphed in the success of their cruel and treacherous policy.

Violent discussions.

Mary's divorce refused.

A still heavier trial, however, awaited the captive queen. Her plans, and those of the Duke of Norfolk, had been confided to so many persons of different ranks in society that rumours of the matter, as might have been expected, at last reached the watchful ears of Elizabeth. At first she was not aware that the project had been so far matured, and had extended into so many ramifications, so

* Sir Nicholas Throckmorton to Lord Lethington, 20th July, 1569, Robertson, Appendix xxxii.

† Anderson, vol. iii. p. 70.

‡ MS. Letter, State Paper Office, Lord Hunsdon to Cecil, Berwick, 5th August, 1569; Mignet, vol. ii. p. 86.

* Calderwood, vol. ii. pp. 489, 490.

† MS. Letter, State Paper Office, Lord Hunsdon to Cecil, Berwick, 5th August, 1569; Tytler, vol. vii. p. 235; Historie of James the Sext. p. 41.

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that she contented herself for the present with mysterious hints to Norfolk about his ambition, desiring him to take care on what pillow he laid his head, and commanding him, on pain of forfeiting his allegiance, to have nothing more to do with the Queen of Scots. Her suspicions, however, being now awakened, she could not rest until she had laid open the whole of the intrigue, which, in the progress of her investigation, began to assume an aspect at once threatening and mysterious. She soon discovered that even her council were in favour of this project, and had already given it both countenance and support. She was still farther alarmed to find that the hopes of the Romish party had become strangely revived and elevated in the anticipation of this union; and as La Motte Fénélon was incessantly urging her, in the name of his sovereign, to re-instate the Queen of Scots in her dominion, she now angrily replied that she would never give her consent to this proposal, and that Mary had by her crimes deserved the imprisonment to which she was subjected. "I am aware," she said, "of all the intrigues that have been carried on since she entered this kingdom. Princes have large ears, which hear far and near. She has attempted to move the interior of this realm against me, by means of some of my subjects, who promise her great things; but they are persons who conceive mountains, and bring forth only mole-hills. They thought I was so foolish that I should not perceive their doings." *

Norfolk, notwithstanding the prohibition and threat of Elizabeth, did not abandon his project. He seems still to have clung to the belief that the full extent to which the intrigue had been carried might, for a time at least, be concealed from Elizabeth, and that at length a knowledge of the numbers and power of his party would intimidate her into a reluctant consent to the marriage. The dread, however, of some premature disclosure, together with some vague idea of prosecuting his design by means of a rising in his favour, if milder means should fail, induced him suddenly, on the 23rd September, to withdraw from court to his seat in Norfolk; and, soon after, the Earls of Arundel and Pembroke, and Lord Lumley, following his example, retired to their estates; † whilst the Earls of Northumberland and Westmoreland actually held themselves in readiness to effect a rising in the northern counties. They had already even proceeded so far as to contemplate changing the established religion of the country. ‡ In the meantime, however, the whole plot was discovered by Elizabeth, whose indignation and resentment, now excited almost to frenzy, Leicester hastened to avert from himself by making a full disclosure of the secret. Several of his associates took the same course; and the regent himself, in answer to a message from the English queen, was so base and obsequious as at once to deliver into her hands the whole of his secret correspondence with Norfolk, together with an apology for the part he had taken in the transaction. He declared that the dread of assassination had induced him to lend his countenance to a scheme of which he never approved, and endeavoured to palliate his own offence and that of his supporters by representing that the leniency and even favour with which she herself had treated Mary, had left them in some measure in doubt as to the line of conduct they ought to have pursued. *

Norfolk withdraws from court.

Elizabeth discovers the whole plot.

The regent delivers up to Elizabeth his correspondence with Norfolk.

The duke, on his arrival in Norfolk, surrounded himself with Roman Catholics. Indeed, though professing to be a Protestant, there is much reason to doubt his sincerity. Calderwood expressly affirms that, "howsoever the Duke of Norfolk made a show of profession of the true religion, yet was he in heart a papist. His sons were brought up in papistry; the chief men of trust in his house were papists; the last wife he married was a papist, and now he is as bent to marry a papist; his chief accomplices in the conspiracy were papists." † Norfolk's danger, however, was now imminent; and no alternative was left him but submission or rebellion. Had he followed the counsel of his friends, the Earls of Northumberland and Westmoreland, he would at once have taken the field. But he was not equal to the occasion; for, at the last hour, a more timid policy prevailed. He wrote an humble letter to Elizabeth, attributing his absence from court to grief on account of her displeasure, assuring her that he had all along firmly resolved never to marry the Queen of Scots without her majesty's full consent, acknowledging his error in having so long delayed to acquaint her majesty with his wish, but protesting that he was as much as ever devoted to her service, and had never entertained any thought inconsistent with his allegiance to her as his sovereign. Elizabeth, however, was in no mood to listen to apologies and explanations; but, vouchsafing no answer, commanded him to return to London within four days, on pain of treason. She at the same time summoned the Earls of Arundel and Pembroke, and Lord Lumley, to appear and take their places in the council without delay. ‡ Norfolk hesitated for some days, and consulted Cecil as to his safety. Cecil induced him to believe, and probably himself believed, that the queen's resentment would proceed no farther than words. The duke accordingly obeyed the summons, and was forthwith committed to the Tower. § Pembroke, Arundel, and Lumley, who at once obeyed

Norfolk is summoned to court.

He is committed to the Tower.

* Despatch of La Motte Fénélon, 1st September, 1569, vol. ii. pp. 211, 212.
† Anderson, vol. iii, pp. 72, 73.
‡ La Motte Fénélon's Correspondence, vol. i. p. 258—262, 16th March, 1569.

* MS. Letter, State Paper Office, Moray to Cecil, Dumfries, 29th October, 1569; Tytler, vol. vii. p. 236.
† Calderwood, vol. ii. p. 508.
‡ Haynes, pp. 529, 530.
§ Ibid., pp. 528, 533.

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the royal mandate, and were not considered so deeply implicated as Norfolk, were confined and guarded in their own houses.*

Before his arrival in London, Norfolk had sent a special messenger to his brother-in-law, the Earl of Westmoreland, who, in conjunction with the Earl of Northumberland and others, was on the point of raising the standard of rebellion, desiring him in the meantime to keep quiet, as any appearance of insurrection would expose the duke to almost certain destruction. When the messenger reached Topcliff, the seat of the Earl of Northumberland, where the conspirators were then assembled ready for action, observing Westmoreland in the park, "he required him," in the duke's name, "for all the brotherly love that existed between them, not to stir; for, if he did, the said duke was then in danger of losing his head." † The surrender and imprisonment of Norfolk did not, however, prevent the outbreak of rebellion, though it lessened the probability of its success. The Romanists of the northern counties, animated with the most extravagant expectations of the ascendancy of their party, were all disposed to take up arms; and under the guidance of the Earls of Northumberland and Westmoreland, and the heads of other ancient and powerful families residing in that quarter, had held frequent meetings to concert measures for the deliverance of the Queen of Scots, and the restoration of their ancient faith; when the Earl of Sussex, in obedience to the command of Elizabeth, summoned the two earls to meet him at York, and demanded to know what were their intentions. They, nevertheless, so far succeeded in imposing on the credulity of Sussex, and lulling his fears asleep, that they were permitted to remain at liberty. Still, however, they hesitated as to the course they should adopt, until at last their fears for their own safety impelled them to a decision; and, being again requested by Sussex to meet him at York, and commanded by the queen to attend her at court, they refused to obey; ‡ so that they had now no alternative but flight or open rebellion.

Northumberland and Westmoreland raise the standard of rebellion.

The latter was determined on; and accordingly, on the 14th of November, they marched from Brancepath, the residence of the Earl of Westmoreland, at the head of five hundred horsemen,§ and proceeded towards Durham. They were ranged under a banner containing a device intended to represent the Lord Jesus Christ on the cross, with his five bleeding wounds—an ensign plainly indicating the object of the enterprise.‖ The people of Durham having opened their gates to the rebels, they found themselves, without a struggle, masters of the town; and proceeding to the cathedral, they burned the Bible and service-book, broke in pieces the communion-table, and restored the Romish form of worship.* They then issued a proclamation, setting forth that their object was to procure the liberation of Mary and the recognition of her right of succession to the English throne; to re-establish the Roman Catholic religion; and to liberate the Duke of Norfolk, the Earls of Arundel and Pembroke, and Lord Lumley, whom they announced as being of their party.† "Forasmuch," they proclaimed, "as divers disordered and evil-disposed persons about the queen's majesty have, by their subtle and crafty dealing to advance themselves, overcome, in this our realm, the true and Catholic religion towards God, and by the same abused the queen, and disordered the realm,—and now, lastly, seek and procure the destruction of the nobility,—we therefore have gathered ourselves together, to resist by force, and the rather by the help of God and you good people, and to see redress of these things amiss, with restoring of all ancient customs and liberties to God's Church and this noble realm, lest if we should not do it ourselves, we might be reformed by strangers, to the great hazard of the State of this our country." ‡ Such was the favourable reception of this proclamation that they speedily found themselves at the head of a thousand cavalry, and of five or six thousand infantry, in a state of tolerable equipment.§ They farther sought assistance from the King of Spain, and secured the co-operation of the Duke of Alva and the Bishop of Ross. Alva promised to aid them with a numerous force, and sent over to their assistance the Marquis of Vitelli, one of his ablest officers, under the pretence of carrying a message to Elizabeth. The queen, however, suspecting his real intentions, compelled him to leave his military escort at Dover; while he himself proceeded to London, with not more than five attendants.‖ In the north the malcontents were joined by Sir Egremont Ratcliffe, brother to the Earl of Sussex,¶ while the earl himself, remaining true to his allegiance, prepared for the defence of York.** The Wardens of the Eastern, Middle, and Western Marches, were in readiness to defend the towns of Berwick, Newcastle, and Carlisle.†† Meanwhile the insurgents, meeting with no opposition, made themselves masters of Richmond, Allerton, and Ripon; and Christopher Neville was sent to fortify Hartlepool, where supplies from the Duke of Alva were expected speedily to be landed.‡‡

They take possession of Durham, and issue a proclamation.

The Duke of Alva promises assistance.

Elizabeth, now seriously alarmed, began to take

* Haynes, pp. 534—536.
† Sharpe's Memorials of the Rebellion, Appendix, pp. 195, 196.
‡ Haynes, p. 52; Sharpe's Memorials, pp. 27, 292, 294.
§ Sharpe's Memorials, pp. 37, 322.
‖ Strype's Annals of the Reformation, vol. i., part ii., p. 323.

* Sharpe's Memorials of the Rebellion, pp. 36, 37.
† Ibid., pp. 193, 202, 203.
‡ Strype, vol. i., part ii., p. 313.
§ Ibid., p. 315; Sharpe's Memorials, pp. 65, 66, 71.
‖ Gonzalez Apuntamientos, pp. 95, 96; Labanoff, vol. ii. pp. 386, 387; Haynes, pp. 511, 544.
¶ Sharpe's Memorials, p. 71.
** Ibid., pp. 76, 77.
†† Ibid., p. 77.
‡‡ Ibid., pp. 79, 80

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most energetic measures for crushing the rebellion, and defending the country from foreign invasion. At the outbreak of the insurrection, the Scottish queen had been subjected to a more rigorous imprisonment, and for this purpose had been re-conveyed from Winkfield (where she had been confined for about five months) to Tutbury, and there committed to the custody of the Earl of Huntingdon, a nobleman who was particularly obnoxious to her, who was associated in his odious office with her former keeper, Shrewsbury. Her favourite domestics had been dismissed, her actions more strictly watched, and her letters intercepted.* Now, however, Elizabeth, justly dreading the effect of her liberation, if that should be attempted, ordered her to be removed from Tutbury to Coventry,† where, it was hoped, she would be beyond the reach of the insurgent party; and this precaution, in fact, frustrated the intention of the rebels, who had actually resolved to march from Durham to Tutbury, in order to set Mary at liberty.‡ It even appears that an order under the Great Seal had been issued for her execution, which would have been carried into effect but for the speedy suppression of the rebellion.§ As a precaution against foreign invasion, Elizabeth gave orders for seven of her largest ships of war to cruise between the coasts of England and the Netherlands.‖ She farther issued a proclamation, declaring the Earls of Northumberland and Westmoreland rebels and traitors; and gave orders to Lord Hunsdon and Sir Ralph Sadler to join the northern contingents, under the Earl of Sussex, with all the forces at their disposal.¶ She appointed lieutenants to levy subsidiary forces in the different counties of the kingdom, and gave directions for the immediate formation of two armies in the south, under the command respectively of the Earl of Warwick and Admiral Clinton, who had orders to proceed with all expedition towards York, to the assistance of the Earl of Sussex against the rebels.**

Mary is removed to Coventry.

Elizabeth adopts energetic measures.

While these exertions were being made on the part of the government, the rebel army had overrun the open country, and passed through the unfortified towns as far as Boroughbridge; but seeing no appearance of the succours they expected from the Pope and from Philip II. of Spain, they became dispirited, and, after a short delay, commenced a retrograde movement.†† Having in vain attempted in their progress to intimidate the inhabitants of the larger towns, or to seduce them from their allegiance, they laid siege to Barnard Castle. This fortress was gallantly defended for twelve days by Sir George Bowes; but provisions falling short, and a mutiny having arisen in the garrison, he was forced to surrender.* This, however, was the last success obtained by the rebels. The queen's forces, now organised and united as to their plans of action, were preparing to assail them at all points. Sir John Foster, Warden of the Middle Marches, surprised and took possession of Northumberland's castles of Alnwick and Warkworth, and effectually prevented any communication between him and his retainers in these quarters. He then directed his course towards Newcastle, where, having been joined by Sir Henry Percy, Northumberland's brother, he attacked and vanquished the rebels in the north of Durham.† Meanwhile the Earl of Sussex, with a force consisting of twelve hundred cavalry and four thousand foot soldiers, advanced to meet the insurgent army under the two earls, and to offer them battle;‡ and the united armies, amounting to twelve thousand men, under the command of the Earl of Warwick and Admiral Clinton, were advancing from the south by forced marches, to attack them.§ In these hopeless circumstances they assembled their followers at Durham, on the 16th December, and, resolving to abandon an enterprise in which it seemed madness any longer to persevere, they disbanded their infantry, and retreated with their cavalry first to Hexham and afterwards to Naworth Castle, in Cumberland, where they dispersed the remainder of their force, with the exception of a small detachment of cavalry, with which they fled into Scotland.‖ Westmoreland, accompanied by Sir Egremont Ratcliffe and a few other leaders of the discomfited insurgents, were hospitably received by the Border chiefs of Buccleuch and Fernyhirst;¶ whilst Westmoreland sought refuge in the Tower of Harlaw, a stronghold belonging to Hector Armstrong, a Border freebooter.**

The rebels lay siege to Barnard Castle. Its surrender.

They are beset by the queen's troops, and abandon the enterprise.

Northumberland and Westmoreland take refuge in Scotland.

Thus ended an insurrection which, with less rashness and greater ability on the part of its leaders, and prompt support from their powerful foreign adherents, might have endangered, if not overthrown, both the throne of Elizabeth and the Established Church of the realm, raised the captive Mary to the sovereignty of the English nation, and restored the Romish Church to its ancient power and splendour in England. Such a result would have changed the whole aspect of public affairs in Britain, and would probably have checked the

* Lesley's Negotiations, Anderson, vol. iii. p. 78.
† Labanoff, vol. ii. p. 395.
‡ Labanoff, Chronological Summary.
§ Letter from Leicester, 10th October, 1585; Tytler, vol. vii. p. 383.
‖ La Motte Fénélon's Correspondence, vol. ii. pp. 401, 402.
¶ Sharpe's Memorials, pp. 55, 67, 68; Haynes, pp. 553, 555.
** Ibid., 560—567; La Motte Fénélon, vol. ii. p. 401.
†† Sharpe's Memorials, pp. 65, 66.

* Sharpe's Memorials, pp. 95, 98.
† Lingard, vol. viii. pp. 52, 58; Camden in Kennet, vol. ii. pp. 421, 422.
‡ Sharpe's Memorials, pp. 78, 102, 103.
§ Ibid., p. 108.
‖ Sharpe's Memorials, pp. 104, 109; La Motte Fénélon's Correspondence, vol. ii. p. 426.
¶ Ibid., pp. 148, 150, 295; Tytler, vol. vii. p. 242.
** Copy of the time, State Paper Office, instructions for Mr. George Cary, signed by Sussex, Hunsdon, and Sadler, 22nd December, 1569; also MS. Letter, State Paper Office, copy of the time, Moray to Sussex, Peebles, 22nd December, 1569; Tytler; Calderwood, vol. ii. p. 509.

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progress of the Reformation in both kingdoms for centuries. But, while we have reason to rejoice that divine Providence brought about a different result, there is little satisfaction in the reflection that the power of the unprincipled Elizabeth became thereby more firmly consolidated; and humanity will weep over the cruel captivity in which the unfortunate Queen of Scots was now hopelessly left.

The regent, greatly alarmed by the intelligence of the Roman Catholic insurrection, whose success would have overthrown his own power, and anxious to evince his devotion to the cause of the English queen, to whom he owed so much, and still looked for support, had hastily embodied a large force, which he summoned to assemble at Peebles, on the 20th December, in order to march across the Border to the assistance of his ally; but the sudden termination of the contest rendered his aid unnecessary.* Notwithstanding the servility of the regent in delivering up to Elizabeth his correspondence with the Duke of Norfolk, he had, ever since the discovery of his intrigue with that nobleman, fallen under her distrust and suspicion. She had even ordered Cecil and Lord Hunsdon, the Governor of Berwick, to keep a watchful eye upon his proceedings; so that while he had failed to propitiate his patroness, he had, by his betrayal of Norfolk, incurred the odium and resentment of a large party in Scotland, who had formerly been his supporters. At the head of this party was the restless and intriguing Secretary Lethington, who, aware that he was now viewed with suspicion by the regent, placed himself for greater security under the protection of the Earl of Atholl;† and, being at a distance from court, and encouraged by the presence of his friends, he never ceased his exertions in favour of Mary. The regent at length resolved at all hazards to get rid of Lethington. With this view he summoned him to Stirling, to attend a meeting of the council in his official capacity as secretary, under pretence that his assistance was necessary in conducting the affairs of the government. Lethington obeyed with reluctance, for he was not without suspicion of some sinister intention on the part of the regent. The council was attended by Morton, Mar, Glencairn, Lindsay, Atholl, Semple, and others; and scarcely had the secretary taken his seat, when Captain Crawford, a retainer of the Earl of Lennox, requested to be admitted to an audience on behalf of that nobleman, on business of great and urgent importance. On being allowed to enter, he fell down on his knees, and solemnly accusing William Maitland of Lethington and Sir James Balfour of having been the murderers of the late king, demanded justice.‡ Lethington, amidst the astonishment and consternation of the council, listened to the charge with contemptuous indifference, and coolly remarked, that he thought his long and faithful services to the state might have exempted him from the suspicion of such a revolting crime, and from being accused by a person of so mean a rank; but, since the charge had been made, he was ready to find security to stand his trial on any day that might be appointed, and had no apprehensions as to the result. Crawford, however, still kneeling, vindicated his own rank as a gentleman and a servant of the late king; declared his readiness to prosecute the offenders, and his ability to prove the charge; and appealed to the council whether bail ought to be accepted in such a case. A long and violent altercation ensued, which resulted in the offer of security being refused; whereupon the secretary was instantly arrested, and, by command of the regent, was conveyed to Edinburgh, and confined in the house of Forrester, one of Moray's dependents.* Meantime a party of horse was dispatched to Sir James Balfour's residence at Monimail, in Fifeshire; and, having made him prisoner, conveyed him also to the capital, whence he was transferred to the Castle of Blackness; but, after a short confinement, he was at the earnest intercession of some of his friends set at liberty.†

Lethington is accused before the council of the murder of the king.

Lethington is arrested by command of the regent.

Moray's triumph over the secretary was but of short duration. Kirkaldy of Grange, Lethington's old associate and tried friend, proceeded after nightfall to the house in which he was confined, and presenting a counterfeit order from the regent for his release, succeeded in conveying him in safety to Edinburgh Castle, of which Kirkaldy was then governor. Here the secretary found an asylum until the 22nd of November, the day that had been appointed for his trial.‡ He still, however, declared himself ready to answer to the charges brought against him; and the regent, on his part, had fully determined to proceed with the trial.§

He is liberated by Kirkaldy of Grange.

Moray's popularity had reached its acme at the time of his accession to the regency. From the commencement of the conferences at Westminster it began to decline; and, at the period of which we now speak, he had become odious to a large number of the nobility and to the great mass of the people, including many who still gave him an outward show of support from a regard to their own class interests.‖ Lethington, on the other hand, was one of the ablest and most popular men in the king-

* MS. Letter, State Paper Office, Moray to Cecil, 22nd November, 1569; MS. Copy, State Paper Office, the regent's proclamation, Edinburgh, 18th December, 1569.

† Tytler, vol. vii. p. 238.

‡ MS. Letter, State Paper Office, B C, Lord Hunsdon to Cecil, Newcastle, 7th September, 1569; Diurnal of Occurrents, pp. 147, 148; Tytler, vol. vii. p. 239.

* MS. Letter, State Paper Office, Moray to Cecil, Stirling, 5th September, 1569; also, Lord Hunsdon to Cecil, Alnwick, 8th September, 1569; Diurnal of Occurrents, pp. 147, 148.

† Calderwood, vol. ii. p. 505.

‡ Melvil's Memoirs, p. 218; MS. Declaration of Robert Melvil, in the Hopetoun Papers; Calderwood, vol. ii. p. 505.

§ Tytler, vol. vii. pp. 240, 244.

‖ Melvil's Memoirs, p. 220.

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dom; and of this the regent was soon furnished with a very mortifying proof. At an early hour in the morning of the day appointed for the trial, multitudes of the secretary's friends assembled in arms; Lord Home occupied the streets of Edinburgh with a large body of cavalry; and, as the day advanced, the concourse of armed men became so numerous, that the Earl of Morton, who was to be the principal accuser of the secretary, though backed by three thousand followers, whom he had assembled near Dalkeith awaiting the orders of the regent,* refused to venture into the city. To crown all, Kirkaldy, the staunch friend of the accused, held the castle, which completely commanded the town. Lethington's counsel, Clement Little, an able and accomplished lawyer, now appeared at the bar of the tribunal, and submitted that as his client had appeared, and was ready to stand his trial, but no prosecutor had come forward to accuse him, he was entitled to a verdict of acquittal. The regent, however, who had taken the precaution of surrounding himself with a strong guard, rose and declared that so long as the court was surrounded with armed men, the trial should not proceed. "When ye enterprised," said he, "the revenge of the king's slaughter, I was in France. You desired me to come home and take upon me the regiment. You caused me to take an oath that I should to the uttermost revenge the murder of the king; and ye, on the other part, swore to fortify me. Now, there is a gentleman accused of this murder, but ye have convened to hinder justice. Therefore, ye shall understand, I will continue this day of law to another time. If he be clean, he shall suffer no harm; but if he be found guilty, it shall not be in your hands to save him."† Such was the regent's speech, as reported by Calderwood; nor does it differ in any material point from the report given by Moray himself the next day, in a letter addressed to Cecil. But, what is of much more importance, the same letter proves beyond a doubt the humiliating position of subserviency to England in which he had placed himself and his country. It in fact appears that the prosecution of the Scottish secretary was mainly undertaken with a view to gratify the English queen, to whom he had become an object of intense dislike, on account of the prominent part he had taken as a partisan of Norfolk. From the same source we learn that Moray was at this very time in daily expectation of instructions from Elizabeth for the regulation of his conduct with respect to Lethington, and that his trial was postponed to give time for their arrival.

Lethington's trial is postponed.

If any evidence were still wanting of Moray's subserviency to the English queen, enough is to be found in the concluding paragraph of the same letter. Alluding to the recent rebellion, he says, "I have offered already to Mr. Marshal, of Berwick [meaning Sir William Drury], to take such part in her highness's cause and quarrel with the whole power of this realm that will do for me as he shall advertise me; * * * and since the matter not only touches her highness's obedience, but that we may see our own destruction compassed, who are professors of the gospel, let not time drive, but with speed let us understand her majesty's mind."*

The regent was not tardy in giving substantial proof of his zeal in the cause. He issued a proclamation, charging "all the lieges on this side of the Forth" to meet him in arms at Peebles on the 20th December, in defence of their country, and "for the preservation of the true religion."† Having been previously informed by Sussex that the rebel earls had sought an asylum within the Scottish territory, he sent messengers to the different seaports of the kingdom, with orders to keep a strict watch to prevent their escape; and, proceeding by rapid marches towards Hawick, invested the Tower of Harlaw, where Northumberland had taken refuge; and partly by intimidation, partly through the persuasions of John Carmichael, of that Ilk, who was instigated by the Earl of Morton,‡ and still more by means of a large bribe, induced Hector Armstrong to deliver up the unfortunate earl, who was immediately carried to Edinburgh, and afterwards imprisoned in the Castle of Lochleven.§ The infamy of this transaction was increased by the nature of the bribe, by which the cupidity of the freebooter was so far tempted that he violated the laws of hospitality held sacred by the Border thieves, and thus lost caste even among these outlaws. Bannatyne informs us in his "Memorials" that "these countrymen lost nothing of this trouble, for they got his [the earl's] gold, his jewels, and his wife's jewels, esteemed to a great sum."‖

The regent invests the Tower of Harlaw.

But if these proceedings increased the unpopularity of the regent among his own countrymen, he was so far compensated by completely regaining the confidence and favour of the English queen, who now spoke warmly in his commendation to his ambassador, the Abbot of Dunfermline, and sent to assure him of her support and assistance, promising that all the force of England should be at his command.¶

Thus encouraged, the regent applied to Elizabeth for assistance both in money and military stores; and, at the same time, made a request

* Calderwood, vol. ii. p. 506.

† Calderwood, vol. ii. p. 507; MS. Letter, State Paper Office, Moray to Cecil, Edinburgh, 22nd November, 1569, endorsed in Cecil's hand, "Earl of Murray to me, concerning the day of law for Lydington;" Tytler, vol. vii. p. 245.

* MS. Letter, State Paper Office, Moray to Cecil, Edinburgh, 22nd November, 1569; Tytler, vol. vii. p. 246.

† MS. Letter, State Paper Office, copy, the regent's proclamation, Edinburgh, 18th December, 1569; Tytler, vol. vii. p. 246; Calderwood, vol. ii. p. 509.

‡ Ibid.

§ Diurnal of Occurrents, p. 154; Lesley's Negotiations, p. 83; Anderson, vol. iii.; Labanoff's Chronological Summary.

‖ Calderwood, vol. ii. p. 509.

¶ Ibid., pp. 509, 510.

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which he had long had in contemplation, and had been waiting a favourable opportunity to prefer. This was, that she should deliver Mary into his hands, to be kept in safe custody in Scotland, where he promised "that she should live her natural life, without any sinister means taken to shorten the same,"* while a maintenance suitable to her rank should be provided for her. Nicholas Elphinstone was dispatched with the document containing this application; in which Elizabeth is reminded of the troubles that had arisen in England in consequence of Mary's residence in that kingdom, and of the still greater danger likely to arise from her continued detention there. It was argued that, "as Mary was notoriously the ground and fountain from whom all these tumults, practices, and daily dangers did flow;" and as she had such opportunities for continuing these disturbances so long as she remained in England, it would be wise policy to have her removed into Scotland, where she would be placed at a greater distance from the focus of these intrigues, as well as from the princes and ambassadors of foreign countries, who abetted her cause. It was farther urged that, in the present divided state of the kingdom of Scotland, the regent felt unable much longer to maintain the common cause, unless the person by whom all these disorders were occasioned were put into his hands. In this request the regent was joined by Morton, Mar, Glencairn, Lords Lindsay, Ruthven, and Semple, with the Masters of Marischal and Montrose.† A letter on the same subject was also addressed to Cecil by John Knox, then far advanced in life. "Benefits," he says, "of God's hand received crave that men be thankful, and danger known would be avoided. If ye strike not at the root, the branches that appear to be broken will bud again, and that more quickly than men can believe, with greater force than we would wish. Turn your een [eyes] unto your God; forget yourself and yours when consultation is to be had in matters of such weight as presently be upon you. Albeit I have been fremedly [strangely] handled, yet was I never enemy to the quietness of England. God grant you wisdom. In haste, of [at] Edinburgh, the second of January. Yours to command in God.

"JOHN KNOX, with his one foot in the grave.

"More days than one would not suffice to express what I think."‡

The regent requests Elizabeth to deliver Mary into his hands.

A recent historian has attempted to draw from this letter an inference as illogical as it is injurious to the character of its illustrious author. That it is "somewhat dark" may be allowed; but we leave the intelligent and unprejudiced reader to judge whether the language employed, taken in connection with the occasion on which it was written, and what is known of the writer's public reputation, warrants the belief that the great Reformer meant "to urge the absolute necessity of putting Mary to death." No such question had then been agitated; and as the letter was dispatched at the same time, and most probably by the same messenger, as the demand for the extradition of the captive queen, it is certainly more natural to infer that no more was intended than "to urge the absolute necessity" of complying with that demand.

As a farther inducement to Elizabeth to deliver up Mary, the regent had the baseness to offer to surrender the Earl of Northumberland, although, according to his own opinion, as expressed in the "instrument," it was "against every feeling of honour and humanity to surrender a banished man to slaughter;" and he further promised that he "would serve her majesty in England as they are accustomed to do their native princes in Scotland, and out of England, upon reasonable wages."* When the Bishop of Ross became aware of these proceedings, he presented a protest to Elizabeth against a proposal which, if agreed to, would, he considered, prove fatal to the Scottish queen; and he also solicited the ambassadors of France and Spain to remonstrate against it.† Nevertheless, it is not improbable that Elizabeth's consent might have been obtained, had not the sudden death of the regent, by the hand of an assassin, put a stop to the negotiation.

James Hamilton of Bothwellhaugh was the person who committed this crime. He had been taken prisoner at the battle of Langside, and condemned to death. His life, however, was spared by the regent; and he subsequently, amongst others, recovered his liberty through the arrangement made between the regent and the Duke of Chatelherault, on the 13th March, 1569. But the forfeiture which usually accompanied the sentence of death for political offences was carried into execution, and he was stripped of all his hereditary possessions. His wife was heiress of a small estate named Woodhouselee, situated on the banks of the Esk; and thither she retired, without any suspicion that the sentence of forfeiture extended over that property. In this, however, she was mistaken: it had been bestowed on Bellenden, the Justice-Clerk, one of the most rapacious of the regent's creatures; and the inhuman barbarity of the manner in which he proceeded to take possession of it was a disgrace even to that age, and was followed by most disastrous consequences. In the middle of a winter night, the unfortunate lady was expelled from her home in a state of partial nudity, and left in that condition to wander in a neighbouring wood, where before next morning she became furiously insane. From that day Hamilton vowed revenge against

* Copy of the "Instrument," MS., State Paper Office, but without date; Tytler, vol. vii. p. 247.

† Ibid.

‡ MS. Letter, State Paper Office, John Knox to Cecil, Edinburgh, 2nd January, 1569-70; endorsed by Cecil's clerk, "Mr. Knox to my Mr. ——."

* MS. Letter, State Paper Office, a note of the principal matters in Nicholas Elphinstone's Instructions, 19th January, 1569-70.

† Lesley's Negotiations, p. 34; Anderson, vol. iii.; also Dépêches de La Motte Fénélon, vol. ii. pp. 389, 390.

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the regent, whom he considered as the principal cause of this domestic calamity. His kinsmen, the Hamiltons, who had long detested the regent, applauded his resolution, and encouraged him in the enterprise. He lay in wait for the regent on his return from Dunbarton—first in Glasgow, and afterwards in Stirling;* but not finding an opportunity of effecting his purpose, he proceeded to Linlithgow, through which the regent was to pass on his way from Stirling to Edinburgh. In the High Street of Linlithgow there was a house belonging to Hamilton's uncle, the Archbishop of St. Andrew's, and near to that in which the regent was wont to lodge; and, having got possession of this tenement, he deliberately proceeded to make preparation for the execution of his fatal design. He strongly barricaded the door, spread a feather bed on the floor, that the noise of his footsteps might not be heard, hung up a black cloth on the wall opposite the window looking into the street, that his shadow might not be observed, and provided a swift horse ready saddled in a stable behind. Observing that the small gate in the wall of the enclosure behind was too low to permit the egress of a man on horseback, he removed the lintel stone, and returning to the house, took his station in an apartment or wooden gallery, having a trellised window, commanding a full view of the street. Underneath this window, through which he purposed to take his aim, he cut a hole just sufficient to admit the barrel of his caliver; and, having finished his preparations, he charged his piece with four bullets, and coolly awaited the approach of his victim.†

The regent was not altogether without warning of his danger. Obscure intimations of it had several times been made to him; and even on the very morning of the fatal day, John Hume, one of his followers, earnestly besought him not to pass through the principal street, but to go round by the back of the town, and offered to point out to him the very house where the assassin lay in wait for him.‡ This advice he had resolved to follow, but found it difficult or impossible to do so, on account of the great concourse of people who had assembled to witness the procession. He accordingly rode slowly forward through the town, amidst the acclamations of the populace, intending to quicken his pace as he passed the suspected house. This intention, however, was also frustrated by the pressure of the crowd, which became every moment more dense, so that the assassin had time to take a sure and deliberate aim. Accordingly, no sooner had the regent arrived in front of the Archbishop's house than Hamilton, levelling his piece with deadly precision, shot him through the lower part of the abdomen, and the ball passing quite through the body, killed the horse of Arthur Douglas, who rode on his other side.* For a few moments all stood as if paralyzed with surprise and horror; but, at length, a simultaneous rush was made to the door of the house whence the shot proceeded. It was found to be strongly barricaded; and, long before entrance could be obtained, Hamilton, who had not lost a moment in mounting his steed, was already several miles from the town. He fled straight to Hamilton Castle, where he was received in triumph by Lord Arbroath, of whom he was a retainer, the Archbishop of St. Andrew's, and a whole host of the faction of the Hamiltons, who welcomed him as the champion of their party, and the deliverer of their country from the oppression of an odious tyrant.†

Assassination of the Regent Moray.

In the meantime the regent, though in a state of great exhaustion from the loss of blood, had still sufficient strength left to walk to the palace. His medical attendants, at first, entertained hopes of his recovery, but symptoms of a fatal termination speedily appeared; and being informed of his approaching end, he received the intelligence with the greatest calmness.‡ Amid the tears and lamentations of his attendants, great regret was expressed that he had spared the life of Hamilton, and thus contributed to bring about his own ruin. In this regret, however, he refused to share, mildly remarking that he "in nowise repented of his clemency;"§ and having affectionately recommended the young king to the care of the nobility then present, he expired tranquilly about eleven o'clock in the evening.‖ Thus died by the hand of an assassin the Earl of Moray, Regent of Scotland, in the fortieth year of his age,¶ and the third of his government.

Character of the regent.

From the different and even diametrically opposite opinions entertained regarding this remarkable man, it is impossible for the Scottish historian to portray his character in a manner satisfactory to all parties. That he was a powerful instrument in the hand of Providence for upholding and promoting the cause of the Reformation, furnishes no reason why the Protestant writer should seek to conceal or palliate his faults and imperfections, and hold him up to posterity as a model of consistent and exemplary piety. It is indeed much to be regretted that the man who, for a considerable period, was regarded as the leader of the Reformation in Scotland should, by any part of his public conduct, have furnished its adversaries with weapons which they have endeavoured to turn against Protestantism itself. But that cause neither stands nor falls with the character of any one individual among its supporters. The claims of truth are para-

* Calderwood, vol. ii. p. 510.
† Historie of King James the Sext, p. 46.
‡ MS. Letter, State Paper Office, B C, Hunsdon to Cecil, Berwick, 26th January, 1569-70; Tytler, vol. vii. p. 252.

* MS. State Paper Office, B C, Hunsdon to Cecil, Berwick, 24th January, 1569-70; also ibid., same to same, 26th January, 1569-70; Tytler, vol. vii. p. 252.
† MS. Letter, State Paper Office, B C, copy endorsed by Hunsdon himself, Hunsdon to Elizabeth, Berwick, 30th January, 1567-70; Tytler, vol. vii. p. 253.
‡ Spottiswood, p. 233.
§ Calderwood, vol. ii. p. 511.
‖ Ibid.
¶ He was born in 1530, and died in 1569-70, Tytler, vol. vii. p. 254.

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mount, and while Protestantism will gain nothing by an attempt to set these aside, it has, on the other hand, nothing to fear from allowing them to their fullest extent. It is conceded, on all hands, that the regent was possessed of many noble and commanding qualities, which eminently fitted him for the high station that he occupied, and were in numerous instances successfully employed in promoting the public good. He was wise and politic in counsel—prompt and vigorous in action. He evinced no inconsiderable military skill; and his self-possession and personal intrepidity in difficult, trying, and perilous circumstances, are unquestionable. In an age comparatively rude, turbulent, and unsettled, he introduced order and regularity into the management of public affairs; he was a patron of learning and an enemy to licentiousness; while his strict and impartial administration of justice among the common people rendered his government extremely popular, and contributed, among other causes, to secure to him the flattering title, by which he was familiarly known, of "the Good Regent." He has the reputation of having been generally moral in his private life. His zeal for the reformed religion was ardent and conspicuous; and it has been recorded of him that "he ordered himself and his family in such sort, that it did more resemble a church than a court."* In speaking of the personal religion of this eminent person, we must take into account his whole public conduct as recorded in history, and judge upon the old but sure principle—"by their fruits ye shall know them." Making every reasonable allowance for the times in which he lived, and the circumstances in which he was placed, it cannot and it needs not be disguised that there was much in the public policy of the regent which no ingenuity, combined with the utmost amount of Christian charity, can possibly reconcile with any religious principle. Moray's leading motive seems to have been the gratification of personal ambition. For this he was ready to sacrifice—and actually did sacrifice—conscience, honour, the ties of natural affection, and the independence of his country; and for this, we fear it must be added, he was equally ready to assume the outward semblance of zeal for the reformed religion, as a means of increasing his popularity with a powerful party in the state, and securing the support of the English queen. That he was consenting to the murder of Riccio, with a view to his own return to power, is generally admitted; while he tacitly, at least, approved of the murder of Darnley by his close union with the perpetrators of that crime, and his endeavours through their means to criminate his sovereign.* His treatment of his sister, to whom he owed his authority, whom he had deprived of her crown and her liberty, and scrupled not to employ means to deprive of honour, if not of life itself, must be condemned as at once ungrateful and unnatural, and an utter violation of public decency. His betrayal of Norfolk, and his offer to deliver up Northumberland, were inconsistent with every principle of honour and humanity; while his mean servility to Elizabeth, and the sacrifice which he had nearly effected, even of the independence of the kingdom, must for ever deprive him of all claim either to lofty-mindedness or patriotism.

In personal appearance the regent was manly and prepossessing. His natural manner, as it appeared in the earlier years of his life, was modest, affable, and courteous; but after his accession to power he became reserved, haughty, and imperious. This change alienated from him many of his former friends, who, if not actually hostile, kept aloof and looked for his downfall.

Funeral of the regent.

His remains were carried from Linlithgow to Stirling, thence conveyed by sea to Leith, and afterwards taken to the palace at Edinburgh. His funeral, which took place on the 14th of February, was attended by the magistrates and great numbers of the citizens of Edinburgh, by whom he had been beloved and respected. Many gentlemen from the country also joined in the mournful procession. His body was carried to the High Church, within which it was interred. It was borne by the Earls of Mar, Morton, Glencairn, and Cassillis, and the Lords Glammis, Lindsay, Ochiltree, and Ruthven; and was preceded by the Lairds of Grange and Colvil of Cleish, the former bearing his banner, and the latter his coat-armour. The procession was closed by the servants of his household, who appeared overwhelmed with grief. On entering the church, the bier was placed in front of the pulpit, which was occupied by John Knox, who preached the funeral sermon, taking as his text, "Blessed are the dead that die in the Lord."†

* Spottiswood, p. 283.

* Tytler, vol. vii. p. 254; Mignet, vol. ii. p. 115.

† MS. Letter, State Paper Office, Randolph to Cecil, Edinburgh, 22nd February, 1569-70; Tytler, vol. vii. p. 255; Diurnal of Occurrents, p. 158.

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CHAPTER XXXIV.

REGENCIES OF LENNOX AND MAR.

A.D. 1570—1573

THE death of Moray was followed by an alarming crisis in both kingdoms. No sooner had the faction of the Hamiltons received intelligence of that event than they assembled in arms, openly testifying their joy at the downfall of the tyrant by whom their country had been oppressed, and declaring their resolution to march to Edinburgh to liberate their chief, the Duke of Chatelherault, and to take vigorous measures to strengthen and extend their party.* These resolutions were speedily carried into effect. The queen's party, now elated with fresh hope, and embracing a majority of the nobility, soon became predominant. They seized on Edinburgh, and publicly acknowledged and proclaimed the authority of the queen. The castles of Edinburgh and Dunbarton were ere long in their hands, and the Duke of Chatelherault and Lord Herries were released from their captivity. Lethington, also, after a short examination by a council of the lords, was acquitted and set at liberty, and, along with Grange, speedily joined the ranks of their friends. Meanwhile succours from France had arrived in the Clyde; and the Lairds of Buccleuch and Fernyhirst, the chiefs of the powerful Border clans of the Scotts and Kers, summoning their retainers, made a predatory inroad into England, in company with the Earl of Westmoreland, and committed great ravages.† This expedition appears to have been undertaken less for the sake of plunder than for the gratification of revenge, and a desire to kindle war between the two countries.‡

The queen's authority proclaimed at Edinburgh. The duke and Lord Herries liberated.

Lethington is acquitted.

The demise of the regent, which had so suddenly revived the hopes and the activity of the queen's party in both countries, and had occasioned a frenzy of delight among her adherents abroad, struck Elizabeth with consternation. On receiving the intelligence, she shut herself in her apartment and gave way to a flood of tears, exclaiming that she had lost the best and most useful friend she had in the world.§ What she chiefly dreadde was the reconciliation of the two factions into which Scotland was divided, the consequent restoration of the queen, and the annihilation of her darling project of establishing a paramount and permanent control over the affairs of that country. The state of matters there, already described, served to confirm and aggravate these apprehensions. The English party in Scotland, which it had cost so much intrigue to organise, was in imminent danger of being subverted; and so urgent did this danger appear to Lord Hunsdon, that the very day after the death of the regent he wrote to Cecil, earnestly requesting the immediate attention of Elizabeth to the affairs of Scotland, assuring him that important matters would certainly result from the event that had just taken place; and, in particular, that it would be necessary carefully to watch the movements of "the great faction which remained, who were all French."*

Elizabeth's consternation and grief at the regent's death.

Nor were these the only difficulties with which Elizabeth had to contend. The Catholic party in England were numerous, powerful, discontented, and intriguing; and, encouraged by the new phase of the Scottish affairs, were ready once more to rise in rebellion. An occasion was not long in presenting itself. Leonard Dacres, a Catholic gentleman, second son of Lord Dacres of Gillisland, had secretly participated in the rebellion raised by the Earls of Northumberland and Westmoreland, but had been prevailed on by his friends to abstain from openly committing himself as a party to that rash enterprize. Still, however, restless and discontented, his hatred against the government was suddenly fanned into a flame by the loss of the family estates, of which he believed himself heir, but which had been legally adjudged to belong to the daughters of his elder brother. Resenting this as a premeditated affront and injury, he instantly raised the standard of rebellion, collected three thousand men, and seized the castles of Naworth and Greystock, with other strongholds. Though this insurrection was speedily crushed, yet, occurring at such a conjuncture, it added greatly to the distress and perplexity of the English queen. Lord Hunsdon immediately marched from Berwick with all the forces at his disposal, and having joined Sir John Forster, warder of the Middle Marches, who had raised a body of the Border militia, they attacked the rebels on the banks of the little river Gelt, in Cumberland, and, after a sanguinary struggle, completely defeated them; and Dacres, escaping from the battle-field, fled into Scotland.† But notwithstanding this momentary success, the storm seemed still to be gathering and thickening all around the political horizon.

Rebellion of Leonard Dacres.

The news of the regent's death had been received in France with triumphant exultation, and the Catholics, having obtained repeated victories over the Huguenots, who had been defeated at Moncontour and Jarnac, had lost St. Jean d'Angely, and failed in their attempt on Poitiers, were now making active preparations to assist their partisans in Scotland.‡

* MS. State Paper Office, Information anent the punishment of the regent's murder; Tytler, vol. vii. p. 257.
† Tytler, vol. vii. p. 257.
‡ Calderwood, vol. ii. p. 513.
§ La Motte Fénélon's Correspondence, vol. iii. p. 51.

* MS. Letter, State Paper Office, B C, Hunsdon to Cecil, 24th January, 1569-70; Tytler, vol. vii. p. 256.
† MS. Letter, State Paper Office, B C, Hunsdon to the Queen, 20th and 27th of February, 1569-70; Tytler, vol. vii. p. 263; Lingard's History of England, vol. viii. p. 53.
‡ MS. Letter, State Paper Office, French Correspondence, Norris to Cecil, 17th February, 1569-70, Angiers; ibid., Norris to Cecil, 25th February, 1569-70.

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In Spain the intelligence had given equal satisfaction. Douglas, a messenger employed by the Bishop of Ross, was dispatched to Scotland with letters to the friends of the Scottish queen sewed under the buttons of his coat. He had already twice supplied them with money, and he now urgently exhorted them to persevere until the arrival of aid from Philip.* In addition to this, Elizabeth was, not without reason, alarmed by the apprehension that the Duke of Alva, who was actively engaged in fortifying his position in the Netherlands, and constructing citadels to prevent any further revolt in that country, would soon find himself at leisure to make a descent upon England.

The Pope excommunicates Elizabeth, and declares her subjects absolved from their allegiance.

At the same time, the Pope issued a bull of excommunication against the English queen, by which she was declared guilty of heresy, and deprived of her right to the crown of England, and her subjects were held absolved from their oaths of allegiance. Several copies of this bull were transmitted to the Duke of Alva, who immediately forwarded some of them to Don Gueraldo d'Espes, the Spanish ambassador in London; and one copy was soon afterwards found posted on the door of the Bishop of London's residence.†

It now became absolutely necessary, in order to save both kingdoms from anarchy and ruin, if not from the calamity of foreign invasion, that some decided measures should be taken; and never did Elizabeth stand so much in need of wise and energetic counsellors to avert the perils to which she had exposed herself and the kingdom by her own detestable policy. The sagacity of Cecil traced all these evils to their source—Elizabeth's unjust and ungenerous treatment of the Scottish queen, and her ambitious desire of rendering herself in effect mistress of the sister kingdom. The sinister remedy

Cecil's sinister policy in relation to Scotland.

which he proposed showed that he and his mistress were worthy of each other. Scotland, said he, in a memorial which he drew up on the state of the kingdom, was the rallying point for all Elizabeth's enemies, foreign and domestic. In the union of its factions lay the strength of that country; and this union, which, before the death of the regent, Lethington and Grange had laboured to secure, and nearly succeeded in effecting, would by that event be more easily and speedily accomplished. To prevent this must be the policy of the English queen: she must keep up an English party, and foment civil discord. To this end, he added, that two things were necessary, and must receive immediate attention. First, an ambassador must be sent to Scotland, ostensibly to assist in the pacification of the kingdom, but in reality to sow the seeds of dissension, and promote disunion and confusion; and, secondly, a regent must be appointed, sufficiently subservient to submit implicitly to the dictation of the English queen. Unfortunately, princes at no time experience any difficulty in finding tools ready to execute their worst purposes; and two men eminently fitted to carry out Cecil's dishonourable policy were promptly fixed on. Not more than three days after the death of the regent,* Randolph, one of the most experienced and unscrupulous masters in the art of political intrigue, was dispatched as ambassador to Scotland, with secret instructions such as no honourable or candid mind could consent to obey. Melvil informs us that "he was deliberately directed secretly to kindle a fire of discord between the two factions in Scotland, which could not be easily quenched."† The appointment of a regent was a work of greater time, but no difficulty was experienced in the selection. The person chosen by Elizabeth was the Earl of Lennox, the grandfather of the young king, who, being a man of no ability, would readily submit to be directed; and, being in fact a pensioner on the bounty of Elizabeth, would not dare to disobey her mandates. Another circumstance tended powerfully to recommend this choice. The houses of Hamilton and Lennox had long been opposed to each other; and the ancient enmity subsisting between them would probably be increased tenfold by the elevation of Lennox to the regency; so that the chances of reconciliation between the hostile factions would thus be greatly diminished.‡

Randolph sent as ambassador to Scotland.

Randolph arrived in the Scottish capital on the 9th February,§ and found the affairs of Scotland in a state of confusion and distraction, which no doubt, to his mind, must have been highly gratifying. At a meeting of the Privy Council, he laid before them his instructions, and assured them of the friendship and support of his royal mistress, so long as they acted on the principles by which the government of the late regent had been guided. He promised that, on her part, the confinement of Mary should be maintained with increasing rigour, and that she would support them both with men and money; while, on the other hand, he stipulated that they should prevent the young king from falling into the hands of the opposite faction and being carried into France; that they should maintain the Protestant religion, and preserve peace; and, finally, that they should deliver up the fugitive Earls of Northumberland and Westmoreland.‖

A convention of the whole nobility of the kingdom was summoned to be held on the 4th of March, to take these matters into consideration, and to

* MS. Letter, State Paper Office, Hunsdon to Cecil, 28th January, 1569-70.

† Labanoff's Chronological Summary; Lingard, vol. viii. p. 56; Camden, pp. 211, 213.

* MS. Letter, draft, State Paper Office, entirely in Cecil's hand; Minute of the Queen's Majesty's Letter, 29th January, 1569-70.

† Melvil's Memoirs, pp. 227, 230, 231; Tytler, vol. vii. p. 259.

‡ Melvil's Memoirs, p. 227.

§ Tytler, vol. vii. p. 259.

‖ MS. Letter, draft, State Paper Office, in Cecil's hand; Minute of the Queen's Majesty's Instructions, given to Mr. Randolph, 29th January, 1569-70; Tytler, vol. vii. p. 262.

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proceed to the still more important business of appointing a regent;* and letters were dispatched to Lennox, requiring his immediate presence in Scotland. Meanwhile the kingdom was agitated to its centre by two hostile parties, whose rival pretensions burst asunder the bonds of civil society, and ranged chosen friends, and even near relatives, under opposite banners. One of these still maintained allegiance to their captive queen; the other acknowledged the authority of the young prince, her son. Both were sincerely desirous for the restoration of public tranquillity; but the ambition of their respective leaders, and the incessant intrigues of the English party, maintained in fatal vitality the flames of civil discord.

A convention of the nobility is summoned for the election of a regent, &c.

Of these factions, by far the stronger was that of the queen, which included in its ranks not only a numerical majority, but the most powerful and ancient of the nobility. The Duke of Chatelherault, with all the numerous branches of that influential family of which he was the chief; the Earls of Argyle, Huntley, Atholl, Errol, Crawford, Marischal, Caithness, Cassillis, Eglinton, and Sutherland; the Lords Herries, Home, Seaton, Ogilvy, Ross, Borthwick, Oliphant, Yester, Fleming, Boyd, Somerville, Innermeith, Forbes, and Gray; together with Kirkaldy of Grange and Maitland of Lethington—the former esteemed the ablest soldier, and the latter the greatest statesman, of which the country could boast—were all enthusiastically devoted to the cause of the captive queen, and ready to take up arms in her support.† This party, powerful from their rank and influence, were moreover already in possession of the two most important strongholds in the kingdom—the castles of Edinburgh and Dunbarton—the former commanding the capital, the latter protecting the port by which succours from abroad could be most easily introduced into the kingdom. The English party, on the other hand, though they had numerous adherents in the towns, and were supported by the whole body of the Presbyterians, included comparatively few of the nobility; and these, with the exception of the Earl of Morton, were far less powerful than most of their opponents. With this nobleman were associated the Earls of Mar, Glencairn, and Buchan; with the Lords Glammis, Ruthven, Lindsay, Catheart, Methven, Ochiltree, and Saltoun.‡ It is easy to see that but for the interference of the English queen, the adherents of Mary must speedily have overcome those of the king, who had already been driven out of the capital.

* MS. Letter, State Paper Office, endorsed by Randolph; Letters sent by the Lords for the Assembly, 17th February, 1569-70; Tytler, vol. vii. p. 262.

† MS. State Paper Office, Petition to Elizabeth, 16th April, 1570, endorsed by Cecil; Duke of Chatelherault, and his associates, to the Queen's Majesty; Tytler, vol. vii. p. 264.

‡ MS. Copy of the time, State Paper Office, Instructions given by the Lords of Scotland to the Commendator of Dunfermline, 1st May, 1570; Tytler, vol. vii. p. 265.

The restoration of Mary began now to be regarded by Elizabeth with most lively apprehension. To prevent this consummation, the secret machinations of Randolph, however successfully carried on, seemed too mild and too slow in their effect; and more violent measures were determined on. The predatory incursions made by the Scotts and Kers on the English Border, and the circumstances of unusual cruelty by which their last invasion had been attended; the asylum granted within the Scottish territory to the English rebels, and the constant alarm in which the kingdom was kept by the intrigues of Mary's partisans, were now seized on by Elizabeth as a pretext for an armed intervention in the affairs of Scotland. Accordingly, early in the spring of 1570, she gave orders to the Earl of Sussex and Lord Scrope to invade Scotland on the east and west, professedly for the purpose of seizing the fugitive rebels, but in reality to intimidate and crush the queen's party, and to incite the factions to civil war.*

The Earl of Sussex and Lord Scrope invade Scotland.

The lords of the queen's party, alarmed by the threatened invasion, employed their utmost efforts to avert it.† Three several envoys were dispatched to Sussex to dissuade him from advancing; Lethington warned Leicester that such a hostile demonstration would have the effect of uniting all parties in Scotland as against a common enemy; and the Bishop of Ross and the French ambassador strongly remonstrated against it with Elizabeth. All, however, was in vain. The vindictive spirit of the English queen, already roused into action, was still further excited by Randolph, who alarmed her by information of a pretended conspiracy against her life, of which he artfully insinuated that Mary was the prime mover;‡ while Morton fabricated accounts of hostile preparations on the part of both Lethington and his opponents, representing the party of the former as being weakened by the desertion of Grange.

The work of devastation now commenced; and seldom has a hostile invasion been conducted with such merciless severity. Sussex, penetrating into Teviotdale and the Merse, the country of Buccleuch and Fernyhirst, laid in ruins fifty castles, plundered and destroyed three hundred villages, burnt a large number of granges,§ and subsequently besieged and took possession of Home Castle, one of the strongest fortresses in the district. Meanwhile Lord Scrope, entering the western Border, ravaged the country with fire and sword, remorselessly destroying villages and farm-houses, and burning or carrying off the whole agricultural

* MS. Letter, draft by Cecil, State Paper Office, the Queen to Mr. Randolph, 18th March, 1569-70; Tytler, vol. vii. p. 268; Melvil's Memoirs, p. 227.

† Copy of the time, endorsed by Cecil, State Paper Office. Instructions for the Laird of Trabroun, 15th April, 1570; also, MS. Letter, State Paper Office, 18th April, 1570, John Gordon to the Queen's Majesty.

‡ MS. Letter, State Paper Office, 14th April, 1570, Randolph to Cecil; Tytler, vol. vii. p. 269.

§ Spottiswood, p. 178; Murdin, p. 769; Lesley's Negotiations, Anderson, vol. iii. p. 90.

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produce of the country.* Elizabeth immediately followed up these savage proceedings by dispatching the Earl of Lennox to Scotland, accompanied by Sir William Drury, escorted by the old bands of Berwick,† consisting of twelve hundred foot and four hundred horse. Lennox was instructed to place himself at the head of the party of the young king, his grandson, and, in conjunction with Morton, to advance to Edinburgh, and inflict summary vengeance on the Hamiltons, in retaliation for the murder of the regent.

Lennox gains possession of the capital, ravages Clydesdale and Linlithgowshire, and burns Hamilton Palace.

Lennox, to whom such a commission was peculiarly grateful, proceeded to execute it with the most unsparing ferocity, and ravages rivalling those perpetrated by Sussex and Scrope in the southern districts, were now committed in the very centre of the kingdom. Aided by Morton, he regained possession of the capital, and marched to the relief of Glasgow, which was then besieged by the Hamiltons. These Lennox and his coadjutor speedily dispersed; and then commenced a cruel devastation of Clydesdale and Linlithgowshire—razing the castles of the queen's adherents, destroying the villages, and laying waste the whole district. On this melancholy occasion, Hamilton Palace, belonging to the Duke of Chatelherault, with his castles of Linlithgow and Kinneil, and the mansions of his kindred and adherents, were plundered and laid in ruins.‡

These barbarous proceedings, which continued during a great part of the summer of 1570, threw the country into anarchy and confusion, and seemed to threaten it with absolute ruin. The kingdom was in fact "divided against itself"—two governments had been called into existence; and the contentions and animosities of the two rival factions kept the kingdom in perpetual commotion. The state of the country at this time is thus graphically described by Sir James Melvil, who had an opportunity of observing personally many of the circumstances which he relates:—"Now," he says, "the two furious factions being framed in this manner, the hatred and rage against each other grew daily greater. For Master Randolph knew the diversities that were amongst the noblemen, and the nature of every one in particular, by his oft coming and long residence in Scotland. Among the ladies he had a mother and a mistress, to whom he caused his queen send oft communications and tokens. He used also his craft with the ministers [clergy], and offered gold to divers of them. One of them that was very honest refused his gift, but he told him that his companion took it as by way of charity. I am not certain if any of the rest took presents; but undoubtedly he offered to such as were in meetest rowmes [offices], to cry out against factions here and there, and kindle the fiercer fire, so that the parties were not content to fight and shed each other's blood, but would flyte [scold] with injurious and blasphemous words, and at length fell to the down-casting of each other's houses, whereunto England lent their help. * * * * Then, as Nero stood up upon a high part of Rome, to see the town burning which he had caused set on fire, so Master Randolph delighted to see such fire kindled in Scotland, and by his writings to some in the court of England, glorified himself to have brought it to pass in such sort, that it should not be got easily slokenit [extinguished with water] again; which, when it came to the knowledge of Sir Nicholas Throckmorton, he wrote in [into] Scotland to my brother and me, and advertised us how we were handled, detesting both Master Cecil, as director, and Master Randolph, as executor." * Such is a picture of the deplorable condition of Scotland at this period, drawn by an eye-witness; and such the description of the heartless knavery of Randolph, by one who had long been his intimate acquaintance.

Repeated attempts had been made and frustrated to hold the convention of the nobility, which had been appointed to meet on the 4th of March. Wearied with incessant discord and uncertainty, and alarmed at the disorganised state of the country, all men now longed for the establishment of a vigorous and stable government, so that a settled order of things should once more be introduced. The leaders of both factions began accordingly to make vigorous preparation for a final struggle. The barons on both sides assembled their vassals, and held armed conventions in various parts of the kingdom; and Morton and Mar, encouraged by the English queen,† congregated a formidable body of their adherents in the capital.

In the midst of these preparations, the king's party were dismayed by the arrival of Mons. Verac, a messenger from the court of France, bringing letters to the queen's party, encouraging them by promises of assistance; and as similar promises had already been made by the court of Spain, they now felt emboldened to take active and decided measures. Collecting their whole forces, they marched to the capital, compelled Randolph to flee to Berwick, and summoned the whole nobility to meet in a general convention, to be held in Linlithgow, to consider what answer they should return to Verac's communications, and to concert measures for the pacification of the country. They at the same time addressed a petition to the English queen for the immediate restoration of Mary, as a means of putting an end to the divisions and distractions of the kingdom.‡

Elizabeth at last began to fear that the dissensions she had fomented, and the severities she had

* Spottiswood, p. 237.
† Diurnal of Occurrents, p. 176.
‡ Ibid., p. 177; Murdin, p. 769.

* Melvil's Memoirs, pp. 233, 234.
† MS. Letter, State Paper Office, Mar to the Queen of England, Edinburgh, 14th March, 1569-70; Tytler, vol. vii. p. 207.
‡ MS. Letter, State Paper Office, Duke of Chatelherault and his associates to the Queen's Majesty, written towards the end of March, 1570, dispatched from Edinburgh, 16th April.

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practised in Scotland, had been pushed too far, and might have the effect not only of uniting against her the whole Scottish nation, but of provoking the hostile interference of foreign powers, especially of the French king, who was likely soon to be in a position to give effectual assistance to his friends in Scotland. Yielding, therefore, to the remonstrances of the French ambassador and the Bishop of Ross, she wrote to Sussex, declaring that as the professed object of invading Scotland was only to punish her rebels, she was sorry he had carried matters to such an extremity, and could not think of authorising him to besiege Dunbarton, a measure which had been strongly recommended by Lennox in his exultation at the success of his expedition.* At the same time, she ordered Randolph to return from Berwick to Edinburgh, and to inform both factions that, having "reasonably" chastised her rebels, she was now willing, agreeably to the suggestion of the Bishop of Ross, Mary's ambassador, to enter into a negotiation for restoring that princess to her dominions. Meanwhile she directed Sussex to correspond with Morton and his party. The Bishop of Ross repaired to Chatsworth, whither Mary had recently been removed from Tutbury; and having assisted her with his advice in drawing up offers of accommodation, Lord Livingston and John Beaton were dispatched with them to Scotland. The English troops were then withdrawn; and Elizabeth, with assumed moderation, endeavoured to soothe both factions, by declaring her earnest desire for the pacific settlement of the affairs of the country.

The English troops withdrawn from Scotland.

The utter insincerity of these assurances might have been predicated at the time, and soon became manifest in the result. The kingdom, reduced almost to a state of anarchy, continued to be agitated by civil commotions, and rent asunder by contending factions. Public and private business, the administration of justice, the pursuits of commerce and industry, even the tillage of the ground were alike neglected. The arm of the law was paralysed, its authority treated with contempt. Having no supreme head to whom they could appeal for protection, the weak ranged themselves under the banner of some leader of their own selection, while the utmost efforts of the well-disposed and patriotic to restore order were rendered abortive. Meanwhile the unhappy Mary languished in captivity, the Bishop of Ross and the Lord Livingston continued to negotiate in her behalf,† and Cecil procrastinated by lengthened and fruitless deliberations with the Privy Council.

Public characters, it is said, are public property; and this holds true as respects not only their contemporaries but their posterity. And as much light may sometimes be thrown on historical events by a more intimate acquaintance with the prime actors in the great drama, we think it not beneath the dignity of history to quote the following correspondence, illustrative of the characters of some of the leading men of this period. The Earl of Sussex, who had been one of the commissioners in the conference at York, and consequently was well acquainted with the union formerly subsisting between Moray, Morton, and Lethington, was selected by Elizabeth to remonstrate with the latter on his desertion of his party. Lethington, in reply to his letters, made some caustic observations on the cruelties recently perpetrated by Sussex, as well as on the disgraceful conduct of the king's faction towards their queen and their country. Sussex answered by a charge of gross inconsistency against the secretary, requesting to know how he could reconcile his public accusation of murder against his sovereign with his present zeal in her defence. "Your lordship," said he, addressing Lethington, "must call to remembrance that your queen was by you and others, then of the faction of Scotland,—and not by the queen, my sovereign, nor by her knowledge or assent,—brought to captivity, deprived of her royal estate, to which she was by God's ordinance born lawful inheritrix, condemned in parliament, her son crowned as lawful king, the late Earl of Moray appointed by parliament to be regent, and revoked from beyond the seas; yourself held the place of secretary to that king and state; and after she escaped from her captivity, from the which the queen, my sovereign, had by all good means sought to deliver her, and had been the only means to save her life while she continued there, yourself and your faction at that time came into England, to detect her of a number of heinous crimes by you objected against her; to offer your proofs, which to the uttermost you produced, to seek to have her delivered into your own hands, or to bind the queen's majesty to detain her in such sort as she should never return into Scotland, and to persuade her majesty to maintain the king's authority. Now, my lord, to return to my former questions, which be but branches from those roots, and cannot be severed from them. I do desire to know by what doctrine you may think that cause to be then just, which you now think to be unjust? [how] you may think your coming into England, your detecting her of crimes by you objected, your proofs produced for that purpose, your requests delivered to the queen, my sovereign, to deliver her into your custody, or to promise to keep her as she return not to Scotland, and to maintain her son's authority (then allowed always by you to be your lawful king),—by what doctrine, I say, may ye think the causes hereof to be then just, which you now think to be unjust?

"I would be glad to admit your excuse, that you were not *of* the number that sought rigour to your queen, although you were *with* the number, if I could do it with a safe conscience. But, as I

* MS. Letter, State Paper Office, Lennox to Cecil, 17th May, 1570, Edinburgh; MS. Letter, ibid., 16th May, 1570, Edinburgh; Tytler, vol. vii. p. 271.

† MS. State Paper Office, B C, Minute of the Queen's Letter to Sussex, a draft by Cecil, July 29, 1570; Tytler, vol. vii. p. 277; Lesley's Negotiations, Anderson, vol. iii. p. 91.

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will say, 'Non est meum accusare, aliud ago,' and therefore I will not enter into those particularities, so can I not make myself ignorant of what I saw openly delivered by word and writing, with a general assent of the late regent, and all that were in his company, which tended not to a short restraint of your queen's liberty, but was directly either to deliver her captive into your own custody, or to bind the queen, my sovereign, to detain her in such sort as she should never after trouble the State of Scotland; wherein if her perpetual captivity or a worse matter were meant, and not a restraint for a time, God and your own conscience, and others that dealt then with you, do know. It may be you dealt openly on the one side and secretly on the other, wherein how the queen, my sovereign, digested your doings, I know not; but this I know well, that if her majesty would have digested that which was openly delivered unto her by the general assent of your whole company, in such sort as you all desired, devised, and earnestly (I will not say passionately) persuaded her at that time to do for her own surety, the benefit of Scotland, and the continuing of the amity between both the realms, there had been worse done to your queen than either her majesty or any subject of England that I know, whomsoever you take to be least free from passions, could be induced to think meet to be done." *

Lethington artfully evaded these pointed interrogatories by remarking, that if he must needs go into an exculpation it would "touch more than himself;" then changing the subject, and referring to a previous letter of Sussex, in which he claimed credit for having withdrawn the English army, he ironically complimented Sussex on his zeal and activity in punishing his mistress's rebels. "When your lordship," said he, "writeth that you intend to revoke her majesty's forces, I am glad thereof, more than I was at their coming in; and it is not amiss for their ease to have a breathing time, and some rest between one exploit and another. This is the third journey they have made in Scotland since your lordship came to the Borders, and you have been so well occupied in every one of them, that it might well be said, * * * * they have reasonable well acquitted themselves of the duty of old enemies, and have burnt and spoiled as much ground within Scotland, as any army of England did in one year these hundred years bypast, which may suffice for a two months' work, although you do no more." †

As a specimen of Randolph's turn for personality, a letter of his may be quoted to Kirkaldy of Grange, on his accepting the rich living of the Priory of St. Andrew's, with which, it is said, Mary had presented him as a bribe for his services. "Brother William," said he, "it was indeed most wonderful unto me when I heard that you should become a prior! That vocation agreeth not with any thing that I ever knew in you, saving for your religious life led under the cardinal's hat, when we were both students in Paris." *

But to return to the narrative. The perfidious and selfish policy of Elizabeth, of which, as it happened to suit her purpose, her friends as well as her enemies were indiscriminately the victims, was now bitterly felt by two of her most zealous and unscrupulous tools. Her reply to a message conveyed to her by the Abbot of Dunfermline from Morton and Lennox, plainly convinced them that after they had by her own desire taken up arms in her cause, they were now to be abandoned to their fate, in such a position that to advance without her assistance was impracticable, while to recede would be ruinous to themselves.†

Their own safety, and even the continued existence of their party, now demanded vigorous and decided action, and accordingly they resolved on the bold expedient of procuring the appointment of Lennox to the regency; and as they acted with the consent of Randolph, the English Ambassador, they had reason to believe that this step, if not altogether in accordance with the views of the English queen, would at least be regarded with leniency. As a tentative measure, however, they summoned a convention of the lords of the king's party at Stirling, on the 16th of June, and appointed Lennox to the office of *interim* Lieutenant-governor, under the king, until the 12th of July, thus allowing time to advertise Elizabeth of the circumstances, and ascertain her farther pleasure in the matter. They made no delay in giving her information of this decision, at the same time obsequiously imploring her advice as to the regency, or in other words, her choice of the person on whom it would be agreeable to her that this important office should be conferred.‡ Her reply was couched in terms of affected disinterestedness, and of anxiety to promote the cause of order in Scotland. She pretended to deplore the distracted condition of that country. She declared she thought it now indispensable that some regular government should be established, and while, in her opinion, the choice of her cousin, the Earl of Lennox, as

Lennox appointed *interim* Lieutenant-governor of Scotland.

* Copy of the time, MS. Letter, State Paper Office, Sussex to Ledington, 29th July, 1570; Tytler, vol. vii. p. 275.

† Copy of the time, State Paper Office, Ledington to Sussex, 2nd June, 1570, Dunkeld; Tytler, vol. vii. p. 276.

* MS. State Paper Office, B C, Minute of the Queen's Letter to Sussex, a draft by Cecil, 29th July, 1570; Lesley's Negotiations, Anderson, vol. iii. p. 91; Tytler, vol. vii. p. 276.

† Copy of the time, State Paper Office, Instructions of the Lords of Scotland to the Abbot of Dunfermline, 1st May, 1570; also copy State Paper Office, the Lords of Scotland to the Queen's Majesty, 1st June, 1570, Edinburgh, by the Abbot of Dunfermline; also MS. Letter, State Paper Office, Lennox, Morton, and the Lords to the English Privy Council, 24th June, 1570; Tytler, vol. vii. p. 277.

‡ MS. Letter, State Paper Office, Lennox, Morton, and the Lords, to the Privy Council, 24th June, 1570. "The names show the truth of Lethington's observations as to the weakness of the king's party, both in the ancient nobility and in numbers, in comparison with the queen's." They are Earls Lennox, Morton, Mar, Glencairn, Angus; Lord Glammis, Lindsay, Ruthven, Ochiltree, Borthwick, Cathcart, and Graham, the Master of Montrose. Of the clergy, Robert (Pitcairn), Abbot of Dunfermline, and Robert, Bishop of Caithness. Tytler, vol. vii. p. 278.

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regent would, from his near relationship to the king, be a very suitable and proper one,* she did not pretend to dictate, but would be satisfied on whomsoever their choice might fall.

Lennox elected regent.

Being now somewhat re-assured, they lost no time in proceeding to the accomplishment of their object; and in a convention of the lords of their party, held at Edinburgh on the 12th July, they formally elected the Earl of Lennox regent of the kingdom. The opposite party were taken by surprise. Lethington was absent in Atholl; Huntley, whom Mary had appointed her Lieutenant-governor,† was then in Aberdeen, mustering his adherents; and the other lords of that faction were occupied in arming and training their vassals and other followers in various quarters of the country. Grange, who from his commanding position as governor of the Castle of Edinburgh, could easily have interrupted the proceedings and dispersed the convention, contented himself with refusing to be present, or even to hear Elizabeth's letter when read by Randolph, giving orders that no cannon should be fired after the proclamation,‡ and treating the whole affair with indifference and contempt. Sussex warmly remonstrated with him by letter, but without effect. The lords of the queen's party avowed their intention to hold a parliament at Linlithgow on the 4th of August, and publicly declared their determination never to acknowledge Lennox as regent.§

A contest of this nature between two such powerful parties, and in which interests of such magnitude were at stake, was not likely to be decided without an appeal to arms. Exasperated against each other to the highest degree, both factions accordingly now began to make ready for that sanguinary struggle, which resulted in a civil war of almost unparalleled atrocity. The newly-elected regent, sensible of the comparative weakness of the king's party, immediately applied to England for aid; and in his instructions to Nicholas Elphinstone, his messenger, drew such a picture of the strength, preparations, and activity of his opponents, as greatly to alarm the English queen, and intreated her to send him without delay supplies of men, arms, and money, adding that without, at least, one thousand foot soldiers his cause was desperate.‖ Elizabeth forthwith sent instructions to Sussex to make an inroad on the western Borders, but, with her accustomed duplicity, enjoined him to proceed "very secretly," —that is, to conceal the fact that he was acting under her orders, and to hide the real object of the expedition under the pretence of chastising her rebels the Dacres.* It is unnecessary to brand the conduct of Elizabeth on this occasion as it deserves; the bare statement of the fact is revolting to every ingenuous mind. While thus "very secretly" encouraging, and even actively engaged in promoting a civil war, she publicly reproached the contending factions for distracting the country by their unceasing strife, and flattered Lord Livingston and the Bishop of Ross into the belief that she was desirous of negotiating with them for the restoration of the queen.

The threatened assembling of a parliament at Linlithgow was naturally contemplated by Lennox with apprehension and alarm, as likely to lead to his deprivation of office and the final overthrow of his party. Accordingly, as the time appointed for the meeting of the Estates approached, he commenced the most active measures to prevent it. In conjunction with the Earl of Morton, he advanced against Huntley, at the head of a powerful force, and, having stormed the Castle of Brechin, Lennox had the atrocious cruelty to hang thirty-four of the unfortunate garrison, including a number of their officers, in front of his own residence.†

Sussex again invades Scotland.

In the meantime Sussex was not idle. In obedience to his instructions, he suddenly commenced a most destructive and barbarous inroad into the district of Annandale, at the head of four thousand men, and ravaged the country as far as the town of Dumfries, sacking and destroying castles and even private dwellings, plundering the peaceable inhabitants, and spreading destruction and dismay everywhere throughout his progress. His own letter to Elizabeth on this subject is very graphic, and, at the same time, places his character as a fit instrument for the execution of her nefarious policy in a most unfavourable light. "I repaired," he says, "with part of your majesty's forces to Carlisle, and receiving no such answer from the Lord Herries as I expected * * * * I entered Scotland the 22nd of this present, and returned thither the 28th, in which time I threw down the castles of Annand and Hoddom, belonging to the Lord Herries; the castles of Dumfries and Caerlaverock, belonging to the Lord Maxwell; the castles of Tynehill and Cowhill, belonging to the Lairds of Tynehill and Cowhill; the castles of Arthur Greame and Richies George Greame, ill neighbours to England and of Englishmen sworn, now Scots, and some other piles where the rebels have been maintained."‡ In a letter of the same date, addressed to Cecil, he says, "That he had avoided as much as he might the burning of houses or corn, and the taking or spoiling of cattle or goods, to make the revenge appear to be for honour only," and adds, "I have not left a stone house to an

* Spottiswood, p. 241.

† MS. Letter, State Paper Office, B C, Sussex to Cecil, July 15, 1570, Alnwick; Tytler, vol. vii. p. 278.

‡ Copy of the time, State Paper Office, B C, Sussex to Cecil, 19th July, 1570, Alnwick; Tytler, vol. vii. p. 278.

§ Copy of the time, State Paper Office, B C, Instructions by Lennox to Nicholas Elphinstone, 23rd July, 1570.

‖ MS. Letter, State Paper Office, Instructions to Nicholas Elphinstone, 23rd July, 1570; ibid., Lennox to Randolph, Stirling, 31st July, 1570; Tytler, vol. vii. p. 279.

* Draft by Cecil, State Paper Office, 26th July, 1570, the Queen to Sussex.

† Copy of the time, State Paper Office, Randolph to Sussex, 14th August, 1570; Tytler, vol. vii. p. 280.

‡ MS. Letter, State Paper Office, B C, Carlisle, 29th August, 1570, Sussex to the Queen's Majesty; Tytler, vol. vii. p. 281.

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ill neighbour within twenty miles of this town."* The qualifying phrase, "as much as he might," speaks volumes as to the unscrupulous nature of the proceeding, and very plainly indicates, even if direct evidence were wanting, that extensive havoc of the kind referred to was committed; while the concluding remark—so lightly, if not boastingly made—that he "had not left a stone house to an ill neighbour for twenty miles" around, presents us with a picture of wide-spread desolation, and an exhibition of savage and indiscriminate cruelty disgraceful to any age or nation.

Negotiations for the restoration of Mary.

While these atrocities were in progress, the game of dissimulation continued to be played in England. Negotiations for the restoration of Mary were still proceeding; but Elizabeth took care to clog her proposals with terms which that unfortunate princess could not accept. One of these was that the English queen should be put in possession of the castles of Edinburgh and Dunbarton. When this proposal was made by the Bishop of Ross, it was, without a moment's hesitation, indignantly rejected. Mary, braving the utmost malignity of her treacherous cousin, promptly replied that, whatever might befall herself, it should never be said she had sold that country into bondage of which she was the rightful queen and natural guardian.† For the space of two months after the invasion of Sussex, these sham negotiations were continued, but terminated, as was intended, just where they began. Cecil, accompanied by Sir Walter Mildmay, a member of the English Privy Council, repaired to Chatsworth, in Derbyshire, where Mary still resided, in order to lay before her and discuss with her the conditions of an accommodation. The Bishop of Ross, as we have seen, had previously repaired thither also to assist her by his counsel; and the nature of the proposals, as well as the political rank of the parties entrusted with them, seemed to indicate that Elizabeth was at last in earnest.‡ Meanwhile, Elizabeth had concluded a treaty with the two Scottish factions, which lasted from September, 1570, until April, 1571, and ultimately tended to promote the pacification of the country.§

Mary, after consulting with her commissioners, and communicating with the King of France and the Duke of Alva, accepted the overtures which had been made to her. She agreed to give Elizabeth every guarantee in her power, consistent with her dignity and her honour, for her faithful fulfilment of the treaty. She consented to relinquish all claim to the throne of England during the life of Elizabeth or her issue, if she should have any. She did not object to an alliance offensive and defensive between the two kingdoms, provided its object was clearly defined. She pledged herself to hold no intercourse with the subjects of the Queen of England without her knowledge and consent. She promised that, within a given time, she would send Elizabeth's rebels out of the country, though, from motives of honour and humanity, she could not think of giving them up. She consented that, before being restored to liberty, she should deliver as a hostage the young prince, her son, into the hands of Elizabeth, to be educated and brought up in England, until he should be fifteen years of age. And lastly, she promised not to marry again without Elizabeth's consent.

As a further security, it was required that six hostages chosen from the Scottish nobility should be sent to England. Mary, however, stipulated that the number should be reduced to four, and should not include the Duke of Chatelherault; the Earls of Argyle, Huntley, or Atholl; the Lords Fleming or Seaton; or the Wardens of the Western Borders; and that the earls and lords, or the eldest sons of earls and lords, who might be selected, should have liberty to revisit Scotland, to attend to their own affairs, provided that during their absence they should furnish substitutes of equal rank. Mary further agreed to have the treaty ratified by parliament; and consented that, if she violated it, either by attacking Elizabeth or assisting her enemies, she should not only forfeit all right of succession to the throne of England, but also be deprived of the crown of Scotland, which should then immediately devolve on her son.* After some discussion, sustained on the part of Mary with a dignity, judgment, and spirit, that excited the admiration even of Elizabeth's ministers themselves, the principal points were agreed on; and the unfortunate captive queen now hoped that the time was at hand when she should be restored to her liberty and her crown, of which she had been so long and so unjustly deprived.

In the fulness of her heart, she wrote to Elizabeth a very affecting and affectionate letter, which, from its simplicity, pathos, and eloquence, as well as from the light it throws on the character of its author, is well worthy of a place in this history. "Madam," she says, "my good sister, I have received the letters which you were pleased to write to me by Mr. Cecil, your secretary, and Mr. Mildmay, the Chancellor of your Exchequer, which have produced in me two contrary effects: the one of displeasure, to see by them your mistrust of my sincere intentions; and the other of pleasure, that your long silence is broken by your letters aforesaid, and your mind so far laid open by them, that inasmuch as you have been pleased to instruct your trusty councillors to communicate with me on your part, I have some little room to hope, instead of despair, for some good and speedy determination of my affairs, so long expected by me; in which hope I am much confirmed in, that you have been pleased to send me two of your most agreeable and faithful councillors. From whom having

* MS. Letter, State Paper Office, B C, Carlisle, Sussex to Cecil, 29th August, 1570.

† Copy of the time, State Paper Office, Randolph to Sussex, 11th August, 1570; Tytler, vol. vii. p. 280.

‡ Lesley's Negotiations, Anderson, vol. iii. p. 95.

§ Ibid., pp. 95, 96.

* Labanoff, vol. iii. pp. 88—115; Anderson, vol. iii. pp. 101—108.

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learned your pleasure, and such particulars as you charged them to communicate to me, I have so freely discussed with them every point that I trust it will satisfy you, and prove my affection to you, that on my part there remains no longer any scruple to obstruct our sincere and reciprocal friendship, which I prefer to that of any other prince. In proof of which, I consent to place in your hands the most valued jewel which God has given me in this world, and my sole comfort—my only and dear son; whose education, desired by several, is entrusted to you, and by him and me preferred before all others to your good pleasure. According to which I have willingly agreed to all obligations reasonably required, the more readily so that my intention is sincere to observe the conditions agreed upon between us, resolving henceforward to cast anchor, and terminate my weary voyaging in the haven of your natural goodwill towards me. Having recourse, instead of a pledge, to the merit of my humble submission and obedience, which I offer to you as if I had the honour of being your daughter, as I have that of being your sister and nearest cousin, and yielding to none in obeying and honouring you now as heretofore, if you please to accept me as entirely yours. In return for which I respectfully desire the favour of your presence, which will afford indubitable assurance of your perpetual favour henceforward, and hope to induce me never to swerve from your pleasure and command. And although by your letters and messages I can depend upon your goodwill and favour, nevertheless the favour of your presence and your own word alone can stop the mouths of those who either may vilify or try to break our treaty, esteeming it defective, as wanting such an evidence of good faith between us. For how are they to judge of us, seeing that we agree in all other points, and that I have been more than two years in your power, if I return without obtaining admission to your presence,—except that there is some deep-rooted displeasure in your heart towards me, seeing a similar refusal has never been made to any sovereign, so far from between a relative so near, and one who is so desirous to please you?

"Then, madam, my good sister, do not refuse this my very humble request to see you before my departure, so as to remove from me all fear of being undeservedly in your disfavour; and thus relying altogether on your goodwill, I shall have an indissoluble bond of friendship between us twain sufficient to shut the mouths of our mutual enemies who might pretend to the contrary; and by the same means I shall discover to you the secrets of my heart, of which I have given some insight, but darkly, to Mr. Cecil, your secretary, reserving, however, the chief point to that truly happy day so much desired by me, with the deference which I begged him to communicate to you on my behalf. Hoping that, having heard from your two trusty councillors and my ambassador, whom I send to you, hourly to receive your good pleasure and contentment, the sincerity with which I desire to proceed to satisfy you on all points, you will accede to my affectionate request. I shall devote myself more and more to love, honour, and obey you, which I am resolved to do, nevertheless; and, if you please so to favour me, I would beg of you first of all to command me when you please, where you please, in what company, to remain as secretly, as long or as short, without seeing or being seen but by you, with whom alone I have to do; of which God is my witness, that I have no other design but to convince you, and assure myself of your favour, without prejudice to any one, but to your satisfaction and my great consolation, which I desire after God from you; whom I pray to move your heart to receive graciously the offer which I make of mine, and that he may give you, madam, my good sister, a long and very happy life.—From Chatsworth, the 16th of October, 1570."*

For the honour of human nature, it is to be hoped that, with the exception of Elizabeth, no creature having a woman's heart beating in her bosom could remain unmoved by such a touching appeal. But the heart of Elizabeth, besides being "deceitful above all things," was "hard as a piece of the nether millstone." Mary, however, at last believing her sincere, subscribed the treaty; and, although some of its conditions were far from being agreeable to her, she seemed resolved faithfully to observe them. In a letter which she addressed at this time to the Pope, she says that she had been compelled by a regard to the state of the country, as well as by the dangers with which she was daily threatened, and the desertion of many who ought to have assisted her, to conclude a peace with Elizabeth on the disadvantageous conditions which were offered her, and assures him that she should never fail to act honourably and conscientiously.†

That the negotiation should terminate in this manner was very far from Elizabeth's intention. Its terms had indeed been agreed on by the contracting parties; but they were now to be subjected to a fresh discussion by a body of deputies appointed to meet in London. The two contending parties in Scotland were required to send commissioners to confer with the English queen on the restoration of Mary, and a treaty of alliance between the two kingdoms. The commissioners of Mary's party—the Bishop of Galloway and Lord Livingston—were promptly on the spot, and in conjunction with the Bishop of Ross, then in London, were ready to proceed with the important business entrusted to them.‡ Not so the deputies of the opposite faction, who had doubtless received instructions to procrastinate. Four months had elapsed since the return of Cecil and Mildmay from Chatsworth, and the commissioners of the Scottish

Scottish commissioners sent to London to confer with Elizabeth as to the restoration of Mary.

* Labanoff, vol. iii. pp. 107, 108, copy, Archives of the kingdom at Paris, Cartons des Rois, K. No. 95.
† Bzovius, p. 710, 31st October, 1570.
‡ Lesley's Negotiations, Anderson, vol. iii. p. 111.

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queen had been for two months at their post; still those of the king's party—the Earl of Morton, the Abbot of Dunfermline, and Sir James Macgill—had not yet arrived.* When at length they made their appearance, they found the treaty had already been virtually set aside. The Duke of Alva had disapproved of its general tenour,† and Charles IX. objected to two of its clauses, which Elizabeth considered of vital importance—viz. the education of the young prince in England, and the dissolution of the ancient league between Scotland and France.‡ But, even if these points had been conceded, it is evident that Elizabeth never intended to adhere to the treaty.§ She now insisted on the insertion of clauses to which she was well assured Mary would never agree; and Morton, Pitcairn, and Macgill, co-operated in this mean artifice, by declaring that they had only general instructions to treat of an amicable alliance between the two kingdoms, but had no authority to agree either to the restoration of Mary, or to the delivering up of the young prince to the care of Elizabeth.‖ This behaviour of Morton and his associates appears to have resulted from a previous correspondence of Morton with Cecil and Sussex,¶ and was therefore clearly traceable to the treachery of Elizabeth herself. Her base policy roused the indignation of the Bishop of Ross, who complained that his mistress had been cruelly deceived, denounced the whole proceeding as an unworthy subterfuge, and declared that if the Queen of England was sincere in these negotiations, the restoration of the Queen of Scots might be accomplished without difficulty, dishonour, or danger.** The result of the conference, however, had been determined on before it commenced; his remonstrance could not alter the resolution of those to whom it was addressed; and the proceedings were abruptly terminated by the English deputies, who declared that as the Scottish commissioners could not come to an agreement, the negotiation was at end.††

The conference broken up without coming to any decision.

It is not difficult to discover a motive on the part of Elizabeth for this elaborate piece of treachery. The conference had been commenced to propitiate the French king, at the time when the close of the third civil war was likely to leave him leisure to assist Mary's adherents in Scotland, was protracted so long as Elizabeth entertained apprehensions of a union between the kings of France and Spain for the restoration of Mary, and broken off as soon as she was relieved from all apprehensions with regard to the policy of the French court, by the proposal of a marriage between herself and the Duke of Anjou.*

While this solemn farce was being enacted in London, Lennox had never ceased harassing with relentless severity such as were opposed to his government in Scotland; and he finally resolved on summoning a parliament to proceed to the forfeiture of the leaders of the queen's party. Elizabeth signified a feigned disapprobation of these proceedings, by remonstrating in such a manner as was plainly intended rather to encourage than to check them.† This duplicity was carried so far as to disgust Sussex, who, though a ready and far from fastidious tool in taking vengeance on the adversaries of his mistress, had too high a sense of honour to suffer his reputation to be compromised by all her mean and disingenuous artifices. Hearing that Lethington was threatened with the penalties of treason, he wrote to Randolph in the following terms:—"Master Randolph, I hear that Lethington is put to the horn, his lands and goods confiscated and seized; if so it be, it doth not accord with the good faith the queen's majesty meant in the articles accorded between her highness and the Bishop of Ross, nor with the writing I subscribed: and therefore I have written to the regent and others in that matter. * * * And although I for my part be too simple to be made a minister in princes' causes, yet truly I weigh mine own honour so much, as I will not be made a minister to subscribe to any thing wherein my good faith and true meaning should be abused to my dishonour, or any person trusting to that he shall accord in writing with me, should thereby be by fraud deceived."‡

Party strife had now attained to such a height in Scotland as to threaten the dissolution of society. The distinctions of "king's men" and "queen's men" were to be found in every town and village throughout the country, and the most deadly political rancour, inflamed by mistaken religious zeal, tore asunder every tie of neighbourhood, friendship, and consanguinity. Men of opposite factions branded each other with opprobrious epithets, and charged each other with revolting crimes. Lennox was stigmatised by Huntley as an alien, a usurper, and a tool of Elizabeth; while, on the other hand, Huntley and his associates were denounced as traitors and enemies to religion, and as the murderers of the late king and the regent. These charges were retorted upon those by whom they were made; and the dispute becoming public, ended in the production of the band for the murder of Darnley, to which, among others, was affixed the signature of the Regent Moray himself. To

* Lesley's Negotiations, Anderson, vol. iii. p. 125; Letter from Mary to Sussex, Labanoff, vol. iii. pp. 197, 198.

† Memoir addressed by Mary to the Bishop of Ross, 8th February, 1571, Labanoff, vol. iii. p. 182.

‡ Letter from Mary to La Motte Fénélon, 31st May, 1571; Labanoff, vol. iii. pp. 262, 263; Lesley's Negotiations, Anderson, vol. iii. p. 121; La Motte Fénélon's Correspondence, vol. iv. p. 367.

§ Cecil's letters to Walsingham, 24th March and 7th April, 1571; Digges, pp. 67, 68; Mignet, vol. ii. pp. 127-8.

‖ Anderson, vol. iii. pp. 125, 127, 130, 131, 133; La Motte Fénélon's Correspondence, vol. iv. p. 4.

¶ Tytler, vol. vii. p. 282.

** Lesley's Negotiations, Anderson, vol. iii. pp. 134, 137, 139.

†† Ibid., pp. 138, 139.

* La Motte Fénélon's Correspondence, vols. iii. and iv., *passim*.

† Original Draft in Cecil's hand, State Paper Office, 25th September, 1570; Minute of the Queen's Majesty's letter to Sussex, Tytler, vol. vii. p. 283.

‡ Copy of the time, State Paper Office, 8th October, 1570, Sussex to Randolph; Tytler, vol. vii. p. 283; Diurnal of Occurrents, p. 193.

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this it was answered, that the band produced was not the *true* band for the king's murder, but one substituted by Lethington for the original band, which he had abstracted. We have no means now of deciding this dispute, but the very existence of such a document, signed beyond doubt by men of the first rank in the state, presents us with a dismal picture of the state of society at that period.

Knox denounces Mary from the pulpit as a murderer and an adulteress, and her adherents as traitors.

During this excited state of the public mind, John Knox warmly espoused the cause of the king's party, and with great vehemence publicly from the pulpit denounced Mary as a murderer and an adulteress, and her adherents as traitors. His zeal, which had all along been ardent and conspicuous, was, perhaps, at this juncture still further inflamed by rumours of an alliance in Mary's favour between France and Spain, which he regarded with horror, as the two greatest bulwarks of Popery and most uncompromising adversaries of the Protestant faith. "It has been objected against me," he said, "that I have ceased to pray for my sovereign, and have used railing imprecations against her. Sovereign to me she is not, neither am I bound to pray for her in this place. My accusers, indeed, term her their sovereign, and themselves the nobility and subjects professing her obedience; but in this they confess themselves traitors, and so I am not bound to answer them. As to the imprecations made against her, I have willingly confessed that I have desired, and in my heart desire, that God of his mercy, for the comfort of his poor flock within this realm, will oppose his power to her pride, and confound her and her flatterers and assisters in their impiety. I praise my God he of his mercy hath not disappointed me of my just prayer; let them call it imprecation or execration, as pleases them. It has oftener than once stricken, and shall strike in despite of man, maintain and defend her whoso list. I am farther accused that I speak of their sovereign (mine she is not) as that she were reprobate, affirming that she cannot repent; whereto I answer, that the accuser is a calumniator and a manifest liar, for he is never able to prove that at any time I have said that she could not repent; but I have said, and yet say, that pride and repentance abide not in one heart of any long continuance. What I have spoken against the adultery, against the murders, against the pride, and against the idolatry of that wicked woman, I spake not as one that entered into God's secret counsel; but being one, of God's great mercy, called to preach according to his blessed will, revealed in his holy Word, I have oftener than once pronounced the threatenings of his law against such as have been of counsel, knowledge, assistance, or consent, that innocent blood should be shed. And this same thing I have pronounced against all and sundry that go about to maintain that wicked woman, and the band of those murderers, that they suffer not the death according to his Word, that the plague may be taken away from this land, which shall never be, so long as she and they remain unpunished according to the sentence of God's law." *

Dunbarton Castle captured by the regent's party.

A most unexpected event, of great importance to the regent and his party now occurred. This was no other than their sudden surprise and capture of the Castle of Dunbarton. This fortress, the only place of strength in the west still held by the opposite faction, had, ever since the commencement of the civil war, been kept possession of in the queen's name by Lord Fleming, the governor. From its peculiar position, on a high and precipitous rock, rising abruptly from the river, it was in that age deemed impregnable; and, as commanding the great estuary of the Clyde, was esteemed the most secure and convenient place for the landing of troops or munitions of war from abroad. It happened that the wife of a soldier of the garrison, named Robertson, had been wrongfully, as he supposed, accused of theft, and punished by order of the governor; † and Robertson, in revenge, having made his escape, applied to Robert Douglas, a kinsman of the regent, offering to put him in possession of the castle if furnished with every necessary preparation, and a sufficient number of men to follow him as their guide. The scheme on examination appearing to be practicable, scaling-ladders and other apparatus requisite were speedily provided, and Captain Crawford, of Jordanhill, was appointed to conduct the enterprise, assisted by John Cunninghame, Laird of Drumwhassel, reputed one of the bravest men and most skilful officers of his time. Having sent on before him a party of horse to intercept all passengers, and thus prevent intelligence of the proceeding from being spread abroad, Crawford, accompanied by Robertson and a small band of resolute men, set out from Glasgow about sunset, on the 1st of April, and arrived about midnight at the hill of Dunbuck, about a mile from Dunbarton, where he met Drumwhassel and Captain Hume, attended by a hundred men. Here for the first time the soldiers were made acquainted with the nature of the undertaking, and being provided with ropes and scaling-ladders, they set forward in silence, and soon reached the bottom of the rock. A party of horsemen were left at some little distance behind to keep watch, and the avenues leading to the castle were secured to prevent intelligence reaching the governor. It had been a clear moonlight night, but the moon had now set, and a dense fog enveloped the summit of the rock. It was decided that the attempt should be made at a place called the Beak, where the rock was highest, and in consequence less carefully guarded; but the ladder was no sooner fixed, than the weight and impetuous rush of the eager assailants loosed it from its fastenings, and brought it to the ground. No one, however, was hurt by the fall; and, after listening and finding all quiet, they were satisfied that the noise had not reached the ears of the gar-

* Bannatyne's Journal, pp. 109, 112, inclusive; Calderwood, vol. iii. pp. 47—50. † Ibid. p. 54.

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rison. Accordingly, having fastened their ladder more securely, they once more commenced their ascent. The ladder was sixty steps in length, and when they had reached its summit they found themselves distant about twenty steps from a small ledge of the rock, where an ash-tree grew from the cleft. To this spot Crawford and the guide clambered with much difficulty and danger, and having reached it they, by means of cords which they fastened to the roots of the tree, soon brought up the ladders and their companions. They were still, however, at a great distance from the bottom of the wall.* Having managed to make fast their ladder a second time, they once more began to mount; but when they had proceeded half-way, a new and most unexpected obstacle presented itself. One of their party was seized with a fit, and, clinging in a state of insensibility to the ladder, rendered it impossible for any one to pass him. To have thrown him down, besides being repugnant to feeling, might have attracted the attention of the guards above, and occasioned a discovery; but in this dilemma Crawford, with great presence of mind, ordered the man to be bound fast to the ladder, and turning the other side of it, they were able to ascend as before. In this manner they reached the foot of the wall just as day began to dawn; but this last obstacle, though of considerable height, was soon surmounted. Fastening the iron hooks of their ladder to the copestone, Alexander Ramsay, Crawford's ensign, followed by two others, was the first to ascend, and in a few moments appeared on the parapet. He was instantly observed by the sentinel, who had scarcely time to give the alarm when Ramsay dispatched him. Three soldiers of the garrison were immediately on the spot, but he managed to keep them at bay until the arrival of his companions. In the meantime the old wall, being shaken by the weight and violence of the assailants, gave way, and falling inwards, left a patent way for the entrance of the whole party. They rushed forward with great fury, shouting out "A Darnley! a Darnley!" and seizing on the cannon, turned them against the garrison, who by this time completely alarmed had turned out half naked, but were so overcome with surprise and terror that they offered no resistance. Lord Fleming, the governor, making his way down a dangerous ravine, escaped through a postern-gate, and, getting into a small fishing-boat, fled unattended into Argyleshire. The assailing party did not lose a single man in this daring enterprise, and only four of the garrison were slain. Among the prisoners taken in the castle were Verac, the French ambassador; John Fleming, of Boghall; John Hall, an English gentleman, who had taken refuge in Scotland after Dacres' rebellion; the Lady Fleming, wife of the governor; Alexander, Master of Livingston; and John Hamilton, Archbishop of St. Andrew's, who was found armed with a shirt of mail and a steel cap.†

The official character of Verac as the ambassador of a foreign power was so far respected that, after a short detention, he was set at liberty. Lady Fleming was treated by the regent with great courtesy and kindness, and was not only suffered to continue at liberty, but was permitted to carry with her her plate and furniture. John Hall was sent back to England, and Fleming of Boghall was committed to prison;* but the Archbishop of St Andrew's, bearing the hated name of Hamilton, and personally obnoxious to the regent, was reserved for prompt and condign vengeance.

The Archbishop of St. Andrew's is hanged and quartered.

He was immediately conveyed under a strong escort to Stirling, and there, on a charge of having been accessory to the murder of the king and the late regent, he was without any formal trial condemned to death; and on the fourth day after his capture was ignominiously hanged and quartered.† There can be little doubt that he was guilty of the crimes imputed to him, while his profligate life deprived him of all public sympathy; at the same time, the hurried and irregular character of the proceedings against him showed that they were dictated as much at least by party rancour and personal malevolence, as by the love of justice.‡

Both parties, now exasperated to frenzy against each other, prepared for a final and most deadly struggle. Notwithstanding the loss of Dunbarton, which was felt to be a terrible blow to their hopes, the queen's faction did not despair of ultimate success. Grange, who in the meantime had increased the number of his garrison, and made great defensive preparations, still held possession of the Castle of Edinburgh, and overawed such of the citizens as belonged to the opposite faction. He even issued a proclamation, declaring Lennox to be a usurper, and commanding all who acknowledged his authority to quit the city within six hours; he also seized the arms belonging to the inhabitants, and fortified the gates of the city.§ A further proclamation was published in due form, on the 30th of April, at the market Cross of Edinburgh. "To all and sundry noblemen," so runs the document, "barons, gentlemen, and other lieges through all Scotland, I, Sir William Kirkaldy of Grange, knight-captain of the Castle of Edinburgh, make it manifest that forasmuch as Matthew Earl of Lennox having unlawfully intruded himself in the regiment of this realm, hath lately caused publish sundry letters at divers burghs of the same, full of calumnies, in-

Grange issues a proclamation declaring Lennox a usurper.

* "When they were at the tree, they had five score ladders to the root of the wall."—*Calderwood.*

† Robertson, vol. ii. pp. 15—17; Diurnal of Occurrents, p. 203; Buchanan, book xx., cap. 28—32; Historie of James the Sext, pp. 70, 71; also MS. Letter, State Paper Office, B C, Drury to the Privy Council, 3rd April, 1571; also MS. Letter, State Paper Office, B C, Drury to the Privy Council, 9th April, 1571; Calderwood, vol. iii. pp. 54—57.

* Calderwood, vol. iii. p. 58.

† Tytler, vol. vii. p. 290; Robertson, vol. ii. p. 17; Calderwood, vol. iii. pp. 58, 59.

‡ The following distich was affixed to the gallows on which he suffered:—

"Crescat iniqua felix arbor, semperque vireto
Frondibus, qui nobis talia pœna feras."

§ Calderwood, vol. iii. p. 71.

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juries, and untrue reports against me, by persuasion of certain factious persons, enemies to their native country, and to all such as tended the liberty thereof, and in effect commanding and charging in his pretended manner all men, and especially my friends and servants, and men of war whom I have conduced for preservation of the said castle, to abandon and leave me and my service, to the end, as clearly may appear, that he might the more easily betray and surprise the same, and thereby to continue in his detestable tyranny, to the utter subversion of the laws, estates, and liberty of this our native country: For what cruelty, rief, heirship, oppression, destruction of policy, he and his faction have used and done bygone, I leave to be judged by your wisdoms as a thing most notoriously known. * * * * Further account of my doings I will not give the said Earl of Lennox, whose usurped regiment I never acknowledged, nor yet intend to do, but rather opposed myself at the beginning, and ever since, to the same. And how I have behaved myself in keeping or using of the said castle, without violence or injury, and how uprightly I have ever meant and mean anent this realm, and pacification of the present troubles, I call God to witness most earnestly, and all other good men within Edinburgh, and others within the reeke [smoke] of this house: Requiring herefor all good Scotchmen, and those that fear God without hypocrisy, as they tender the welfare of this their native country, to fortify and assist me to continue in keeping of this said house, against whatsoever persons shall happen to invade me, my friends, partakers, or the said castle, as I shall be ready to maintain and defend every one of them in case they be invaded by any unlawful means, for that cause or other causes under colour thereof: Certifying all such as will not concur with me in the cause and quarrel foresaid, that I will be their unfriend at my power, discharging myself to them by these presents, which I thought good to verify to all subjects of this realm: Protesting before God and the world that I mean nothing, but to be ready to maintain the true religion established within this realm, with the common weal and liberty of this my native country, without any kind of particular of my own."*

Notwithstanding these solemn protestations, it would seem that Grange had but very recently been guilty of various acts of illegal violence, subversive of that "common weal" to which he professed so much regard. In particular, he had broken open the common prison of Edinburgh, and liberated a soldier who had been guilty of assassinating a gentleman in the public street; and it is alleged had, at the same time, carried off a woman who had been cognizant of the murder of the regent. That these allegations, if false, were currently reported and believed is evident from a letter addressed to him at that time by Cecil, indignantly remonstrating with him on the flagrant impropriety of his conduct. "How you will allow my plainness," he says, "I know not; but surely I should think myself guilty of blood, if I should not thoroughly mislike you; and to this I must add that I hear, but yet I am loath to believe it, that your soldiers that broke the prison have not only taken out the murderer, your man, but a woman that was there detained as guilty of the lamentable death of the last good regent.

"Alas! my lord, may this be true? and, with your help, may it be conceived in thought that you—you, I mean, that was so dear to the regent, should favour his murderers in this sort? Surely, my lord, if this be true, there is provided by God some notable work of his justice to be showed upon you; and yet, I trust, you are not so void of God's grace: and so for mine old friendship with you, and for the avoiding of the notable slander of God's word, I heartily wish it to be untrue. * * * * I pray you commend me to my Lord of Ledington, of whom I have heard such things as I dare not believe of him, and yet his deeds make me afraid of his well doing."*

Both parties prepare for hostilities.

Meanwhile Lennox repaired to Edinburgh, resolved to hold a parliament, and to concentrate there all the forces at his disposal, with a view to consolidate his own power, and, by one great effort, to ruin for ever the opposite faction; and having been joined by Morton, Macgill, and the Abbot of Dunfermline, who had now returned from England, they determined to recommence warlike operations at all hazards. Lennox accordingly gave orders for assembling the whole military strength of the kingdom at Linlithgow, on the 19th of May, while Morton collected at Dalkeith the regular troops that had been accustomed to act under the authority of the regent's government.† Grange, on the other hand, felt himself sufficiently strong to cope with the utmost force of his enemies. He was joined by the duke with three hundred horse and one hundred hagbutters, by Herries and Maxwell with two hundred and forty horse, and by Huntley and Fernyhirst with such followers as they could muster. He had also received a supply of money from Mary, who still found means to keep up a secret intercourse with her friends, together with a thousand crowns, besides ammunition and arms, from France. Thus encouraged and re-inforced, and strong in his position in the Castle of Edinburgh, he resolved to hold out to the last extremity, without any apprehension as to the issue.

The time was now at hand for the assembling of the parliament, which had been summoned by the king's party to meet at Edinburgh. The regent, however, not having sufficient artillery to assault the town, was unable to gain admittance. It was therefore resolved that the meeting should take place in a house at the head of the Canongate, which was included within the liberties of the city

* Calderwood, vol. iii. pp. 61—63.

* Copy, State Paper Office, endorsed by Cecil, "Copy of my letter to the Laird of Grange, 10th January, 1570-71."

† Diurnal of Occurrents, p. 209.

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though situated without the walls.* In order to command this street, and to protect the parliament from any attempt on the part of Kirkaldy and his followers to interrupt the proceedings, Lennox and Morton encamped at Leith, on the 9th May, with their united forces, and erected a small battery on an elevated spot called the Dow Craig, above the Trinity Church. Having taken these precautions, the parliament assembled on the 14th of May,† the members having obeyed the proclamation with great exactness, in order to obviate any objection that might be taken to the legality of the meeting. Never was parliament held under such extraordinary circumstances. Kirkaldy exerted himself to the utmost to interrupt the meeting, and during their deliberations kept up a constant cannonade upon them from the battlements of the castle. All however was in vain: they proceeded to business, as was natural under such circumstances, with the utmost dispatch; and, during their brief sederunt, they managed to pass an Act attainting Lethington, his brother, Thomas Maitland, and others of the same party, and then adjourned, appointing the next meeting to be held at Stirling on the 14th of August.‡

The regent holds a parliament in the Canongate.

Kirkaldy, not to be behind his opponents, on the 12th June held a rival parliament in the queen's name, in the Tolbooth of Edinburgh.§ At this meeting, a letter from the queen was read, declaring invalid her deed of demission and her consent to her son's coronation; whereupon supplication was made, setting forth that the deed having been "extorted by just fear of present death, and without consent and authority of the Estates of the realm, it is not, nor ever was valuable, nor can by the laws of nature, God, nor man be sustained." In conformity with this an Act was passed in these terms: "The lords spiritual and temporal, and commissioners of the burghs presently assembled, being with the said supplication ripely advised: It is statute and ordained by the authority of the parliament foresaid, that the said pretended demission, renunciation, and overgiving of the crown, and consequently the coronation of her dearest son, the regiment and usurped authority thereupon depending, with all that followeth thereupon, for the reasons specified in the said supplication, and good considerations notour to the whole estates, are, were, and from the beginning have been null in the self, void, and of no force nor effect; and so are to be reputed and holden of no validity in all times to come, but to cease, and have no farther effect during her majesty's life: and that the whole subjects of the realm are bound to acknowledge their natural band of allegiance to her majesty, as their only undoubted sovereign, like as the same pretended demission and coronation, with all that followed thereupon, had never been devised, nor yet had been, *in rerum natura*, the same, notwithstanding, according to the desire of the said supplication, and that letters be directed thereupon, in form as effeirs.

Kirkaldy holds a parliament in the Tolbooth.

"Attour, it is statute and ordained, that no man take upon hand to alter, change, innovate, or pervert in any sort, the form of religion and administration of the sacraments, publicly professed and established within this realm, that the Evangel sincerely preached may have course and be prorogated, without let, hindrance, or impediment to the honour of God and comfort of his Kirk; and that all superintendents, ministers, exhorters, and readers, in public prayers and supplications, make their prayer in a decent form; namely, for the queen's majesty, our sovereign lady, and her dearest son, the prince, and for her highness's council, and whole body and states of this commonwealth."* A proclamation of the queen's authority in terms of this Act was made next day at the Cross of Edinburgh,† and the parliament was adjourned until the 26th August.‡

The picture which historians have drawn of the miseries to which the nation at this period was subjected, are, even at this distance of time, distressing to contemplate. All the natural bonds by which society is held together gave way under the exasperation of political rancour. Neighbour was alienated from neighbour, friend from friend, brother from brother. The contagion reached even to the children, who fought together in the streets, under the common party distinctions of "king's men" and "queen's men."§ Nor were the peaceably disposed permitted unmolested to remain neutral. The citizens of Edinburgh, placed between the fire of the castle on the one hand, and that of the besieging army on the other, were compelled either to take part in the defence of the city or to join the besiegers, and thereby incur the penalty of confiscation. The latter distressing alternative was embraced by not fewer than two hundred of them, who sought refuge in the regent's camp. Even the municipal government of the city was violently dissolved; and Ker of Fernyhirst was, by the authority of Grange, appointed as provost, with a council composed of his military retainers.‖

The English queen now interposed, avowedly for the purpose of mediating between the contending factions and restoring public tranquillity. Her sincerity, however, has been questioned;¶ not unreasonably, if we may judge from the result, taken in connection with her known character for duplicity and intrigue. On this occasion she sent Sir William Drury, Marshal of Berwick, to open negotiations with the leaders of both parties. The

Sir William Drury is sent by Elizabeth to open negotiations with the leaders of both parties.

* Calderwood, vol. iii. p. 78. † Ibid.
‡ Ibid. Robertson, who refers to Calderwood as his authority, says the 28th of August. § Ibid.

* Calderwood, vol. iii. pp. 91—96. † Ibid., p. 97.
‡ Crawford's Memoirs, p. 177. § Ibid., p. 179.
‖ Diurnal of Occurrents, p. 226.
¶ Melvil's Memoirs, p. 240; MS. Letter, State Paper Office, Morton to Elizabeth, Leith, 23rd August, 1571.

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articles he proposed to them in the queen's name were seven in number, and provided chiefly for a cessation of hostilities on both sides: "so the same may be beneficial to the king's party," the safe custody of the king's person in the hands of his present guardians, and a remit to Elizabeth of "all matters in controversy public and private." This attempt at pacification proved utterly abortive. The regent refused his consent to a truce, unless the adverse party should restore the fortalices and castles which they had taken during the former abstinence;* and their contentions were renewed with increased violence.

The queen's parliament again assembled in Edinburgh.

On the 26th August,† as had been appointed, the queen's parliament once more assembled in Edinburgh. The meeting was attended, however, by only two bishops and three of the superior nobility;‡ nevertheless they passed sentence of forfeiture and treason against nearly two hundred persons belonging to the opposite faction; including Lennox, the regent, Morton and Mar, the Lords Lindsay, Hay, Cathcart, Glammis, Ochiltree, Macgill, the Clerk-Register, the Bishop of Orkney, and many other persons of distinction.§

The regent's parliament assemble at Stirling.

The regent, on the other hand, on the 28th August held his parliament, consisting of the three Estates of the realm, at Stirling. The meeting was numerous and imposing; and the young king, only five years of age, arrayed in the robes of royalty, was brought thither by the Earl of Mar, and addressed the assembly in a speech which had been prepared for him. "My lords," he said, "and ye, the true subjects, who are convened here, as I understand, to minister justice; and because my age will not suffer me to exercise my charge myself, by reason of my youth, I have given power to my good sir, as regent and tutor to me, and you to assist him therein, as ye will answer to God and me thereafter."‖ The parliament then proceeded to pronounce sentence of attainder against the Duke of Chatelherault, the Earl of Huntley, Sir William Kirkaldy of Grange, the Lord Claude Hamilton, the Abbot of Arbroath, Sir James Balfour, Robert, afterwards Sir Robert, Melvil, and various other persons who had rendered themselves conspicuous among the queen's party. It was also resolved that an embassy should be sent to Elizabeth, with a view to draw closer the alliance between the two kingdoms, and to express their assurance of the speedy and final overthrow of Mary's party.¶ At this meeting were present the Earls of Argyle, Eglinton, and Cassillis, and Lord Boyd, who had hitherto been zealous partisans of the opposite faction, but whom the regent had gained over to the king's party. Boyd had even been one of Mary's commissioners in the conferences at York and Westminster, and in that capacity had been admitted to her confidence, and become acquainted with all her schemes. At this meeting a circumstance occurred perhaps too trifling to find a place in history, but which we mention because it has been recorded by several historians of note. The young king observing a hole in the roof of the building, or, as others say, in the cloth that covered the board at which he sat, asked some one near him what house they were in, and on being informed that it was the House of Parliament replied, "There is a hole in this parliament." This remark was construed by many persons at that time into a prediction of the death of the regent, an event which occurred a few days afterwards.*

Stirling surprised by the queen's party.

While the regent and great part of his adherents were still in Stirling, and, confident in their numbers and their distance from the capital, were living in a state of fancied security, the bold and fertile genius of Kirkaldy suggested one of the most daring enterprises that had been attempted during these protracted struggles. This was nothing less than by a sudden and dextrous movement to surprise the town and Castle of Stirling, and seize the principal leaders of the king's party. Kirkaldy had purposed to conduct this exploit in person; but the lords of his party succeeded in persuading him to the contrary, representing to him that by endangering his own safety he endangered the cause of the queen, and promising that the affair should be managed in precise accordance with his directions. The leaders selected for this undertaking, however, were men of known courage and ability. These were Huntley, Lord Claud Hamilton, Buccleuch, Spens of Wormiston, and Ker of Fernyhirst, accompanied by two officers, named Calder and Bell. The last, who was a native of Stirling, and intimately acquainted with all the passages of the town, was constituted ensign-bearer to a company, and appointed to act as guide.† To the conduct of these leaders was assigned a party consisting of sixty mounted hagbutters and about three hundred footsoldiers,‡ who, however, were provided with horses for the journey.§ This small but resolute band set out from Edinburgh on the evening of the 3rd September; but, in order to deceive their enemies, instead of proceeding directly towards Stirling, they took the road to Peebles. This ruse had the desired effect, as it was rumoured in the camp at Leith that they contemplated an attack upon Jedburgh. Small parties of horsemen had in the meantime been sent out to intercept the travellers between Stirling and Edinburgh, to prevent intelligence of the expedition from being conveyed to

* Calderwood, vol. iii. pp. 97–99.
† Ibid., p. 136.
‡ Spottiswood, p. 256; MS. Letter, State Paper Office, August, 1571; Tytler, vol. vii. p. 295.
§ Diurnal of Occurrents, pp. 236, 242, 243; Calderwood, vol. iii. p. 136.
‖ MS. Letter, State Paper Office, John Case to Drury, Stirling, 29th August, 1571; Calderwood, vol. iii. p. 136.
¶ MS. State Paper Office, August, 1571, Persons forfeited in Scotland; Tytler, vol. vii. p. 296; Maitland, vol. ii., 1124; Diurnal of Occurrents, p. 245.

* Calderwood, vol. iii. p. 136.
† Ibid., p. 139.
‡ Ibid.
§ Robertson, vol. ii. p. 22.

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the capital.* When the darkness of night had set in, the hostile band, suddenly turning to the right, took the road leading to Stirling, and pushing rapidly forward, arrived a little before dawn within a mile of the town. Here they left their horses, and under the conduct of their guide entered Stirling by a secret passage, and before the townspeople were stirring took possession of the principal streets. They instantly proceeded to carry out their daring plan, and amid loud shouts of "A Hamilton! a Hamilton! Remember the Archbishop of St. Andrew's! All is ours!" † they burst into the noblemen's houses, and in a few minutes made prisoners of the regent, Argyle, Morton, Glencairn, Cassillis, Eglinton, Montrose, and Buchan, with the Lords Semple, Cathcart, and Ochiltree. Of these Morton alone made any resistance: he barricaded his house, and defended it with such obstinacy that it was not until two of his people were slain, ‡ and his house set on fire, that he surrendered to the assailants. The victory was now complete; and had it not been for the misconduct of the Borderers, the queen's party would in all probability have obtained permanent supremacy in the kingdom. The Liddesdale-men, however, accustomed to the predatory expeditions of the Border, broke their ranks, and dispersing themselves over the town, began to plunder the shops and booths of the inhabitants. Intelligence of what was going forward at last reached the Earl of Mar, governor of the castle, who sallying forth with forty soldiers, and taking possession of an unfinished building in the Market-place, commenced firing on the intruders, many of whom were confusedly congregated there, and soon drove them to another quarter of the town. Here they were assailed by the townsmen, who had turned out in arms to assist the governor, and, being seized with a sudden panic, they took to flight with such precipitation that they trod upon each other. In the midst of this confusion, Morton and the other noblemen who had been made prisoners, taking courage, and seizing on such weapons as happened to be at hand, turned on their guards, and after a brief struggle effected their own liberation. The cause of the assailants was now desperate: some surrendered themselves to their own prisoners, others took to flight. Pursuit, however, was impossible, as they had taken possession of all the horses in the town, and, mounted on these, were soon beyond the power of their enemies. Calder, frantic with rage at the failure of the enterprise, resolved to put the regent to death. Spens of Wormiston, to whom the regent had surrendered, and who had received strict orders from Grange to save his life at any risk, suddenly threw himself between Calder and the regent, just as the former was in the act of firing, and the shot passing through Wormiston's body, mortally wounded the regent in the back. The soldiers of the king's party then fell upon Spens, and hacked him to pieces, notwithstanding the earnest entreaties of Lennox, who, amidst his own sufferings, implored them to spare him. The regent was conveyed on horseback to the castle; and a physician, on examination of the wound, at once pronounced it to be mortal. Feeling that he was approaching his end, he called his lords to his bedside, and in a parting address reminded them that, in obedience to their desire, he had assumed the office of regent; he declared that in doing so he was in no degree actuated by motives of personal ambition; he recommended his grandson to their care, and entreated them to be careful to appoint as regent a man who feared God and wished well to his country. Then, grasping Mar by the hand, he besought him to convey his love to his Meg (meaning the countess his wife), to endeavour to console her, and to say that he committed her to the goodness of the Almighty.* He expired the same evening, the 4th of September.

The regent shot by Calder.

The assassination of the regent was avenged on Calder, the perpetrator, and on Bell, as accessory, with revolting cruelty. Bell was first put to the torture, and afterwards hanged; and Calder was broken on the wheel. On examination under torture Bell admitted that he had called out, "Shoot the regent! the traitor is coming upon us, and ye will not get him away." Calder confessed his crime, to which he said he was instigated by Lord Huntley and Lord Claud Hamilton, in revenge for the death of the Archbishop of St. Andrew's.†

Execution of Calder and Bell.

In this daring enterprise not more than nine of the assailants were slain, and sixteen, including Buccleuch, made prisoners. They had been masters of the town for about three hours, and but for the want of discipline already referred to, might have slain or taken prisoner every person of distinction within its walls, and thus subverted the king's party for ever.‡

On the next day after the death of Lennox, the nobles assembled to elect a successor to the regency. There appeared three candidates for the office—Argyle, Morton, and Mar—the last of whom was elected by a plurality of voices. There were many circumstances to recommend this preference. Argyle, as we have seen, had been but recently won over from the queen's faction, and, it might be supposed, was scarcely yet entitled to take the leadership among his new associates, to whom he had so long been opposed. Morton was supported by English influence, which was felt even by his own party to have already at least sufficient weight in Scottish affairs; moreover, though possessed of great talent, his ambition

Mar is elected regent.

* MS. Letter, State Paper Office, from Scotland, a spy to Lord Burghley, 5th September, 1571; also MS. Letter, State Paper Office, Grange and Lethington to Sir William Drury, 6th September, 1571; Tytler, vol. vii. p. 297.

† Calderwood, vol. iii. p. 139.

‡ Ibid.

* MS. Letter, State Paper Office, Drury to Burghley, Berwick, 10th September, 1571; Spottiswood, p. 257.

† Second Examination of Bell, State Paper Office, 6th September, 1571; MS. Letter, State Paper Office, 6th September, 1571.

‡ MS. Letter, State Paper Office, Drury to Burghley, 13th September, 1571; Tytler, vol. vii. p. 299.

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was inordinate—his disposition imperious, daring, crafty, and unscrupulous—his temper harsh and overbearing. Mar, on the other hand, had been distinguished by a degree of honesty, disinterestedness, moderation, and love of peace, extremely rare among the notables of these times; and had, besides, the good fortune of being at that very moment instrumental in rescuing the whole party from impending ruin. That his abilities were not of the highest order, and his power comparatively limited, so far from being a bar to his advancement, was an additional recommendation, as he was thus less likely to become formidable to his haughty and jealous compeers.*

His appointment is approved and ratified by parliament, who at the same time send a letter to the leaders of the queen's party.

At an adjourned meeting of the parliament, held at Stirling, the appointment of Mar to the regency was approved and ratified; and the sentence of forfeiture passed against the Earls of Argyle, Eglinton, and Cassillis, and Lord Boyd, was rescinded,—"seeing they were now come to the obedience of the king's authority." At the same time a letter was concocted to be sent to the leaders of the queen's party, who still remained in the Castle of Edinburgh. This message, which was delivered by the person entrusted with it into Lethington's own hand, is thus superscribed:—"The nobility and estates of this realm of Scotland, presently convened in parliament at Stirling, in the fear of God and lawful obedience of the king, our sovereign lord, to all persons now remaining in the burgh and Castle of Edinburgh, the 7th of September, 1571."

Its tone was moderate and conciliatory. It briefly alluded to the calamities suffered by the nation, and particularly by the capital, through the proceedings of the queen's party, and admonished them of the danger of obstinately persisting in the course they had been pursuing. "The end must be," it represented, "either that he [the king] be obeyed, and peace and justice restored in this commonwealth, or then the force of you now compassed within that castle must undo him, whose subjects we profess ourselves to be, and so, consequently, exterminate us and our posterity. What ground ye build on in your enterprise, or what certainty ye can look for, or the course ye run, let every one of you consider by himself, and look upon the inconveniences of this war, if it will continue, and of the fruits which peace and justice would bring. * * * To be short, this realm may no longer sustain this contempt, rebellion, and confused state; but either must the king, our sovereign lord, his authority be obeyed, the town of Edinburgh set at liberty, and the seat of justice restored, to the universal commodity and ease of the subjects, or then must we give our lives, and employ our substance and friends, in the quarrel." But while this threat was held out on the one hand, the parties were on the other assured of safety and protection, in the event of their following the "advice" tendered to them. The document concludes in these terms:—"And if our admonition be rejected, we protest that as ye yourselves have been, and are, the occasion of all the evil and extremity which hath followed your obstinacy and contempt, so whatsoever harm or inconvenience happen to any of us in prosecution of this just cause, that our bloods and scathes [injuries] be required at your hands and your posterity's."*

This communication does not seem to have produced any immediate change of purpose in the parties to whom it was addressed. Grange still continued to hold out successfully, and, confident in his position and resources, to bid defiance to his enemies. The regent accordingly attempted to reduce the city by bombarding it—first from the east side, and afterwards from the south; but, after a siege of eight or nine days, was foiled in both instances, and compelled to fall back upon Leith.† Nor were his attempts at negotiation more successful, every effort being secretly counteracted by Morton, whose disappointed and unprincipled ambition led him to sacrifice the peace of the kingdom to the gratification of a mean and spiteful malevolence against his more successful competitor. But this was not his only or even principal motive for his nefarious conduct. He was a tool of Elizabeth, and at this time was actually pensioned by that impersonation of cold-blooded selfishness, hypocrisy, and intrigue, to carry out her abominable policy of fomenting discord, and protracting those fierce and sanguinary struggles which had already brought the kingdom to the brink of destruction.‡

The regent bombards the Castle of Edinburgh.

The queen's party now enjoyed a brief period of success. Mar felt his inability to cope with the complicated difficulties of his position, and anxiously petitioned Elizabeth for the assistance§ which he naturally expected from that quarter, but which it did not accord with her policy to grant; while, in the north, Adam Gordon of Auchendown, brother of the Earl of Huntley, a man of high military genius, after several successful conflicts with the king's troops, reduced the whole of that quarter into subjection to the authority of the queen.‖ But these triumphs were short-lived. An event now occurred in Eng-

Adam Gordon reduces the north to the queen's obedience.

* MS. Letter, State Paper Office, 14th September, Berwick, Drury to Burghley; Tytler, vol. vii. p. 300; Spottiswood, p. 257; also MS. Letter, State Paper Office, Berwick, 14th September, 1571, Drury to Burghley. Drury gives Mar a high character as "one of the best nature in Scotland, and wholly given to quietness and peace."

* Calderwood, vol. iii. pp. 143, 144.

† MS. Letter, State Paper Office, Berwick, 9th October, 1571, Drury to Burghley; MS. Letter, State Paper Office, Hunsdon to Burghley, Berwick, 4th November, 1571; Tytler, vol. vii. p. 301; Calderwood, vol. iii. p. 153.

‡ MS. Letter, State Paper Office, Instruction by Morton, given to Sir William Drury to communicate to the Queen's Majesty, about 28th November, 1571; Tytler, vol. vii. p. 305.

§ MS. Letter, State Paper Office, endorsed by Cecil, Cunningham's Demands, 1st October, 1571; Tytler, vol. vii. p. 301.

‖ Historie of James the Sext, pp. 109, 113.

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land which proved the precursor of the final extinction of Mary's hopes, and the ruin of her party in Scotland. This was the discovery of a new intrigue of the Duke of Norfolk, with a view to the liberation of the Scottish queen, and his marriage with that princess. The duke had been liberated from the Tower under the promise of his holding no farther communication with the Queen of Scots; but a train of circumstances occurring apparently favourable to his long-cherished design, he was induced, regardless of his promise, to lend himself to a plot which proved ultimately fatal to both parties. Mary, disappointed of all her hopes of succour from the court of France, which, in consequence of the projected marriage of Elizabeth with the Duke of Anjou, she considered as in league with her enemies, now looked to the King of Spain for assistance. Philip, through the medium of the Bishop of Ross, had for some time not only kept up a secret correspondence with Mary, but had repeatedly sent small sums of money both to herself and her party in Scotland. The bishop had entrusted as his agent in carrying on a negotiation with Mary, one Ridolphi, a Florentine gentleman who resided in London under the guise of being a banker, but who was in reality an agent of the Pope. Mary, thinking it necessary to inform the Duke of Norfolk of what was going forward, wrote to him a long letter in cipher, complaining of the manner in which she had been treated by the court of France, intimating her resolution to solicit the aid of the King of Spain, and recommending to him Ridolphi as a person at once worthy of his confidence, and able materially to assist in the advancement of the project. The duke rashly entrusted the letter to his secretary, Hickford, with orders first to decipher it and then commit it to the flames; but the perfidious secretary, instead of burning the letter, hid it under the duke's bed.

New conspiracy of the Duke of Norfolk.

The duke naturally listened with eagerness to the representations of Ridolphi, which flattered his hopes of the ultimate completion of a scheme he had long had so much at heart. Ridolphi assured him of pecuniary aid from the Pope, to any extent that might be required, and informed him that the Duke of Alva was in readiness to land an army of ten thousand men near London. He represented to him that the Roman Catholics of England were but awaiting the signal of revolt to rise *en masse;* that many of the nobility were impatient to join them; that all looked to him as the leader of this great enterprise; and that its success, under such propitious circumstances, could scarcely be doubted. Norfolk, dazzled by the prospect of the splendid prize before him, and credulously confident of the means by which it was proposed to be attained, had the temerity to allow his name to be employed in the negotiations with the Pope and the Duke of Alva, for entering on this daring and desperate enterprise. In the meantime, however, obscure intimations of the conspiracy had reached the ears of the government, and the interception of a sum of money which had been entrusted by the French ambassador to Barker, one of Norfolk's secretaries, to be conveyed, together with certain letters in cipher, to some of Mary's adherents in Scotland, was the means of leading to a full discovery of the premeditated treason. Hickford, in conjunction with Bannister, Norfolk's steward, undertook, with permission of their master, to find means of sending both the money and the letters to Lord Herries; but the person employed to convey them, inferring from the weight of the packet that it contained gold, and suspecting the object for which it was sent, instead of proceeding with it to Scotland, placed it in the hands of Burghley.* The three agents in this transaction were instantly arrested, and subjected to a rigid examination, which led to the apprehension of the duke and the whole of his domestics.

He is arrested, and again committed to the Tower.

On being conveyed to the Tower, Hickford unreservedly disclosed the whole secret,† and indicated the place where the cipher in which Mary's letters were written, the letters themselves, and sundry other treasonable papers were deposited. These, together with the evidence of the Duke's domestics, and a confession wrung from the Bishop of Ross, under the threat of torture,‡ were deemed conclusive evidence of his guilt. On the 14th of January, 1571, he was brought to trial before a jury of twenty-seven peers, was found guilty, and condemned to be hanged, drawn, and quartered, two days thereafter. The execution of the sentence, however, which was commuted to that of decapitation, was from time to time delayed; but at last, on the 2nd of June, he suffered death by the hands of the executioner on Tower Hill.§

He is tried, found guilty, and condemned to death.

His execution, 2nd June, 1571

The Bishop of Ross, who had been deeply implicated in this conspiracy, was arrested and committed to the Tower; and, notwithstanding his privileges as an ambassador, his papers were searched, and he was even threatened with death,—the crown lawyers having declared that an ambassador found guilty of a conspiracy against the sovereign to whom he is accredited, thereby forfeits his privileges, and may be subjected to the penalties of the law, like a common malefactor. After a protracted imprisonment, he was liberated, on condition that he should quit the kingdom.

The Bishop of Ross is arrested, and imprisoned in the Tower.

From this time forward the captive queen was treated with greater rigour than ever. She was not permitted to have an ambassador at the English court; she was kept under strict guard; the number of her attendants was diminished; and no person was allowed to see her except in presence of her

* Lesley's Negotiations, Anderson, vol. iii. pp. 169—171; see also the Examinations and Confessions of Barker, Hickford, and Bannister, Murdin, pp. 67—146.

† Lesley's Negotiations, Anderson, vol. iii. p. 172.

‡ Ibid., pp. 189—200.

§ Howell's State Trials, vol. i. p. 1032.

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keepers.* Meanwhile, Elizabeth publicly avowed her resolution to abandon all attempts to restore the Queen of Scots, and henceforward to employ all the means in her power to induce the people of Scotland to acknowledge and obey no other sovereign than the young king.

This resolution, which she communicated to the leaders of both factions, tended not a little to dishearten the queen's party and to depress their energies. Nevertheless, she felt that it was more easily taken than carried into effect; but desirous, if possible, to accomplish her object by peaceable means, she had recourse in the first instance to advice, promises, and threatenings. With this view, she gave orders to Sir William Drury and Lord Hunsdon to open a correspondence with Grange, which, however, led to no definite conclusion. Afterwards, Mr. Cairs was dispatched from Berwick, by Lord Hunsdon, to the Castle of Edinburgh, as the bearer of the following message from Elizabeth:—

Elizabeth sends a message to Grange and others to the Castle of Edinburgh.

"Her majesty's pleasure is, that ye leave off the maintenance of civil discord, and give your obedience to the king, whom she will maintain to the uttermost of her power. And if ye will do so, she will deal with the regent and the king's party to receive you in favour upon reasonable conditions, for security of life and livings. In respect the Queen of Scots hath practised with the Pope, other princes, and her own subjects, great and dangerous treasons against the state of the country and destruction of her own person, she will never suffer her to be in authority, so far as in her lieth, nor to have liberty while she liveth. If ye refuse these offers, her majesty will presently aid the king's party with men, munition, and other things against you. Whereupon her majesty desireth your answer with speed."† Though this message was sufficiently explicit as regarded the views and wishes of Elizabeth respecting the contending factions, yet, taken by itself, it could not be regarded by Grange and his party as a summons to unconditional surrender; and, on ascertaining from Hunsdon that he had no authority to enter into any specific treaty in the name of Elizabeth, her offer was regarded as insidious and insulting, and summarily rejected. Though they must have felt that they were losing ground, they had still too much confidence in their own strength, numbers, and resources, to be intimidated by empty menaces.

Civil war and great sufferings in Scotland.

Meanwhile, Elizabeth contented herself for several months with having recourse to her favourite policy of fomenting dissension; and never perhaps did any country exhibit to the world such a scene of public and private cruelty and misery, as Scotland did during the winter and spring of 1571-2. In the open country, as well as in the capital, and in every town and village throughout the length and breadth of the kingdom, civil war raged with the most relentless fury. Castles, towns, and villages were beleaguered, and committed to the flames; men of opposite factions, as if possessed by the demon of destruction, butchered each other with the most savage ferocity;* and the terrors of the law, in their most dreadful forms of torture and death, were superadded to those of military execution. The victims of the gibbet were hurried to death in parties of forty or fifty at a time. With a view to starve the capital into surrender, Morton had ordered all the mills in the neighbourhood of the city to be destroyed, and interdicted all persons from supplying it with provisions; and countrymen, and even women, transgressing this order, were hanged on the spot, or scourged and branded on the cheek with a hot iron. These complicated miseries, still remembered in the traditions of the country under the name of "the Douglas wars," leave a stain of indelible infamy on the memory of Elizabeth and of Morton, who were the chief agents in exciting and perpetuating this "reign of terror."

These severities were more productive of odium to their authors than of damage to their adversaries. In almost every quarter of the country the cause of the queen was still in the ascendant. The capital and its castle, the most important stronghold in the kingdom, were still in the hands of her party, who were occasionally supplied with arms, ammunition, and money, by the courts of France and Spain, and had still reason to expect from the latter, at least, continued assistance;† whilst the garrisons of Niddry, Livingstone, and Blackness, fully supplied them with provisions.‡ In the north, as we have seen, Gordon had completely established the queen's authority; Fernyhirst had been not less successful in the south; and in the west Lord Semple, a strenuous supporter of the king's party, had met with a signal defeat.

Morton delivers up Northumberland.

The history of this dreary period was still further darkened by an act of base ingratitude on the part of Morton, which has left a perpetual stain upon his memory. During his exile in England, he had contracted an intimate friendship with the Earl of Northumberland, to whom he became indebted for numerous acts of disinterested kindness. Northumberland himself was now a prisoner in the Castle of Lochleven, where he had been confined ever since he had taken refuge in Scotland, in the year 1569; yet Morton, in whose charge he then was, actually sold his unfortunate friend to the English government for a sum of money, which was divided between him and Douglas of Lochleven. Lord Hunsdon, governor of Berwick, into whose custody Northum-

His execution.

* Strype's Annals of the Reformation, p. 50.

† Calderwood, vol. iii. p. 156; Robertson, Appendix iv.

* MS. Letter, State Paper Office, Randolph and Drury to Leicester and Burghley, Leith, 23rd February, 1571-2; also ibid., same to Hunsdon, Leith, 26th February, 1571-2; also MS. Letter, Randolph and Drury to Lord Hunsdon, Leith, 10th April, 1572; Tytler, vol. vii. p. 304.

† MS. Letter, State Paper Office, Randolph and Drury to Lord Hunsdon, 26th February, 1571-2; also MS. Letter, State Paper Office, Mar to Burghley, 30th April, 1572.

‡ MS. Letter, State Paper Office, Drury and Randolph to Hunsdon, 17th April, 1572.

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berland was delivered, had him conveyed to York, where he suffered death by the hands of the executioner.*

In the meantime, a treaty of alliance had been formed between England and France; and De Croc, as representative of the French king, repaired to Scotland, and in conjunction with Sir William Drury, on the part of Elizabeth, entered into negotiations for a truce for two months between the contending factions, preparatory to a general pacification of the country. The negotiations, which were commenced before the end of May, did not terminate until the 30th of July, when the "form of the abstinence" agreed on was signed by both parties at Leith and Edinburgh.† It provided that the truce should commence on the 1st August, and continue "till two months be fully outrun;" that, as soon as possible, a convention of the nobility and estates of the realm should be assembled, to concert measures for establishing a general peace; that in the meantime the town of Edinburgh, and other towns throughout the kingdom, shall be set at liberty, and be patent to all, without hinderance or molestation; and in the event of the assembly of the nobility and estates being unable to effect a reconciliation, all differences shall be referred to the King of France and the Queen of England as arbiters, by whose decision both parties agreed to abide. "Providing," it is added, "that the abstinence or pacification that may follow thereupon in nowise touch the king our sovereign lord and his estate, to the prejudice thereof."‡ On the same day, proclamation of the truce was made at the Cross of Edinburgh, to the great joy of the inhabitants; and on the day following the soldiers of the regent, and such of the citizens of Edinburgh as had assisted him at Leith, sought admission into the town. They were not, however, permitted to enter until the following day, when, according to the agreement, the truce really commenced. They accordingly remained all night in the Canongate under arms, and next morning the regent, and the lords who were with him, made their public entrance into the city, and caused proclamation of the "abstinence" again to be made, with certification "that none, on nowise, presume or take upon hand to do, or attempt anything tending to the violation thereof, under the pain of death."§

An abstinence agreed on.

It is not easy to understand how the leaders of the queen's party, who had shown such capacity for public business, should have been induced to subscribe a treaty containing a reservation in favour of the young prince, as their "king and sovereign lord," an admission that yielded up one of the principal objects in dispute—the claims of their mistress, which had been supported at such a cost of bloodshed and misery, and which they were still in an advantageous position to maintain. Whether there was bad faith on both sides it is difficult to determine; at all events, through the influence of Morton, who was evidently desirous of again plunging the country into civil war, all attempts at assembling the nobility and Estates for the purpose named in the treaty were frustrated; and it was not until the 22nd September, when the truce had nearly expired, that the regent came to Leith, to make an appointment with the leaders in the castle. After a long conference, nothing was concluded except a further cessation of hostilities, to continue for eight days after the 26th. On a renewal of the conference, the truce was continued four days more; and finally, on the 8th of October, a farther abstinence was proclaimed, to continue until the 6th December.*

The abstinence continued.

At this period an event occurred which, while it startled and appalled the whole civilised world, proved a heavy blow to the cause of Mary and her adherents, and contributed to hasten and consummate the ruin in which that party was ultimately involved.† This was no other than that atrocious outrage in France, known in history and tradition as "the Massacre of St. Bartholomew." The leaders of the Protestant party throughout the kingdom had been artfully allured to the capital, under solemn assurances from the king of protection and favour; and during a period of seven months they were treated at court, and among the Roman Catholic nobility and gentry of Paris, with apparent respect, cordiality, and familiar friendship. A dark conspiracy, however, at the head of which was the king himself, had been previously entered into, and was all the while being matured for their destruction. Accordingly, on an appointed day, under authority of a warrant signed by the king's own hand, a general and indiscriminate massacre of the Protestants was suddenly commenced. Fellow-citizens, neighbours, and intimate associates, were slaughtered in cold blood, with circumstances of such revolting cruelty, and on a scale of such appalling magnitude, as to be without a parallel in the sad history of human depravity. Five hundred persons of rank, and ten thousand others, without distinction of age or sex, were thus butchered in the capital alone, the streets of which for several days literally streamed with blood, while the monarch himself, attended by his courtiers, enjoyed the spectacle from the windows of the palace, and amused themselves with firing on such of the terrified citizens as flew to the gates for protection.‡ Similar orders were dispatched to the

The massacre of St. Bartholomew.

* Crawford's Memoirs, pp. 55, 222; Camden, p. 445; MS. Letter, State Paper Office, Hunsdon to Burghley, 1st May, 1572; ibid., Mar to Hunsdon, 23rd May, 1572; also ibid., Hunsdon to Burghley, 29th May, 1572; Gonzalez, p. 376.

† Calderwood, vol. iii. p. 215.

‡ Ibid., pp. 215, 216.

§ Ibid., pp. 218, 219.

* Calderwood, vol. iii. p. 225.

† MS. Letter, State Paper Office, B C, Sir William Drury to Lord Burghley, 15th September, 1572; Tytler, vol. vii. p. 308.

‡ Sully's Memoirs, vol. i., Edinburgh Edition; M'Crie's Life of Knox, vol. i. p. 216; Bannatyne's Journal, p. 388; Turner's Elizabeth, vol. iv.; History of England, p. 322.

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different provinces of the kingdom, and were as unscrupulously obeyed; so that in one week not fewer than seventy thousand persons fell by the hands of these licensed murderers.* These dreadful atrocities, which no respectable Romanist will now attempt to defend, were publicly applauded in Spain, and at Rome, where the shocking blasphemy was perpetrated of offering solemn thanksgiving to God for the success of this diabolical conspiracy.†

The intelligence of these transactions, the details of which continued to arrive day after day, excited universal horror and alarm among the Protestant party both in Scotland and England; and apprehensions began to be entertained of a combination for the extirpation of the Protestants, embracing all the Roman Catholic princes of Europe. The increased abhorrence of popery, and the suspicion of all its professors, which these events excited, materially damaged the cause of Mary, while it strengthened that of the opposite party, and contributed to extend the influence of Elizabeth in Scotland. At the same time, the regent and lords, in consequence of a supplication presented to them by the barons, gentlemen, and other adherents of Protestantism then in Edinburgh, issued a proclamation, ordering a convention of commissioners to be sent from particular kirks, to be held in Edinburgh on the 20th October, "to consult, advise, and deliberate upon such matters and overtures as may be proposed to the regent and lords of the Privy Council, tending to the mutual defence of the professors of Christ's Evangel within this realm from the furious rage and lawless cruelties of the bloody and traitorous papists, executors of the decrees of the devilish Council of Trent; and in such things further as may advance God's glory and true religion."‡ Meanwhile, the ministers of Edinburgh inveighed vehemently against the authors and perpetrators of the enormities in France; and John Knox "bade tell the French ambassador that the sentence was pronounced in Scotland against that murderer, the King of France; that God's vengeance shall never depart from him nor his house, but that his name shall remain in execration to the posterities to come; and that none shall come of his loins that shall enjoy the kingdom in peace and quietness." De Croc, the French envoy, complained to the regent and lords of council; but it was answered that they could not stop the mouths of the ministers from speaking even against themselves.§

Reception of the French ambassador at the English court.

The mournful intelligence of these events in France was communicated to Elizabeth by Walsingham, the English ambassador at the court of Charles IX., and was received by the Protestants throughout the kingdom with deep sorrow, mingled with consternation and alarm. On his first appearance at court after the massacre, Fénélon, the French ambassador, found the queen and court habited in mourning. The scene, which must have been very solemn and affecting, is thus graphically described by himself:—"A gloomy sorrow sat on every face; silence, as in the dead of night, reigned through all the chambers of the royal apartment; the ladies and courtiers were ranged on each side, all clad in deep mourning, and as I passed through them not one bestowed on me a civil look, or made the least return to my salutes."* The queen's countenance, as he advanced towards her, wore a mingled expression of sorrow and indignation.† On his attempting to justify the massacre, she made no secret of her horror at that infamous transaction, of her distrust of his explanations, and her fears of the consequences; and, on his assuring her of the continued friendship of the king, his master, she replied "that she greatly feared that those who had led that prince to abandon his natural subjects, would also lead him to abandon a foreign queen like herself."‡

Elizabeth indeed was seriously alarmed for the security of the Protestant establishment in England, and even for her own personal safety. She apprehended that Protestantism was everywhere threatened by a gigantic Popish conspiracy, of which the outbreak in France was only "the first fruits." She became in consequence distrustful of her Roman Catholic subjects; and brooding over the troubles by which her government had been disturbed, and was still threatened, through the machinations of Mary's friends both at home and abroad,—instead of blaming her own perfidious and cruel policy in unjustly detaining as a prisoner an independent sovereign not amenable to her jurisdiction, and who, as her near relative, had fled to her for protection,—she now began to cherish the most deadly hatred, and, it is to be feared, to form the most deadly designs against her poor helpless captive.

Consultation about putting Mary to death.

That Elizabeth now earnestly desired the death of the Scottish queen, it is impossible to doubt; but whether the subject was first directly broached by her, or by her too subservient minister, Burghley, is not so obvious, nor is it of much importance to determine. At all events, the project had been talked of, and was in fact under serious consideration. The English bishops, in answer to a question propounded by Burghley, had stated as their opinion that Elizabeth might justly put Mary to death;§ and jurisconsults had attempted to prove that it would be lawful.‖ Parliament wished to proceed against her by a bill of attainder; but, being forbidden by the queen, they resolved at least to pass an act excluding her from the suc-

* Aikman's Buchanan, vol. ii. p. 623.
† Robertson, vol. ii. p. 35.
‡ Calderwood, vol. iii. pp. 225, 226.
§ Ibid., p. 226.

* Carte, vol. iii. p. 522.
† La Motte Fénélon's Correspondence, vol. v. p. 122.
‡ Ibid., p. 126.
§ See British Museum, Caligula, c. ii. fol. 524; and D'Ewes' Journal, p. 507; also Lingard, vol. viii. pp. 105—108.
‖ Ibid.

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cession to the English throne. These wishes and resolutions, though no doubt sufficiently agreeable to Elizabeth, did not suit her present policy, and accordingly she put a stop to further proceedings at that time by proroguing the parliament.* She had already publicly declared that no evidence had been produced sufficient to convict Mary of the murder of her husband, and she therefore could not, without scandalous inconsistency, bring her to trial on that charge; while, to put her to death without trial would be to incur an amount of odium from which even Elizabeth's unscrupulous mind shrank.

Mary interrogated as a criminal.

As a preliminary to future procedure, perhaps at that time not very definitely fixed, Lord De la Ware, Sir Ralph Sadler, and Thomas Bromley, Elizabeth's Solicitor-General, had, after the death of Norfolk, been dispatched to Sheffield, to interrogate Mary as a criminal on thirteen articles, regarding her connection with the conspiracy for which that nobleman had suffered.† She answered with great firmness and dignity. She disclaimed all hostile intentions against the life or government of Elizabeth in consenting to a marriage with the Duke of Norfolk, and affirmed that she had no other object in view than her own deliverance and that of Scotland, through the instrumentality of Ridolphi, and her relations with the Pope and the King of Spain.‡ These explanations were not deemed satisfactory; but if this interview was ever intended to pave the way for a public trial, this intention was, after the Massacre of St. Bartholomew, abandoned for a secret and still darker method of getting rid of the unfortunate queen.

Scheme for putting Mary to death in Scotland.

This plan, or rather plot, was concocted by Elizabeth, Burghley, and Leicester; and was intended to be put into execution, not in England, but in Scotland, and in such a way as to transfer the odium of Mary's death from Elizabeth to the leaders of the king's faction. The conduct of this nefarious project was entrusted to Sir Henry Killegrew, Burghley's brother-in-law, who was dispatched to Scotland with two missions—one public and ostensible, the other secret and real.§ According to the former, he was required to confer with the regent and Morton, on the one hand, and with Grange, Lethington, and other leaders of the queen's party on the other, with a view to a pacification; to urge upon them a strict adherence to the truce; to communicate to them a detailed account of the Massacre of St. Bartholomew; to impress on them his belief that it was premeditated, and formed only a part of a widely extended conspiracy; to represent to them that the interests of both parties, and the peace and prosperity of both kingdoms were in jeopardy; and to entreat them to lay aside their animosities, and unite in defence of the common weal. According to the latter, he was with the utmost secrecy to concert with the regent and Morton a plan for putting Mary to death. This plan, which was known only to its originators—Elizabeth, Burghley, and Leicester—was communicated to Killegrew by Elizabeth herself, in the presence of these noblemen, but under repeated and solemn injunctions of inviolable secrecy. The instructions were drawn up by Burghley, and are still extant in his handwriting.* Killegrew was informed that he was required to explain to the regent and Morton that the time had now arrived when, for their own safety, as well as that of Elizabeth, it had become absolutely necessary to put Mary to death; and that, although it would be an easy matter to have her executed in England, yet, "for sundry weighty reasons," it was judged preferable to deliver her over to her enemies in Scotland, "to proceed with her by way of justice." That by this expression it was not intended to recommend a public trial, with a judicial sentence and execution, will, as we proceed, appear evident from the construction put on it by Mar and Morton, who of course would accept the interpretation of it given by Killegrew at their conferences with that gentleman. To secure the object of his mission, Killegrew was enjoined to use his utmost endeavours with the regent and Morton to induce them to make application for the delivery of Mary into their hands; but he was especially instructed to take care so to manage the matter that the demand should appear as their own spontaneous act. If made, he was authorised to agree to it, but on the solemn assurance that they should without fail put Mary to death. As a guarantee for the fulfilment of this stipulation, he was instructed to demand hostages, who must be either children or near relatives of the regent and Morton. Finally, he was once more solemnly warned not to allow Elizabeth's name to appear in the negotiation; he was reminded by the queen herself that only Burghley, Leicester, and himself, were privy to this important and delicate affair; and he was dismissed with the significant warning, that if it "came forth, or was ever known, he must answer for it." Killegrew answered "that he would keep the secret as he would his life."†

On his arrival in Scotland, Killegrew lost no time in proceeding to the dispatch of the business assigned to him. His first care was to avail himself of the agitated state of the public mind, consequent on the Massacre of St. Bartholomew, to excite suspicion and hatred against the Catholics, and detestation of an alliance with France, as a

* Lingard, vol. viii. pp. 91, 92; D'Ewes' Journal, pp. 200, 207, 224; Digges, pp. 203, 219.

† Camden, p. 442; MS. State Paper Office, Papers of Mary Queen of Scots; the Lord De la Ware's and the rest of the Commissioners' proceedings with the Scottish Queen, 11th June, 1572; also MS. Draft by Cecil, State Paper Office, Minute to the Scottish Queen by the Lord De la Ware, &c.; Tytler, vol. vii. p. 310.

‡ Labanoff's Collection, pp. 47—64.

§ Tytler, vol. vii. p. 311.

* Murdin, p. 224.

† MS. Letter, State Paper Office, Killegrew to Burghley and Leicester, 23rd November, 1572.

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means at once of strengthening the English party in Scotland, diminishing the influence of the queen's faction, and gradually preparing the country for the extreme measure which was the object of his secret mission. In this endeavour he was powerfully assisted by Knox, who, though so enfeebled by disease as to be scarcely able to move without help, still continued to ascend the pulpit, and, with unimpaired energy of mind and vehemence of expression, denounced the murderers of the Protestants of France. Having repaired to Stirling to meet the regent, Killegrew communicated to him the object of his public mission. The answer of Mar was favourable and explicit. He expressed himself decidedly hostile to a French alliance; and declared that so long as he entertained any expectation of aid from England, he would never consent to a league with any foreign power.

Agreeably to his instructions, Killegrew reported his movements in fulfilment of his public mission to the Secretary of State; but all that related to his secret errand was communicated to Burghley and Leicester alone; and it is almost exclusively from such parts of the correspondence which ensued as are still extant, that we are enabled to bring to light this hidden "mystery of iniquity." In a letter which he addressed to them, dated the 19th of September, he informs them that he "had already dealt with a fit instrument, and expected that the regent and the Earl of Morton would soon break their minds unto him secretly."* This "instrument" was Mr. Nicholas Elphinstone, who had formerly been a dependent of the Regent Moray, and is said to have been no stranger to such dark intrigues. From this it would appear that Killegrew had, in the first instance, kept in the background, and avoided all direct sounding of the regent and Morton as to his secret object, or "the great matter," as, for the sake of obscurity as well as brevity, it is frequently termed in this correspondence. This method of procedure, though cautious and politic, does not appear to have suited the impatience of Burghley and Leicester, who could not rest until the deed of blood had been accomplished. They accordingly wrote jointly to Killegrew, urging him to expedition. "After our hearty commendations," they say, "we two have received your several letters directed to us, whereof the last came this last night, being of the 24th of September; and as we like well the comfort you give us of the towardness in the special matter committed to you, so we do greatly long to receive from you a further motion with some earnestness, and that both moved to you and prosecuted by them of valour, as we may look for assurance to have it take effect; for when all other ways come in consideration, none appeareth more ready to be allowed here by the best than that which you have in hand. Wherefore we earnestly require you to employ all your labours to procure that it may be both earnestly and speedily followed there, and yet also secretly as the cause requireth: and when we think of the matter, as daily, yea hourly, we have cause to do, we see not but the same reasons that may move us to desire that it take effect, ought also to move them, and in some part the more, considering both their private sureties, their common estate, and the continuance of the religion; all which three points are in more danger from [for] them to uphold than for us. The causes thereof we doubt not; but you can enlarge to them, if you see that they do not sufficiently foresee them. We suspend all our actions only upon this, and therefore you can do no greater service than to use speed.

"Your loving friends,

"W. BURGHLEY."

"From Windsor, the 29th of September, 1572."*

Killegrew communicates to Morton his secret mission regarding Mary.

Killegrew had more welcome news to communicate to his friends in his next despatch. "The great matter" had made such progress as actually to form a subject of conversation between him and Morton, when the latter signified his approval of the scheme, and promised cordially to co-operate in its accomplishment. Shortly afterwards, through the intervention of the Abbot of Dunfermline, a conference on the proposed secret execution of Mary was arranged to be held at Dalkeith on the 9th of October. As Morton was at that time confined by sickness, the meeting was held in his bed-chamber, the only parties present being the regent, Morton, and Killegrew. The result was communicated by Killegrew to Burghley and Leicester in the following letter:—

Morton and the regent approve of the scheme of secretly executing Mary.

"My singular good lords,—What has passed here since my last, touching the common cause, I have written to Mr. Secretary at length.†

"Now *for the great matter ye wot of.* At my being at Dalkeith with my Lord Regent's grace, the Earl of Morton and he had conference, and both willing to do the thing you most desire; howbeit I could have no answer there, but that both thought it the only way and the best way to end all troubles, as it were, in both realms. They told me, notwithstanding, the matter was dangerous, and might come so to pass, as they should draw war upon their heads; and, in that case, or rather to stop that peril, they would desire her majesty should enter in league defensive, comprehending therein the cause of religion also.

"We came" (he continued) "to nearer terms, to wit, that her majesty should, for a certain time, pay the sum that her highness bestoweth for the keeping of her in England, to the preservation of this crown, and take the protection of the young king. All this I heard, and said if they thought it not profitable for them, and that if they meant

* MS. Letter, British Museum, Caligula, c. iii. fol. 365, Killegrew to Burghley, 19th September, 1572.

* MS. British Museum, Caligula, c. iii., fol. 394. This letter, being a first draft by Cecil, is signed only by him. Tytler, vol. vii. p. 315.

† Referring to his prosecution of his public mission.

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not to will me to write earnestly as their desire, I would not move my pen for the matter; whereat the Earl of Morton raised himself in his bed, and said that both my Lord Regent and he did desire it as a sovereign salve for all their sores: howbeit, it could not be done without some manner of ceremony and a kind of process, whereunto the noblemen must be called after a secret manner, and the clergy likewise, which would ask some time. Also that it would be requisite her majesty would send such a convoy with the party that in case there were people would not like of it, they might be able to keep the field; adding further, that if they can bring the nobility to consent, as they hope they shall, they will not keep the prisoner three hours alive after he* come into the bounds of Scotland. But I, leaving of these devices, desired to know indeed what they would have me write; and it was answered that I should know further of my Lord Regent's grace here. So, as this morning, a little before dinner, going to take my leave of him as he was going towards Stirling, he told me, touching that matter which was communed upon at Dalkeith, he found it very good, and the best remedy for all diseases, and willed me so to write unto your honours; nevertheless, that it was of great weight, and, therefore, he would advise him of the form and manner how it might be best brought to pass, and, that known, he would confer more at length with me in the same. Thus took I my leave of him, and find him indeed more cold than Morton, and yet seemed glad and desirous to have it to come to pass. * * * * Although there be that do assure me that the regent hath, after a sort, moved this matter to nine of the best of their party, to wit, that it were fit to make a humble request to the queen's majesty to have hither the cause of all their troubles, and to do, *etc.*, who have consented to him, and that I am also borne in hand that both he and the Earl of Morton do, by all dexterity, proceed in the furtherance thereof, yet can I not assure myself of anything, because I see them so inconstant, so divided. * * * * I am also told that the hostages have been talked of, and that they shall be delivered to our men upon the field, and the matter dispatched within four hours, so as they shall not need to tarry long in our hands; but I like not their manner of dealing, and, therefore, leave it to your wisdom to consider if you will have me continue to give ear, and advertise [if] I shall: if not, I pray your lordships let me be called hence." †

On the 13th of October, Killegrew again wrote to Burghley and Leicester, informing them that he had again been at Dalkeith; and in an interview which he had with Morton and "two of the ministers, he found them" very hot and earnestly bent on the "matter." On that occasion Morton informed him that if the regent showed any coldness, or was reluctant to proceed in the "great matter," it should be done without him; for as Morton was lieutenant-general of the whole kingdom on this side the Tay, he had sufficient power to carry the plan into effect.* At the same time, he hinted that the coldness and reserve of Elizabeth had alienated many who would otherwise have co-operated with them, and that if she really desired the execution of Mary, she must be more cordial and generous in her support. To this Killegrew replied, that if Morton could then give him an assurance that the work would certainly be performed, he might rely upon being satisfied to his utmost desire, but without such an assurance it would be vain to expect that a defensive alliance with England should be formed, or, as he himself expressed it, "without it a man can promise nothing."

His next despatch, which was written from Stirling, must have tended to re-assure the minds of Burghley and Leicester as to the disposition of the regent towards the execution of "the great matter." Killegrew informs them that he "found him very earnest. He had sent," he said, "his resolute mind to the Lord Morton by the Abbot, and desired him (Killegrew) to write speedily to Burghley and Leicester, that they might further the same by all possible means, as the only salve for the cure of the great sores of the commonwealth." Killegrew added, "I perceive that the regent's first coldness grew rather for want of skill how to compass so great a matter, than for lack of goodwill to execute the same. He desired me also to write unto your honours to be suitors unto your majesty for some relief of money towards the payment of his soldiers." †

The regent and Morton at last formally signified their consent to put Mary to death, and sent to Killegrew, by the Abbot of Dunfermline, a statement of the conditions on which they were prepared to "dispatch the matter." These were, that the Queen of England should take the young king under her protection; that his rights should not be invalidated by any sentence passed upon his mother, and that these should be maintained by a declaration of the English parliament; that a defensive league between the two kingdoms should be established; that the Earls of Huntingdon, Bedford, or Essex, should attend at Mary's execution with two or three thousand men, who should afterwards assist the troops of the young king in besieging the Castle of Edinburgh; that this fortress, when reduced, should be placed in the hands of the regent; and, finally, that England should pay all the arrears due to the Scottish troops. ‡

The regent and Morton formally consent to put Mary to death.

The conditions proposed by them.

Deeply dissatisfied with this result of his arduous and dark negotiations, Killegrew immediately

* Sic in the original.

† MS. Letter, British Museum, Caligula, c. iii., fol. 375, Killegrew to Burghley and Leicester, October 9, 1572.

* MS. Letter, British Museum, Caligula, c. iii., fol. 376, same to same, October 13, 1572; Tytler, vol. vii. p. 213, 322.

† MS. Letter, State Paper Office, Killegrew to Burghley and Leicester, 19th October, 1572, Stirling.

‡ Tytler, vol. vii. p. 323.

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transmitted the conditions, by the hands of a confidential messenger, to Burghley, to whom they appeared so exorbitant as to threaten the failure of the whole project. While Killegrew, however, was penning his despatch, an event had occurred that put a stop to the secret negotiation for the present, and ultimately led to its entire abandonment. This was the sudden death of the Regent Mar, who, after an illness of a few days, expired at Stirling on the 28th of October. Considerable doubt hangs over the cause of his death. Suspicions of his having been poisoned were, at the time, entertained by many;* but most historians agree in ascribing his sudden dissolution to a broken heart, occasioned by grief at the distracted state of the country, and his inability to cope with the difficulties of his position.†

Sudden death of the Regent Mar.

This unexpected event, while it greatly disconcerted Killegrew, threw Burghley into a state of perturbation hardly to be expected from his cool temperament and collected mind. The intelligence reached him on the 3rd of November; and on the same day we find him writing, in terms betokening great anxiety, both to Leicester and to Walsingham, the English ambassador at the court of France. His letter to the former, which is wholly in his own hand, shows plainly that he now looked on the scheme of procuring the execution of the queen in Scotland as hopeless, and had already begun to fall back on that last resource, the odium of which Elizabeth was so anxious to avoid. "My lord," he says, "this bearer came to me an hour and a h [alf] after your departure. The letters which he brought me are here included. I now see the queen's majesty hath no surety but as she hath been counselled, for this way that was meant for dealing with Scotland is, you may see, neither now possible, nor was by their articles made reasonable. If her majesty will continue her delays for providing for her own surety by just means given to her by God, she and we will vainly call upon God when the calamity shall fall upon us. God send her majesty strength of spirit to preserve God's cause, her own life, and the lives of millions of good subjects, all which are most manifestly in danger, and that only by her delays: and so consequently she shall be the cause of the overthrow of a noble crown and realm, which shall be a prey to all that can invade it. God be merciful to us."‡ In his letter to Walsingham he says, "The twenty-eighth of the last, the good regent of Scotland is dead, as I think by a natural sickness, and yet the certainty is not known. This will make our success the worse in Scotland, for I fear the conveyance away of the king; and yet there is care taken for surety; but I can almost hope for no good, seeing our evils fall by heaps, and why the heaps fall not upon ourselves personally, I see no cause to the let thereof in ourselves. God be merciful to us. * * * "*

* Tytler, vol. vii. p. 327.
† Robertson, vol. ii. p. 37; Aikman's Buchanan, vol. ii. p. 630.
‡ MS. Letter, British Museum, Caligula, c. vii., fol. 386, Burghley to Leicester, 3rd November, 1572.

The eminent historian † to whom we are so much indebted for bringing to light the details of this dark plot, has well remarked, "Thus was Burghley and Leicester's project for Mary's secret execution, by the hands of her own subjects, destroyed by the death of Mar at the moment he had consented to it; and the scheme which these cruel and unscrupulous politicians conceived themselves to have so deeply laid—on which they pondered, as Cecil owned, 'daily and almost hourly,' entirely discomfited, and cast to the winds.

"Mary, in the meantime, was herself unconscious of the danger she had escaped; and, indeed, it is worthy of observation, that so well had the English ambassador kept his counsel, and so true were the conspirators to their secret, that, after a concealment of nearly three centuries, these dark intrigues, with all their ramifications, have now for the first time been made a portion of our national history."

On the death of Mar, Elizabeth immediately wrote to the widowed countess, recommending to her care the young king, in whose welfare she expressed a deep interest. She also sent a very flattering epistle to Morton, whom she styled her dear cousin, and, in anticipation of the honour which awaited him, addressed him by the title of regent. In this letter she speaks of his public conduct in terms of high commendation; expresses a hope that he and the nobility would watch over the safety of the young prince, and concert measures for the peace of the kingdom; and, in allusion to the appointment of a successor to Mar, she hoped the election would not disturb the public tranquillity.‡

Elizabeth writes to Morton, addressing him as regent.

The high office which Morton had so long coveted, and the functions of which he had, in a great measure, exercised during the comparatively feeble administration of Mar, was now within his grasp. His ability, wealth, and influence; his popularity with the majority of the nobility, and with the leading men of the Church; and the support of the English party, excluded all competition; and, accordingly, in a parliament held at Edinburgh on the 24th of November, he was, after a slight opposition on the part of the Castilians, as the queen's party were called, chosen regent of the kingdom.§ Proclamation of his authority was made on the following day, with the usual formalities.‖

Morton elected regent 24th November.

* MS. Letter, Vespasian, F. vi., fol. 181 d., Burghley to Walsingham, 3rd November, 1572; Tytler, vol. vii. p. 327.
† Tytler, vol. vii. pp. 311—325.
‡ Copy, State Paper Office, 4th November, 1572, Elizabeth to Morton.
§ Copy, State Paper Office, Killegrew to the Queen, 2nd December, 1572; see MS. State Paper Office, 19th November, 1572, Noblemen and others met at the convention in Edinburgh.
‖ Calderwood, vol. iii. p. 243.

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CHAPTER XXXV.

REGENCY OF MORTON.

A.D. 1572—1574.

Death of John Knox.

THE same day that witnessed the elevation of Morton to the regency terminated the career of the celebrated reformer, John Knox. Worn out by long-continued and excessive mental toil, acting on a bodily frame which had originally been robust, he expired at his own house in Edinburgh, in the sixty-seventh year of his age. It falls not within our province to trace the impressions which this extraordinary man left on his own and all succeeding ages. His name belongs rather to ecclesiastical than civil history. Nevertheless religion and politics were so intimately blended in the revolutions of that turbulent period, that unquestionably he exercised a most extraordinary degree of influence upon the leading men of the state, and, through them, on the government of the country. In his fierce and uncompromising hostility to popery, in every degree and form, and his ardent zeal for the establishment of the Reformed religion, he became a strenuous supporter of the king's faction, and contributed not a little to its ultimate success by the weight of his influence, the sagacity of his counsels, and the vehemence of his popular eloquence. In defence of what he conceived to be right, and unmitigated condemnation of what he believed to be wrong, few men have ever equalled Knox in moral courage. Unawed by the wealth, or rank, or power of the parties to whom he was opposed, he fearlessly spoke out what he believed to be truth; and even royalty itself quailed and trembled under the vehemence of his denunciations. "I am called," he said, "to speak the truth, and the truth I will speak, impugn it whoso list." His remains were attended to the grave by many of the nobility, including the regent himself, who, when the body had been deposited in the tomb, pronounced over it this brief but forcible and just eulogium: "There lieth one who never feared the face of man."*

Funeral of Knox.

Renewal of the abstinence.

The truce, which was to have expired on the 6th of December, was renewed until the 1st of January.† In the meantime the regent, who had now no purpose to serve by prolonging the distractions of the country, began in earnest to renew the negotiations for peace, which had been commenced by his predecessor, and thwarted by his own treacherous policy. Elizabeth, also, who could no longer place any confidence in her alliance with France, and who still dreaded a renewal of French intrigue with Mary's adherents in Scotland, was desirous of a union among all parties, as a means of anticipating such a contingency. Since the death of the Regent Moray, the queen's faction, in addition to its original members, at the head of whom was the Duke of Chatelherault, had received considerable accessions to its numbers by desertions from the opposite party. Among the leaders of this section, Kirkaldy of Grange, Maitland of Lethington, and Lord Home, were conspicuous. But the two sections, though united in the promotion of a common object, had all along to a certain degree remained distinct. Of this circumstance Morton now endeavoured to avail himself, by proposing a separate accommodation with each, hoping in this way to detach them from each other, and by preventing their acting in concert to diminish the power of both. With this view he addressed himself first to Grange and Lethington, in the hope that, as they had formerly belonged to the king's party, and had actually assisted in placing him on the throne, they might more easily be induced to abandon the queen's cause. In this, however, he found himself mistaken. Behind the battlements of the strongest fortress in the kingdom, Grange felt secure in the meantime against any attack of the regent. He had moreover recently received a supply of money from France, with a promise that, if he could only hold out until Whitsuntide, he should obtain effectual assistance from the same quarter.* Thus fortified, the Castilians hoped ultimately to find themselves more than a match for their enemies, and did not despair of being able to release the queen, and to destroy the influence of the English party in Scotland. In order to gain time, however, they feigned to enter warmly into the negotiations, but insisted that the whole of the queen's party should be included in the pacification, and that Grange should be permitted to retain the command of the castle for six months after the conclusion of the treaty.† With these conditions the regent had too much penetration and sagacity to comply, and the negotiation was consequently broken off.

Foiled in this attempt, the regent next addressed himself to the other section of the queen's party. These he found more tractable. Wearied with a civil contest, in which neither side had gained much advantage, and which had desolated the country for a period of five years; and, discouraged by the decided declaration of the English queen, the duke and his adherents were now disposed to listen favourably to the proposals of the regent for an accommodation. Preparatory to this it was secretly resolved between them and the regent, that no proceedings should be instituted against any of the parties concerned in the murder of Darnley, or of Lennox, the late regent. Without this preliminary arrangement, all attempts to produce a reconciliation seemed hopeless, as several leading men of both parties were unquestionably implicated in these crimes. In the murder of Darnley, the regent himself, as well as Huntley, Argyle, and Sir James Balfour, who had recently joined the king's party, were all deeply involved; while in that of Lennox, the prime

* Spottiswood, p. 266; Calderwood, vol. iii. p. 242.
† Ibid., p. 243.

* Digges, p. 314. † Melvil's Memoirs, pp. 118, 119.

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movers belonged to the family of the Hamiltons.* This arrangement having been made and confirmed to the satisfaction of both parties, a conference was appointed to be held at Perth, on the 3rd February, between the regent's commissioners on the one hand, and the Earl of Huntley and Lord Arbroath, son of the Duke of Chatelherault, on the other, for the purpose of discussing the terms of an accommodation. The meeting was attended by Killegrew, Queen Elizabeth's ambassador, with whose advice and assistance a treaty was concluded, of which the following were the principle articles:—That all parties claiming any benefit from the pacification "shall acknowledge, affirm, and confess the confession of Christian faith and true religion of Jesus Christ, now publicly preached and professed within this realm, established and authorised by laws and acts of parliament;" that they shall acknowledge the authority and submit to the government of the king, and to that of the Earl of Morton, as regent; that they shall acknowledge to be illegal, and "of no force, weight, or effect," everything done in opposition to the king since his coronation; that all prisoners taken on both sides shall be liberated, and all the lands which had been declared forfeited, restored to their owners; that all acts passed against the queen's adherents shall be annulled, and a complete amnesty granted them for all the crimes of which they have been guilty since the 15th of June, 1567; and, finally, that, with the consent of both parties, the treaty shall be ratified by parliament.† On the 23rd of the same month these articles of pacification were subscribed by the regent; and thus was completed the first step towards the ruin of the queen's party. Killegrew, writing to Lord Burghley on this occasion, exultingly remarks—"And now there remaineth but the castle to make the king universally obeyed and this realm united, which peradventure may be done without force after the accord; notwithstanding, in my simple opinion, which I submit to your honour's wisdom, it standeth with more reason and policy for her majesty to hasten the aid rather now than before this conference. I mean so that it may be ready, if need require to execute, otherwise not."‡

Conference for a pacification.

In the meantime the abstinence, which, in so far as related to the party of the Hamiltons and Gordons, had been prolonged to the 16th of February,§ had terminated as respected the party in the castle on the 1st of January. No sooner had this day arrived than, at six o'clock in the evening, the signal for the renewal of hostilities was given from the castle by the firing of cannon; and immediately after trenches were formed around the fortress, and sentinels posted to prevent all ingress and egress.* Firing soon commenced on the city, which, in consequence of the return of the inhabitants whom Grange had expelled, was now mostly devoted to the cause of the king. In the midst of these warlike demonstrations a parliament was nevertheless held within the capital, the house where it assembled being protected by a bulwark from the fire of the castle. In this parliament, the election of Morton to the regency was confirmed; all proceedings of former parliaments under the young king since his coronation were ratified; and all acts passed by the rival parliaments in the name of the queen were declared invalid and treasonable.

Hostilities renewed.

Meeting of parliament. Morton's election confirmed.

Killegrew had repeatedly urged on the English government the importance of giving assistance to the supporters of the king's cause in Scotland, but hitherto with but partial success. Assurances of aid, both in men and money, had indeed been given;† and a sum of money, amounting to about £2,500, was actually transmitted for this purpose, with directions that it should be delivered to Morton with great secrecy, and to be expended only "on extraordinary causes."‡ Beyond this, however, nothing was done; and when the moment for decisive action arrived the English queen became irresolute. She was afraid that her active interference might occasion a rupture with France; she grudged the expense, and shrank from the hazard of besieging the last stronghold of the queen's party; and peevishly maintained to her council that Morton ought to be able to reduce it without help from her. This untimely timidity greatly alarmed Killegrew, who immediately wrote to Burghley, representing to him that by abandoning the enterprise at this critical moment Scotland would be lost to England, and become leagued with France; and employing many strong arguments, with a view to overcome the scruples of his royal mistress. His arguments prevailed over the queen's fears. Two skilful engineers, named Johnson and Fleming, had been sent by Elizabeth to examine the state of the defences of Edinburgh Castle, with a view to a siege, and they had reported that, with a sufficient force and battering trains, the place might be taken in twenty days. Elizabeth now resolved that the attempt should be made; and Sir William Drury was chosen to conduct the enterprise. Accordingly, orders were transmitted to him to hold himself in readiness at a moment's notice to march with the army, and transport the requisite artillery to Edinburgh.

Elizabeth resolves to assist in besieging Edinburgh Castle.

To all but Grange and Lethington the condition of the party in the castle seemed utterly hopeless. Almost every day brought intelligence of some fresh

* MS. Letter, State Paper Office, 26th January, 1572-3; Notes and Titles of Acts as were passed in the Parliament began at Edinburgh, 15th January, 1572; Tytler, vol. vii. p. 335.

† Crawford's Memoirs, p. 251; Calderwood, vol. iii. pp. 261—271.

‡ MS. Letter, State Paper Office, 18th February, 1572, Killegrew to Burghley; Tytler, vol. vii. p. 338.

§ Calderwood, vol. iii. p. 259.

* Calderwood, vol. iii. p. 252.

† MS. Letter, State Paper Office, B C, Sir William Drury to Burghley, 21st December, 1572, Edinburgh; Tytler, vol vii. p. 330.

‡ Original, State Paper Office, B C, Sir Valentine Brown to Lord Burghley, 26th December, 1572; ibid.

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disaster. Verac, who was on his way from France as the bearer of relief from the French king, was driven by a storm into Scarborough, and detained a prisoner. Sir James Kirkaldy, the brother of Grange, having landed at the Castle of Blackness with reinforcements in money, arms, and ammunition, which he had collected in France, was betrayed and seized, and the castle itself surrendered to the regent.* The queen's party, already brought to the brink of ruin by the defection of the Hamiltons and Gordons, was still further weakened by the desertion of the Lords Gray and Oliphant, the Sheriff of Ayr, and the Lairds of Buccleuch and Johnston; and Huntley had managed also to include in the treaty of Perth his brother, Sir Adam Gordon, who had been the main prop of the party in the north. But these accumulated reverses, so far from intimidating Grange and Lethington, seemed only to confirm their obstinate determination to hold out to the last. They still clung to the hope of relief from France, and placed implicit reliance on the strength of their walls, though defended by a garrison of not more than two hundred soldiers.†

Critical position of Grange and Lethington.

The English army, consisting of five hundred hagbutters and a hundred and forty pikemen, under the command of Sir William Drury, now left Berwick, bringing with them a considerable train of artillery. They disembarked at Leith, on the 25th of April, and having been joined by seven hundred soldiers of the regent, they marched to Edinburgh, and commenced preparations for the siege.‡ While these were going on, the regent summoned a parliament, which confirmed the league with England, ratified the treaty of Perth, in conformity with which Huntley and Balfour were restored to their honours and estates, and passed a sentence of treason and forfeiture against the Castilians.

The regent summons a parliament. Sentence of treason and forfeiture pronounced against the Castilians.

Before commencing the siege a summons of surrender, in the name of the regent and the English general, was sent to Grange; but although Robert Melvil, Pitarrow, and others of the party, were disposed to capitulate, and though the supply of water and of provisions was nearly exhausted, yet such was the obstinacy of the governor, and the influence which Lethington had over him, that he refused to surrender, declaring he would hold the castle until he was buried beneath its ruins.

Trenches were now formed, and regular approaches were carried on against the fortress; artillery was placed on the principal spots commanding the walls; and all was in readiness for the attack. All these preparations were made with little or no interruption from the besieged—a circumstance which seemed to imply a deficiency of ammunition within the place. On the 17th of May the artillery of the besiegers opened fire on the principal bastion, called "David's Tower," when a prolonged and piercing shriek, distinctly audible in the English camp, issued from the women within the fortification. Killegrew, who himself worked in the trenches, and who seems to have kept, for the information of Burghley, a journal of the proceedings, thus describes the commencement of the siege:—"This day, at one of the clock in the afternoon, some of our pieces began to speak such language as it made both them in the castle, I am sure, think more of God than they did before, and all our men and a great many others think the enterprise not so hard as they before took it to be. * * * I trust, to be short, that after the battery shall be outlaid, which, as they say, will be ready by the twenty-first of this month, the matter will be at a point before the end of the same. * * * Thanks be to God, although it be longsome, it hath hitherto been with the least blood that ever was heard in such a case; and this conjecture we have to lead us that they want store of powder within, for they have suffered us to plant all the ordnance, and to shoot yesterday all the afternoon without any harm from them. * * *" *

Siege of Edinburgh Castle.

After an uninterrupted cannonade of six days the guns of the castle were silenced, and in the afternoon of the 23rd of May the southern wall of "David's Tower" gave way, and, falling with a great crash, choked up with its ruins the passage within the outer gate. On the following day the eastern bulwark opposite the gate, the portcullis, and an outer bastion, called "Wallace's Tower," on the northern side, were demolished; and on the 26th the "Spur," or blockhouse, forming the outer defences of the place, was, almost without resistance, stormed by the English.†

The condition of the garrison was now deplorable. Their ammunition was exhausted; their wells were choked up with rubbish; the greater part of the soldiers were ill for want of a sufficient supply of food and water, so that not more than about forty men were fit for active service. The besiegers now prepared for a general assault, when Grange, at last convinced that further resistance was hopeless, made his appearance on the ramparts with a white rod in his hand, and obtained from Drury an armistice of two days, preparatory to a surrender. A conference was immediately held between Grange and Robert Melvil, on the part of the Castilians, Killegrew and Drury on that of the Queen of England, and Lord Boyd on the part of the regent, when Grange offered to surrender on

Deplorable condition of the besieged. They solicit and obtain an armistice of two days.

* Historie of James the Sext, p. 127. It was betrayed to the enemy by the treachery of the wife of Sir James Kirkaldy; Tytler, vol. vii. p. 338.

† Crawford's Memoirs, p. 265.

‡ Tytler, vol. vii. p. 341.

* MS. Letter, State Paper Office, Edinburgh, Killegrew to Burghley, 17th May, 1573; also Drury to Burghley, 16th May, 1573. "After the first tyre of ordnance, great cries and shouts was made by the women of the castle, terming the day and hour black."

† MS. Letter, State Paper Office, Drury to Burghley, 28th May, 1573; Tytler, vol. vii. p. 343; Calderwood vol. iii. p. 283.

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condition of surety being given for the lives and property of himself and all his comrades, for liberty to Lord Home and Lethington to retire into England, and permission for himself to remain unmolested in his native country.*

To these conditions Morton scornfully refused to consent. His most formidable adversaries were now almost within his grasp, and he was determined if possible to prevent their escape. With respect to the great body of the garrison he was willing, if they came out singly and without arms, to let them go where they pleased; but nine of their leaders must be excepted, and must submit to have their fate determined by the Queen of England, conformably to the treaty made between her majesty and the King of Scotland.† These were Kirkaldy of Grange, William Maitland of Lethington, Alexander Lord Home, Robert Melvil of Murdocairny, the Bishop of Dunkeld, and the Lairds of Restalrig, Drylaw, and Pitarrow. Even at this trying moment the spirit of Grange remained undaunted. He and his companions in misfortune, convinced that they had no mercy to expect at the hands of the regent, rejected the terms proposed to them, and declared their determination rather to perish, sword in hand, behind their last ramparts. In the meantime, the regent found means to acquaint the soldiers of the garrison with his intention to grant them life and liberty;‡ and they, plainly perceiving that further resistance was vain, and would expose them to certain destruction, refused to support their leaders in their desperate resolution, and rising in mutiny, threatened to hang Lethington over the walls if he did not within six hours persuade the governor to surrender.§ In this dreadful dilemma, Grange adopted an expedient which seemed to offer him and his comrades at least a chance for the preservation of their lives. Though steadfast in his rejection of the proposal of the regent, he secretly admitted two companies of the English within the walls on the night of the 29th of May; and next morning he and his companions surrendered, with this express declaration, that they gave themselves up, not to the Regent of Scotland, but to the Queen of England, and to Sir William Drury, as her general. To his head-quarters they were accordingly conveyed, where, notwithstanding the remonstrances of the regent, they were courteously received.‖ But Morton, who conceived that his government should be in perpetual disquiet and danger so long as Grange and Lethington, the two opponents whose abilities he had most reason to dread, survived, immediately wrote to Burghley, demanding that the prisoners, who had been the principal authors of the troubles in Scotland for so long a period, should be given up to him, that they might be dealt with as their crimes had deserved, and entreating that as they were now prisoners of the English queen she would without delay decide their fate.* Killegrew, who could not be actuated by the same motives as the regent, joined in his request, and advised their execution, while Drury waited impatiently to know how he was to dispose of his charge.

They surrender to Drury.

Meanwhile Grange and Lethington addressed the following letter to Burghley, whom, as he had once been on habits of intimate friendship with both of them, they expected to interfere in their behalf:—"My Lord,—The malice of our enemies is the more increased against us, that they have seen us rendered in the queen's majesty's will, and now to seek refuge at her highness's hands. And, therefore, we doubt not but they will go about by all means possible to procure our mischief; yea, that their cruel minds shall lead them to that impudency to crave our bloods at her majesty's hands. But whatsoever their malice be, we cannot fear that it shall take success; knowing with how gracious a princess we have to do, which hath given so many good proofs to the world of her clemency and mild nature, that we cannot mistrust that the first example of the contrary shall be shown upon us. We take this to be her very natural *parcere subjectis, et debellare superbos.*

"We have rendered ourselves to her majesty, which to our own countrymen we would never have done, for no extremity [that] might have come. We trust her majesty will not put us out of her hands to make any others, especially our mortal enemies, our masters. If it will please her majesty to extend her most gracious clemency towards us, she may be as assured to have us as perpetually at her devotion as any of this nation—yea, as any subject of her own; for now with honour we may oblige ourselves to her majesty further than before we might, and her majesty's benefit will bind us perpetually. In the case we are in, we must confess we are of small value; yet may her majesty put us in case, that perhaps hereafter we will be able to serve her majesty's turn; which occasion being offered, assuredly there shall be no inlack of goodwill. Your lordship knoweth already what our request is; we pray your lordship to further it. There was never time wherein your lordship's friendship might stand us in such stead. As we have oftentimes heretofore tasted thereof, so we humbly pray you let it not inlack us now, in time of this our great misery, when we have more need than ever we had. Whatsoever our deservings have been, forget not your own good natural. If by your lordship's mediation her majesty conserve us, your lordship shall have us perpetually

* MS. Letter, State Paper Office, Killegrew to Burghley, 27th May, 1573; also ibid., Sir William Drury to Burghley, 28th May, 1573; Tytler, vol. vii. p. 344.

† Copy of the time, State Paper Office, the Regent's answer to the Castilians, 28th May, 1573; also State Paper Office, "Conditions of rendering the Castle;" Tytler, vol. vii. p. 344.

‡ Calderwood, vol. iii. p. 283.

§ MS. Letter, State Paper Office, Killegrew to Burghley, 20th June, 1573.

‖ MS. Letter, State Paper Office, Sir William Drury to Burghley, Leith, 5th June, 1573; Tytler, vol. vii. p 345.

* MS. Letter, British Museum, Caligula, c. iv., fol. 85, *dorso*, Morton to Burghley, 31st May, 1573.

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bound to do your service. * * * Let not the misreports of our enemies prevail against us. When we are in her majesty's hands, she may make us what pleaseth her. * * * From Edinburgh, the 1st June, 1573." *

This affecting letter does not appear either to have been noticed by Burghley, or to have moved him to interpose with the queen on behalf of its unfortunate authors. Elizabeth, however, seemed to hesitate, from what motive we have no means of ascertaining; but, before coming to a decision, she desired to be informed "of the quality and quantity of the prisoners' offences." But Killegrew and Morton, fearing the consequences of delay, urged her so vehemently to authorise their execution, that at last she delivered them up to Morton, to be dealt with as he pleased. Before, however, her decision reached Scotland, Lethington died in prison; but whether by a natural or voluntary death is uncertain. Melvil says he "ended his days after the old Roman fashion;" † but this may have been merely a report invented and propagated by his enemies. Drury, who felt his own honour partly compromised by Elizabeth's decision, unwillingly obeyed her mandate, and delivered Grange, Home, John Maitland, Lethington's younger brother, and Robert Melvil, to the regent. ‡

They are given up to the regent.

The impending fate of Grange roused many of his friends to strenuous exertion in his behalf. One hundred gentlemen, embracing several of his kinsmen, offered to purchase his pardon by becoming servants to the house of Angus and Morton in a perpetual "bond of man-rent," and paying to the regent the sum of two thousand pounds and an annuity of three thousand marks. The regent, however, would listen to no terms: his thirst for vengeance on his most troublesome and formidable enemy, whose now fallen fortunes might have mollified a less hard and cruel nature, overcame in the heart of the regent even his ruling passion, avarice. According to his own account he was confirmed in his resolution, and urged on to the execution of his fatal purpose, through "the denunciations of the preachers," who cried out that "God's plague would not cease until the land was purged with blood." §

Strenuous exertions on behalf of Grange.

On the 3rd of August Grange, together with his brother, Sir James Kirkaldy, and two persons named Mossman and Cockie, who had been accused of coining false money in the castle, were taken from the abbey to the Cross of Edinburgh, and there ignominiously hanged. Grange and Mossman suffered first, and afterwards their heads were cut off and stuck on the highest points of the castle. Sir James and Cockie were executed together at a subsequent part of the same day. Grange met his fate with unshrinking fortitude; he was attended in his last moments by Mr. David Lindsay, minister of Leith, and expressed, when on the scaffold, deep penitence for his sins and unshaken attachment to the cause of the queen.*

Execution of Grange and his brother.

Thus terminated the extraordinary career of Kirkaldy of Grange, who was named by the Constable Montgomery, the first soldier in Europe. His character is thus briefly summed up by Melvil: "He was humble, gentle, and meek, like a lamb in the house, but a lion in the field; a lusty, stark, and well-proportioned personage, and of a hardy and magnanimous courage." †

The intelligence of these sad events in Scotland deeply affected the unfortunate captive queen. With the fall of Edinburgh Castle and the death of Grange her party in Scotland was entirely crushed, while the faint gleams of hope arising from the expectation of assistance from abroad seemed about to be extinguished. In England, since the death of Norfolk, though she had many secret friends, she had no longer a party at once able and willing to assist her. From France it seemed equally vain to expect succour. By the treaty of Blois, that country was now in league with her arch enemy Elizabeth, who moreover was then involved in a sham negotiation of marriage with the Duke D'Alençon, son of Catherine de Medicis. Nor were her expectations from Spain much brighter. The Duke of Alva was at heart no longer her friend, and the feeble and undecided efforts made in her favour by the king were sedulously thwarted through the influence of his ambassador. ‡ These accumulated misfortunes, together with the rigour of her confinement in a damp and wretched abode, at last broke down the courage and impaired the health of the unhappy queen, whom, as she had for the present ceased to exercise any influence on public affairs, history must, for a time, leave to pine in sickness and in solitude.

Hopeless condition of Mary.

The storm of faction had now spent its fury, but the long-vexed waters still continued to heave and to strew the shore with the wrecks occasioned by the tempest. During the state of public confusion, from which the country was now beginning to emerge, the restraints of law had everywhere been weakened, and in many instances entirely disregarded. In every quarter of the kingdom the regular administration of justice, which had never been very firmly established, had lapsed nearly into abeyance, so that alarming disorders prevailed, and crimes of all sorts were committed with im-

Continued disorders in Scotland.

* MS. Letter, British Museum, Caligula, c. iv., fol. 86, Lethington and Grange to Lord Burghley, 1st June, 1573.

† Melvil, p. 242.

‡ MS. Letter, State Paper Office, Drury to Burghley, Leith, 18th June, 1573.

§ MS. Letter, State Paper Office, Morton to Killegrew, 5th August, 1573; Tytler, vol. vii. p. 348; Diurnal of Occurrents, p. 336.

* MS. State Paper Office, Killegrew to Burghley, 3rd August, 1573; Tytler, vol. vii. p. 349; Melvil's Diary, pp. 26—28; Calderwood, vol. iii. pp. 284, 285.

† Melvil's Memoirs, p. 257.

‡ Gonzalez, pp. 370, 371.

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punity.* The rapine and bloodshed by which the Border districts in particular had long been disturbed and desolated, had acted most injuriously on public morality, and transformed nearly the whole population into predatory hordes, among whom the rights of private property and the value of human life were utterly disregarded. To repress these disorders, which had called forth repeated remonstrances from the English government, the regent now energetically addressed himself. With this view he advanced to Jedburgh, at the head of four thousand men, and having held an interview with Sir John Forster, the English Warden of the Middle March, for the purpose of concerting measures to put a stop to these enormities,† he succeeded in overawing the chiefs of the Border freebooters, and compelling them to give pledges for their good behaviour.‡ He at the same time appointed as wardens Sir James Home of Cowdenknowes for the Eastern, Sir John Carmichael, one of his principal ministers, for the Middle, and Lord Maxwell for the Western Marches.§ With a like vigorous hand, he successfully set himself to enforce respect and obedience to the law, and to restore public tranquillity throughout the kingdom. But the advantages of a firm and regular government, such as Scotland had never previously enjoyed, and which might have secured to the regent the respect and gratitude of his countrymen, were counterbalanced by the exorbitant and illegal nature of his exactions, and the excessive rigour with which they were collected. Morton's besetting sin was avarice, and like most men who have given themselves up to this odious vice, he was not scrupulous as to the means he employed for its gratification.

The regent invades the patrimony of the Church.

His first attack was on the patrimony of the Church. One third of the benefices, amounting at most to a very small pittance, had been allotted by parliament for the maintenance of the Protestant clergy; but this sum, small as it was, had from various causes never been paid with regularity; and in not a few instances during the period of the civil commotions it had not been paid at all, so that many of the parochial clergy had been subjected to grievous distresses and privations, of which they had often and justly complained. Under pretence of remedying this grievance, the regent artfully persuaded the clergy to resign their third of the benefices into his hands, promising to make the stipend of each minister local and payable in the parish where his charge was situated; but adding, that if upon trial this system were not found to work well, he would on their application re-instate them in their former position.‖ No sooner, however, did he obtain possession of the thirds than his duplicity became manifest. Two, three, and sometimes even four parishes were assigned to one minister, who was required to preach in them by turns, while in his absence readers were appointed, with a salary of from twenty to forty pounds Scots a-year. The ministers discovered when too late the snare into which they had fallen. The regent had allotted to the Church the smallest possible modicum of the thirds, and openly seizing on the remainder, appropriated it to his own purposes. They now applied to be re-instated conformably to arrangement and the promise of the regent; but, after some evasion and delay, they were authoritatively told that the surplus belonged of right to the crown, and that therefore it was the province of the regent and council, and not of the ministers, to regulate the stipends. At the same time, the payment to the superintendents was entirely stopped, and their office declared unnecessary, as bishops had been appointed to the dioceses, and to them belonged the ecclesiastical jurisdiction. The ministers, thus deprived of their protectors, to whom in cases of defective sustentation they were accustomed to appeal, had no alternative but to become suitors at court, where their complaints were treated with neglect and contempt. These proceedings not only rendered the regent extremely unpopular with the clergy, but disgusted a great part of the nation.

Morton's rapacity.

The laity had speedily to suffer much more grievously than the clergy from Morton's unscrupulous rapacity. The nobility were irritated and oppressed by his rigorous collection of the royal revenues, and still more by his recalling the grants by which the crown-lands had been alienated; while the middle and lower classes were surrounded by spies and informers, who accused them of imaginary crimes, and exaggerated petty offences, that the accused might be compelled to purchase immunity from punishment by the surrender of their property. Many persons who had remained in the capital during the late civil discords were, on no other grounds, arraigned as rebels who had resisted the authority of the king, and were compelled either to submit to a public trial or to avert it by paying heavy fines. The money thus collected, it was understood, was to have been partly applied towards the indemnification of the citizens whose property had been destroyed, and the remainder towards the exigencies of the state. No such application however was ever made; all was absorbed by the rapacious regent. A system of organized robbery, in the name and under the colour of law, was now instituted such as has no parallel in modern history. The very courts where justice ought to have been administered with impartiality to all, were in a great measure converted into engines of state for the purpose of extortion. Parties known or suspected to be possessed of wealth were dragged before them, or threatened with their vengeance, on false charges fabricated by agents of government, or on pretences too

* Robertson, vol. ii. p. 51.
† Aikman's Buchanan, vol. iii. p. 8.
‡ MS. Letter, State Paper Office, the Regent to Lord Burghley, Kelso, 30th August, 1573; Tytler, vol. viii. p. 1.
§ Diurnal of Occurrents in Scotland, p. 337; Spottiswood, p. 272.
‖ Spottiswood, p. 273.

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frivolous to bear investigation; and subjected to exorbitant fines, or stript of their heritable property, as a punishment for imaginary crimes. Society being thus infested and pervaded by a numerous body of men paid by the state for the purpose of discovering, or fabricating, offences against the law, it is easy to see that innocence was no protection, and that scarcely any individual was safe from prosecution. Merchants were amerced on the charge of sending coin out of the country, and Protestants for eating flesh in Lent; and even common mechanics for having accidentally, or by necessity, been resident in a town when occupied by the queen's forces. In addition to all these means of spoilation, two expedients were adopted rarely resorted to by the worst governments in the worst times; the first was debasing the current coin of the realm. By Morton's order a fourth part of alloy was mixed with every pound of silver; consequently the real value of the coin was diminished in proportion, and in this way a wholesale fraud was practised on the public.* The second was the gross injustice to the fair trader of selling licenses for carrying on prohibited branches of commerce.

Even all these sources of gain did not satisfy the inordinate avarice of Morton. Though possessed of ample wealth as a private nobleman, and enriched by the nefarious practices we have described, he had the meanness to perpetually petition the English queen for pecuniary aid. He represented to her that as it was by her assistance and advice he had entered upon the regency, so he confidently expected her aid, and especially in money and pensions bestowed upon his friends; and complained, with the abject humility of a mendicant impostor, of his limited resources as compared with the pecuniary necessities of his position.†

Beneficial changes in the social condition of the country. Growing importance of the middle classes.

We pause here to notice a fact highly interesting to the politician and the philosophical student of history. During this turbulent period, when the country was torn asunder by contending factions, whose fierce and protracted animosities seemed to threaten the very existence of civil society, a great and highly beneficial change was found to have taken place in the social sentiments and condition of the people. The power and influence of the feudal barons had begun to decline; the progressive extension of commerce had given birth to a middle class, who were rising daily in importance; and even the lower orders, instructed in the parish schools and from the pulpits of the Protestant clergy, had begun to feel their own strength, and to perceive that with political duties they had also political rights. This remarkable change, the influence of which is visible in every subsequent period of Scottish history, took place in a remarkably short space of time. Killegrew, who was familiar with Scottish society in 1567, thus writes to Burghley on his next visit to Scotland in 1572:—"Methinks I see the noblemen's great credit decay in this country, and the barons, burrows, and such like, take more upon them; the ministers and religion increase, and the desire in them to prevent the practices of the Papists; the number of able men for service very great, and well furnished both on horse and foot; their navy so augmented as it is a thing almost incredible."*

Killegrew again sent to Scotland. "The great matter."

Though the project of sending Mary to Scotland to be put to death, or "*the great matter*," as it was obscurely termed, had been for some time in abeyance, it had not altogether ceased to occupy the attention of the English queen. In May, 1574, she dispatched Killegrew into Scotland, mainly for the purpose of re-opening the negotiations on this subject. His written orders on this occasion seem to be no longer extant, but the fact is abundantly proved by other documents. Killegrew, on reaching the Scottish capital, immediately saw reason to apprehend that the time for accomplishing this object was past, and wrote to Walsingham to that effect.†

In accordance, however, with the usual double policy of Elizabeth, the ambassador had a twofold mission,—one ostensible, the other real, or rather one avowed, the other secret. The avowed object of Killegrew's embassy was to ascertain "whether he (the regent) was constant in his affection towards England; how his government was liked by the people; whether the Scottish queen had yet any party there; and, above all, to discover whether France was intriguing, as had been reported, to get possession of the young king." With regard to a proposal made by the regent for a defensive and religious league, the ambassador had orders to answer that her majesty considered that unnecessary at present, but that he might confidently look to her for support on the occurrence of any emergency. Respecting the regent's request for money, Killegrew was delicately to wave all discussion.

A residence of two months in Scotland afforded the ambassador sufficient opportunity of fulfilling his open mission. He found that the sentiments of the regent and the nobility towards England had undergone considerable alteration. The former was dissatisfied at the rejection of the proposed league, and still more at the silence of Elizabeth in respect to affording him pecuniary assistance and granting pensions. The latter, no longer humble suitors for the favour of the English queen had grown "lusty and independent;" spoke magniloquently of their alliance having been courted by "great monarchies;" and complained of the depredations committed by English pirates on Scotch merchant ships. The government of the regent,

* Ruddiman's Preface to Anderson's Diplomata, p. 74.
† MS. Letter, State Paper Office, the Regent Morton to Burghley, 21st January, 1573-4, Haddington.

* MS. Letter, State Paper Office, Killegrew to Burghley, 11th November, 1572.
† MS. State Paper Office, "Instructions given to Henry Killegrew, Esq.," &c., 22nd May, 1574, signed by Walsingham; also MS. State Paper Office, Killegrew to Walsingham, 8th June, 1574, Berwick.

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though in many respects far from popular, he found to be vigorous, conducive to public order, and implicitly obeyed, but more through fear than affection. The state of the country was prosperous to a degree that excited his astonishment, and for which he found it difficult to account. He had left it, he said, "in a consumption," and still expected to find it in a feeble and languishing condition; but notwithstanding the destruction of public confidence, the interruption of business, and all the multiform distractions and miseries of a sanguinary and long-continued civil war, manufactures and commerce were already once more in a flourishing state; past sufferings seemed to be forgotten, and men of all parties to be reconciled. He found French intrigue to be still at work, but the queen had no longer any avowed and organised party, and all the secret machinations of foreign emissaries were incapable of disturbing the government of the regent or the peace of the country.

With respect to "the great matter," which formed the secret object of his mission, the ambassador was not equally successful. The regent indeed seemed quite willing to lend himself to that atrocious project, but he was not the man to barter his co-operation for vague promises and flattering compliments; and Killegrew soon discovered that the price he expected in the shape of an immediate advance of money to himself, and the settlement of pensions on his accomplices, was far beyond what Elizabeth, from her characteristic parsimony, would be likely to grant. So deeply was Killegrew convinced of this, that he at last petitioned to be recalled. In his letter to Walsingham, he says, "I see no cause why I should remain here any longer. * * * * especially if you resolve not upon the league nor upon pensions, which is the secret ground I do see to build 'the great matter' upon, without which small assurance can be made. I pray God we prove not herein like those who refused the three volumes of Sybilla's prophecies, with the price which afterwards they were glad to give for one that was lost; for sure I left the market here better cheap than now I find it." *

As the regent, however, was then about to undertake a progress to the north,† Killegrew was directed to accompany him thither, with a view to ascertain more definitely his sentiments regarding "the great matter," which Elizabeth appears to have had now more anxiously than ever at heart. In a letter dated 18th July, Walsingham thus addresses the ambassador:—"I think it not convenient that you be recalled until such time as you have advertised how you find the regent affected touching 'the great matter' you had in commission to deal in; and therefore I think fit you accompany the regent till you be revoked." ‡

* MS. Letter, State Paper Office, Killegrew to Walsingham, 12th July, 1574, Edinburgh; MS. Letter, State Paper Office, same to same, 23rd June, 1574; Tytler, vol. viii. p. 11.

† MS. Letter, State Paper Office, Killegrew to Walsingham, 23rd June, 1574.

‡ MS. Letter, draft, State Paper Office, Walsingham to Killegrew, 18th July, 1574.

Agreeably to his instructions, Killegrew accompanied the regent, and, as appears from some imperfect memoranda still preserved, * on their arrival at Aberdeen they held a conference on the important subject in question. The details, however, are wanting; but it is evident that they arrived at no definite result,—the great obstacle apparently being the exorbitant terms demanded by the regent for himself and his coadjutors.

Elizabeth was greatly disconcerted at the failure of this negotiation. Impelled on the one hand by her fears, which excited an ardent desire to get rid of her troublesome prisoner, and restrained on the other by her innate parsimony, the result—as not unfrequently happens when two powerful passions come into collision—was complete indecision; and after sundry anxious consultations with her ministers, further consideration of "the great matter" was in the meantime abandoned.

Return of the English ambassador.

In the month of August, Killegrew returned to London, charged by Morton to communicate with Elizabeth on the danger to which the Protestant Church was exposed from the intrigues of foreign powers, and urging immediate attention to this important subject. Many months elapsed, however, before the regent received any answer to this communication; but, in the meantime, mortified by the neglect, and impelled at once by resentment and by necessity, he began to cultivate the friendship of the French party in Scotland.

Walsingham, by whom this change was speedily perceived, and by whom indeed it had been for some time anticipated, had already written to Elizabeth, warning her of her danger, in a tone of importunate remonstrance, but without effect. Her hollow friendship with Catherine de Medicis, and her equally hypocritical dalliance with the Duke D'Alençon, gave rise to hesitation and delay, in a matter which she was very sensible could not with safety be much longer neglected. He now wrote in great alarm to Burghley, informing him of this new turn in Scottish affairs; and the very next day he wrote to Elizabeth, conjuring her, "for the love of God," to adopt instant measures to avert the threatened danger, by establishing amicable relations with Scotland. "Already," he said, "the regent was conferring favours on the Hamiltons, who were entirely French; already he was plotting to get the young King of Scots out of the hands of his governor, Alexander Erskine; Henry III., the new King of France, was well known to be devoted to the house of Guise; and, with such feelings, what was to be expected but that the moment he had quieted the disturbances in his own realm, he would keenly embrace the cause of the Scottish queen?" †

The caution of Elizabeth now took the alarm,

* MS. Memorandum, State Paper Office, 16th August, 1574.

† MS. Letter, original draft, State Paper Office, Walsingham to Burghley, 11th April, 1575; also, State Paper Office, original draft, Walsingham to Elizabeth, 12th April, 1575; Tytler, vol. viii. p. 15.

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and she dispatched Killegrew once more as her ambassador to Scotland, accompanied by Mr. Davidson, whose name became afterwards so well known in history as that of Elizabeth's secretary. This gentleman the ambassador had instructions to leave as English resident at the Scottish court.* Before their arrival in Scotland, however, a circumstance occurred which threatened for a moment to interrupt the pacific relations of the two kingdoms. At one of the customary Warden Courts, held for the settlement of differences such as might naturally be expected to arise where two kingdoms are conterminous, without any very precise line of demarcation between them, Sir John Carmichael, Keeper of Liddesdale, demanded from Sir John Forster, the English Warden of the Middle Marches, that an Englishman, who had been convicted of theft, and who was well known as a troublesome offender, should be delivered up for punishment, conformably to the recognised law of the Marches. With this demand Forster hesitated to comply; and on Carmichael insisting, a passionate altercation, accompanied with high words and menacing demeanour, arose, when Forster's attendants, misconstruing these as a signal for attack, let fly a shower of arrows, by which one Scotchman was killed and several wounded. The Scotch retaliated; but, being inferior in numbers and taken by surprise, were repulsed, and put to flight. Meeting, however, a party of men from Jedburgh, who were on their way to attend the warden court, they rallied, and, joining with them, returned to the scene of action, where they attacked, and after a short conflict entirely routed the followers of the English warden. In this encounter Sir John Heron, Keeper of Tynedale, and twenty-four common soldiers, were left dead on the field; while Sir John Forster, Sir Francis Russell, son of the Earl of Bedford, Sir Cuthbert Collingwood, Mr. Ogle, Mr. Fenwick, and about three hundred others, were taken prisoners, and carried by the Earl of Angus to the regent, then at Dalkeith.

Killegrew once more sent to Scotland.

The regent, who deeply regretted the unfortunate occurrence, received them with great courtesy and kindness; and having detained them and treated them with much hospitality for a few days, he dismissed the prisoners of inferior rank, on receiving an assurance from them that they would return to Scotland if required. He, however, detained the warden; but at the same time wrote to Elizabeth, expressing his readiness to afford redress. She immediately sent instructions to Killegrew, her ambassador, to demand satisfaction from the regent, and to inform him that she had appointed Lord Huntingdon, the president of the council at York, and lieutenant of the northern counties, to proceed to the Borders, where she expected the regent to meet him in person, in order to have the matter investigated. This the regent, on the ground that it was derogatory to the dignity of his office, peremptorily refused to do; but offered to send as his representative the justice-clerk, to arrange a meeting to be held in Scotland.*

From the temper in which Elizabeth received information of Morton's refusal, it was evident that she had been accustomed to consider him more in the light of her lieutenant for the government of a province than as the regent of an independent kingdom; and unquestionably the mean subserviency to England evinced by all the previous regents of Scotland, and which Morton himself had at first displayed, must have contributed to foster that intolerable arrogance with which she presumed to intermeddle with Scottish affairs. She broke into a violent paroxysm of rage, and gave vent to her fury in a message to the regent, which she herself dictated, and which she commanded Killegrew to deliver without reservation or delay. As this document is not only characteristic of Elizabeth, but serves to show the contemptuous feeling with which she regarded the supreme ruler of Scotland, we give the substance of it, as drawn by a contemporary historian, from the original manuscript, to which he had the privilege of access. "She had seen," she said, "certain demands made on his part by the justice-clerk, and did not a little wonder at so strange and insolent a manner of dealing. He had already been guilty of a foul act in detaining her warden, the governor of one of the principal forts in her realm; he had committed a flagrant breach of treaty; and had she been inclined to prosecute her just revenge, he should soon have learned what it was for one of his base calling to offend one of her quality. And whereas he goeth about to excuse the detaining of our warden, alleging that he feared he might revenge himself when his blood was roused for his kinsman's death, such an excuse seemed to her, she must tell him, a scornful aggravation of his fault; for she would have him to know that neither Forster nor any other public officer or private subject of hers dared to offer such an outrage to her government as for private revenge to break a public treaty. As to the conference with Huntingdon, instead of receiving her offer with gratitude, he had treated it with contempt; he had taken upon him to propose a place of meeting four miles within Scotland,—an ambitious part in him, and savouring so much of an insolent desire of sovereignty, that she would have scorned such a request had it come from the king his master, or the greatest prince in Europe. To conclude, if he chose to confer with the Earl of Huntingdon at the *Bond Rode*,† she was content; and he would do well to remember that his predecessor, the Regent Moray, had not scrupled to come to York, and afterwards to London, to hold a consultation with her commissioners." ‡

This undignified and intemperate message, which

* MS. State Paper Office, Original Instructions to Henry Killegrew, 27th May, 1575.

* MS. Relation of the affairs of Scotland from 1566 to 1579; Warrender's MS. Collections, vol. B, fol. 208.

† The Boundary Road, a place on the Marches near Berwick, common to both kingdoms.

‡ MS. Letter, State Paper Office, to Killegrew, in Scotland, from the Queen; Tytler, vol. viii. p. 17.

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did little honour to their mistress, Huntingdon and Killegrew had the good policy to mollify before presenting it to the regent.* It had, notwithstanding, the desired effect. The regent took the alarm, and submissively met Huntingdon at the place appointed. After a conference of some days, the matter in dispute was amicably arranged. The regent dismissed his prisoners, after bestowing on them some valuable presents, and sent Carmichael as a prisoner to England to solicit pardon from the queen. Here he was detained for a few weeks, when the queen, whose pride was gratified and her anger allayed by Morton's submission, dismissed her prisoner with a present.

On again taking up his residence in Scotland, Killegrew still found the country in the same prosperous state in which he had left it. All lamented the late untoward occurrence by which peace had been endangered, and earnestly desired a continuance of friendly relations with England. The regent appeared to continue steadfast in his attachment to that country, and firm in his rejection of a French alliance. On the other hand, the rigour of his government, his oppressive and arbitrary exactions, and his imprisonment of some of the most wealthy merchants of Edinburgh, had rendered his administration extremely unpopular among the middle and lower classes of society; while his encroachments on the patrimony of the Church, and his introduction of episcopacy, were odious to the zealous Presbyterians and the great body of the clergy. Many of the latter, in their eloquent and pointed invectives from the pulpit, contributed to inflame the general discontent, which, so far from being allayed, was still further augmented by the declaration of the regent, that there would be no peace or order in the country until some of them had been hanged.†

As yet the weight of the regent's despotic rule had fallen chiefly on the middle and lower ranks, by whom it had been borne, if not without murmuring, at least without open resistance. Emboldened by this success, urged on by his rapacious avarice, and blind to his own real situation, he now eagerly embraced an opportunity which arose of making his power felt by the nobility. Owing to a circumstance not uncommon at that period, a feud had arisen between Argyle and Atholl, two of the most powerful nobles of the time, possessed of extensive territories, and commanding nearly the whole northern districts of the country. A vassal of Argyle's having committed some depredations on the lands of Atholl, the latter demanded that he should be delivered up for punishment. Argyle resisted, whereupon Atholl took up arms to enforce his demand; and both earls, at the head of their feudal retainers, prepared to proceed to extremities, when the regent interposed his authority, and compelled them to disband their followers.

Feud between Argyle and Atholl. Interference of the regent.

These proceedings on the part of the two earls, though undoubtedly illegal, were by no means uncommon in those times, when each nobleman acted like a monarch within his own domain, and exercised an independence which no king of Scotland had hitherto felt himself strong enough to bring within the restraint of law. In such cases, accordingly, it had been customary to allow the matter to rest when peace had been restored. The regent, however, resolved to found on this outbreak a charge of treason against the two noblemen, in order that he might obtain a pretext to seize upon their estates. This, for Morton, would have been in itself a sufficient motive; but he was besides actuated by personal enmity. Atholl, being a Roman Catholic, was disliked and suspected by the regent, and probably still more because he was understood to be at the head of a party who were desirous that the young king should immediately assume the reins of government in his own person. Argyle, on the other hand, had been involved in a quarrel with Morton, arising out of the disputed possession of certain jewels which had formerly belonged to the queen. These jewels, which were of great value, Mary had at one period delivered to her brother the Earl of Moray to keep; but he had never restored them, as he alleged he had advanced money upon them to the state. Argyle had married the widow of Moray, and thus the jewels had passed into his family. Morton insisted on their being restored, agreeably to an order made by parliament. This demand was resisted by Argyle and his lady; and it was not until Morton had threatened to place them both under arrest that the jewels were finally delivered up to him. Argyle was thus completely estranged from Morton; and, although he had formerly co-operated with him on many occasions, was now ready to contribute to his overthrow.*

It has been said that "an enemy unites all to whom he threatens danger." This proverb was verified in the present instance. Argyle and Atholl, having received information of the regent's design, forgetting their private quarrel, united for their mutual defence; and, when summoned to appear before a court of justice, they peremptorily refused to obey. Soon after, Argyle having received some affront from the clan Donald, again had recourse to arms; and, when commanded by the regent to disband his forces, he not only refused obedience, but, in open defiance and contempt of the regent's authority, tore his letters to pieces, maltreated the messenger, and compelled him and the witnesses who accompanied him to swear that they would never again enter the territory of Argyle on a similar errand. It would have been difficult as well as dangerous for the regent, at any season, to proceed against these not less powerful than insolent contemners of his authority; but, as these occurrences took place in the commencement of winter,

* MS. Letter, State Paper Office, Killegrew to Leicester, 14th August, 1575.

† Calderwood, MS. Hist. British Museum, Ayscough's Catalogue, No. 4735, p. 1053 of the MS.; Tytler, vol. viii. p. 22.

* Tytler, vol. viii. p. 23.

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when it would have been hopeless to attempt, in the face of a fierce and hardy population, to penetrate their wild mountainous country, Morton, though highly exasperated, could do nothing farther than proclaim them rebels.*

Argyle and Atholl proclaimed rebels.

A storm had long been gathering over the head of the regent, of which it is impossible to suppose that a man of his penetration, vigilance, and sagacity—with all the information furnished by secret emissaries, whom he kept in pay both in England and Scotland—could be insensible. The unprecedented severity of his government, his attack on the patrimony of the Church, his attempts to introduce episcopacy, his iniquitous contrivances for extorting money under the name of fines, and the oppressive weight of taxation which he imposed, had alienated from him the affection, or roused against him the indignation and enmity of the great body of the people; while the nobles, whom he took little pains to conciliate, or to attach to his person and government, were mortified by neglect, and disgusted with a distant and haughty demeanour, to which they had been unaccustomed under their sovereigns, and which they would scarcely have brooked even from royalty itself. A powerful coalition of the nobility had in consequence been formed; their object, which they were not very careful to conceal, being to effect his removal from power by inducing the youthful monarch to take the reins of government into his own hands. Of all this Morton could not be ignorant; but he had little apprehension that the thunder-cloud was so ready to burst. His intentions towards Argyle and Atholl, though baffled by the union of these two powerful noblemen, precipitated the event. The nobility, who had witnessed in silence the plunder and oppression of the plebeians, now became alarmed for the safety of their own order. They perceived that hereditary rank, title, wealth, and influence, which had often been able successfully to cope even with royal authority, were no longer to afford any protection against indignity and confiscation, and saw with scornful indignation a despotic ruler raised from their own body attempt, in the exercise of a merely temporary and delegated authority, to place his heel on the necks of the ancient nobility of the country.

Coalition of the nobility against Morton.

Though these sentiments had long been secretly entertained, it was difficult to see how any change could be effected for some years to come, as the king was then only in his twelfth year, and of course as yet unqualified to govern. Morton had calculated on this, and consequently was in no haste to secure himself in his position. He had, however, formed his plan, and was only awaiting a convenient time to carry it into execution. This was to obtain possession of the king's person, and to entrust the command of Stirling Castle to one of his own creatures. Having thus got the prince in his own power, he hoped by flattering him with the nominal authority of king, to be able to dictate all his measures, and, in this way, to govern the kingdom in his name, as effectually as he had done while sole regent, and, at the same time, with diminished responsibility. He proceeded, however, with his characteristic caution; for though aware of the confederacy which had been formed against him, he did not perceive the imminency of his danger. Walsingham, however, had the sagacity to discern the tokens of an impending revolution; and Elizabeth, anxious to avert a rupture between Morton and the nobility, which might endanger both kingdoms by exposing them to foreign intrigue, in December, 1577, sent Sir Robert Bowes to Scotland with instructions to endeavour to effect a reconciliation, and to threaten Morton with her displeasure, and even active opposition, if he should prove obstinate. He was also the bearer of a very flattering letter from Elizabeth to the Earl of Atholl, expressing her favourable sentiments towards him and recommending peace.* That his mission was attended with no very marked success, may be gathered from a letter which he addressed to Leicester from Berwick, in October of the same year. "Albeit," he says, "those matters (in Scotland) are for a season wrapped up, yet it is not unlike, without wise handling, and some charge to her majesty, that the fire will be readily kindled again. * * * * The readiest way, in my opinion, to preserve the realm in quietness, with continuance of this amity, is to appease and * * * *† all the griefs between the regent and others of the realm, and by friendly reconciliation and union to make him gracious amongst them. For which he must receive some apt lessons, with gentleness, from her majesty: but, with the same, he must also receive some comfort agreeable to his nature."‡ This last recommendation, though no doubt deliverd with sincerity, sounds very like a satire on the avaricious propensities of Morton, and would hardly have been intelligible to Leicester and his mistress, if this trait in the regent's character had not been a frequent subject of remark and merriment at the English court.

The envoy had proceeded thus far on his return, but Elizabeth having, in the meantime, become alarmed by some fresh intelligence of the progress of French intrigue in Scotland, he was ordered to retrace his steps to the Scottish capital, and there watch the progress of events. Shortly after Randolph was sent to Scotland on a mission to the young king and the regent on the same important subject, but with more definite instructions. All attempts, however, to reconcile the opposing parties had now become hopeless. The final catastrophe

* Aikman's Buchanan, vol. iii. p. 20.

* MS. Instructions to Thomas Randolph, 30th January, 1577-8, State Paper Office; Original draft of MS. Letter, State Paper Office, the Queen's Majesty to the Earl of Atholl, December, 1577; Tytler, vol. viii. p. 25.

† Word illegible in the original.

‡ MS. Letter, British Museum, Caligula, c. v., fol. 86, Sir R. Bowes to Leicester, 9th October, 1577, Berwick; Tytler, vol. viii. p. 26.

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came suddenly, and the downfall of the regent's government was complete.

To Alexander Erskine, who, on the death of his brother, the Earl of Mar, had been appointed to the guardianship of the young king and the command of Stirling Castle, belongs the distinction of having been the first to discover the secret machinations of Morton for getting possession of the king's person. Erskine immediately wrote secretly to Argyle and Atholl, inviting them to come to Stirling Castle, and promising them an interview with the young king, who, he said, was already acquainted with their grievances, and disposed to redress them. Argyle was not long in availing himself of this invitation. He reached Stirling, accompanied by his customary retinue of followers, on the 4th of March, and was at once admitted into the presence of the youthful sovereign. He represented to him, in glowing colours, the miserable condition to which the country was reduced by the extortion and misgovernment of the regent; he complained of his insolent and haughty bearing to the nobility, and of the severity with which he himself had been treated in having been denounced as a rebel, though his loyalty had ever been unimpeachable; and implored him to call a council of the nobility to examine into the public grievances, and particularly into the charges made against himself, and in the meantime intreated permission to remain with his majesty until the day of trial. And further, in the event of the complaints against the regent being found true, he conjured the king to take the government into his own hands, and thus put an end to a system of misrule, by which his subjects were plundered and oppressed. Erskine warmly joined in recommending the same course, as did also the other members of the coalition,—Glammis, the chancellor, the Abbot of Dunfermline, the secretary, Tullibardine, the comptroller, the Lords Lindsay, Ruthven, Ogilvy and others. The same measure was also strongly advocated by the celebrated George Buchanan, one of the tutors of the youthful monarch. As had been previously concerted, Atholl was absent, but arrived just at the time his presence was required. The king informed him of Argyle's complaint and request, and demanded his advice. Feigning to be previously unacquainted with what had been going forward, he calmly replied that he thought Argyle's request quite reasonable, and that he considered it highly expedient, under present circumstances, to summon a convention of the nobility to inquire into the state of the nation, all ranks of which had so long suffered from the regent's tyranny. He had scarcely finished when messengers arrived with letters from Morton, representing in strong terms the rebellious conduct of Argyle and Atholl, urging the necessity of inflicting exemplary punishment on such offenders, and desiring to have his majesty's commands as to what measures he should adopt. He concluded by declaring his readiness to proceed against them in due course of law, if such were his majesty's pleasure; but, on the other hand, if his majesty was disposed to overlook such an open outrage against the royal authority, he requested to be relieved from the cares of office, and permitted to retire into private life, in which case the only favour he should solicit from his majesty, in return for his long and important services, should be a full and formal approbation of his conduct as regent, subscribed by his majesty and ratified by parliament. The young king, and all the lords present, at once agreed that the regent's offer of resignation should be accepted; and letters were ordered to be dispatched to all the nobility, requiring their immediate attendance. To Argyle and Atholl was committed the task of sending these summonses, and they took care to address them to none but their own friends, and such as they knew to be adverse to Morton. These were found to include nearly the whole of the nobility, and not a few whom Morton had supposed to be entirely in his interest. The convention having met, Morton's letter was laid before them, when they unanimously resolved that his resignation should be accepted, and that the king should take the government into his own hands. Morton was not long in receiving information of these proceedings, the result as well as the promptitude of which took him completely by surprise. With a view to gain time, in the forlorn hope of finding an opportunity of retracting his rash offer, he immediately dispatched one of his friends with a message to the king, requesting him to endeavour to bring about a reconciliation between such of the nobility as were then at variance, before making any changes among the officers of the state. This application, however, came too late, and received no attention; for in the meantime Glammis, the chancellor, and Lord Herries, had been sent to him with a written notification of the king's resolution, by the advice of a convention of the nobility, to take the government upon himself, and requiring him to give in writing a formal resignation of his office as regent, and, at the same time, to draw out the form of discharge which he was desirous of receiving, in order that his majesty should submit it to the consideration of his council. This message was accompanied with a very kind letter from the king, written with his own hand, in which he assured Morton that it was only "because he saw no other way to maintain concord among his subjects he had accepted the government, and that he was confident to have the defects of his age and experience supplied by his nobility, especially by himself, whom he would ever love and acknowledge as his trusty cousin, most tender to him in blood, and one of his true and faithful counsellors." *

Resignation of the regent.

James assumes the government.

Morton received the unwelcome messengers not merely with composure, but with apparent cheerfulness, and rode with them from Dalkeith, where he was then resident, to the Cross of Edinburgh

* Spottiswood says, "These be the words of the letter."

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where, after listening to the proclamation made by the herald of the king's assumption of the government, he resigned, in the presence of the assembled citizens, the ensigns of his authority; and, without the least appearance of reluctance, retired to his country-seat at Lochleven, where his mind seemed wholly occupied in improving his garden, and other rural occupations. The joy of the people of all ranks was excessive, and the deafening acclamations by which it was testified, painfully convinced Morton that he had utterly forfeited the affections of his countrymen. His apparent weakness in thus tamely surrendering that authority which they thought him legally entitled to maintain and defend, at once astonished and grieved the few friends that yet remained to him. They considered the king, in consequence of his tender years, unqualified to govern; and that, as the Estates in Parliament had fixed the age of seventeen as his majority, in conformity with the queen's deed of demission, he was not entitled, without their express consent, to assume the reins of government before arriving at that age. The day after Morton had resigned the government, Lord Boyd, one of his most intimate friends, sorrowfully reproved him for not having consulted with his adherents before taking so important a step, and giving place so precipitately to his enemies, who employed only the bare name of the juvenile sovereign to strip him of an authority with which he had been clothed with their own consent, and which he ought to have retained for five years longer.* Morton, though he attempted to justify his conduct, secretly and bitterly regretted the step that he had taken, but which it was now impossible for him to retract. His demission was accordingly transmitted to the king, from whom he received a full approbation of his public conduct during the regency, and a pardon in the most ample form which his own ingenuity could devise, declaring him incapable of being accused or brought to trial for any crime or past offence without exception. He also granted him a full discharge for all his intromissions with the public money during the period of his government. This deed was moreover declared to be irrevocable, and the lords of the king's council bound themselves under a penalty of five hundred thousand pounds to procure its confirmation by parliament at the first meeting of that body.†

Morton's discharge.

A council of twelve peers was appointed to sit at Edinburgh to assist the king in the administration. These were the Earls of Argyle, Atholl, Montrose, and Glencairn; the Lords Ruthven, Lindsay, and Herries; the Abbots of Newbottle and Dunfermline; and the Prior of St. Andrew's, together with two supernumerary or extraordinary councillors; Buchanan, the king's tutor, and James Macgill, the clerk-register. All royal letters were to be countersigned by four of their number, without which formality they were to be held invalid.

Intelligence of this alarming change, that had so suddenly taken place in Scottish affairs, was conveyed to Killegrew by Randolph in a few hurried and incoherent lines, written on the eve of his departure for London, whither he was about to proceed, that he might personally communicate to Elizabeth information of the unexpected revolution. We quote the letter as a characteristic specimen of Randolph's jocular way of treating very serious matters, and of his laconic style:—"All the devils in hell are stirring and in great rage in this country. The regent is discharged—the country broken—the chancellor slain by the Earl of Crawford—four killed of the town out of the castle—and yet are we in hope of some good quietness, by the great wisdom of the Earl of Morton. There cometh to her majesty from hence an ambassador shortly. I know not yet who, but Sandy Hay* in his company. It behoveth me to be there before; and so show my wife."†

The death of Glammis the chancellor, to which he alludes, was in no way connected with the stirring events to which Randolph's letter chiefly refers, but resulted from an accidental quarrel between his retinue and that of the Earl of Crawford. The office of chancellor was conferred on the Earl of Atholl, Morton's principal opponent. This appointment, while it strengthened the faction in one direction, weakened it, by diminishing its popularity, in another, for he, as well as the chief favourites of the king—the Earls of Eglinton and Caithness, and the Lord Ogilvy—were either avowed Papists, or suspected of a partiality to popery; and as Morton, whatever had been the errors of his government, had never been suspected of any leaning in this direction, a certain change of sentiment in his favour, rather felt than expressed, had taken place in the minds of many of the Protestant party. Of this he was not altogether ignorant; for, although he seemed to have quite laid aside all his ambitious projects, and to be contented in the quiet enjoyment of rural retirement, he was eagerly watching the course of events, and awaiting the first favourable opportunity once more to take the lead in directing public affairs. The scheme which he was concerting for the accomplishment of this end was prematurely developed by imprudent precipitancy, as well as by a breach of faith, on the part of the confederate nobles; who, gaining confidence from the easy victory they had obtained over Morton, proceeded not only to strip him of every remaining token of his once formidable power, but to make demands quite at variance with the solemn engagements into which they had so recently entered, and to which the young king was himself a principal party. Acting under their advice, the king required Morton to

* Calderwood, vol. iii. p. 396.
† Aikman's Buchanan, vol. iii. pp. 24, 25; Robertson, vol. ii. p. 60.

* Alexander Hay, clerk-register.
† MS. Letter, State Paper Office, Randolph to Killegrew, 20th March, 1577, signed, in jest, Thomazo del Niente; Tytler, vol. viii. pp. 28, 29.

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deliver up the Castle of Edinburgh, which he still continued to hold, together with the royal palace in the capital, and the queen's jewels, which he had extorted from Argyle and his lady; to contribute a sum of money towards defraying the expenses attendant on the king's assumption of the government; and to give an account of his management of the Mint, and the revenue he had derived from it. It was further ordered that a rigid investigation of the state of the Border counties should be set on foot, and that Morton's nephew, the Earl of Angus, should be displaced from his office of warden.

Morton was naturally unwilling to surrender a fortress the possession of which might materially contribute to the promotion of his ambitious designs. He did not indeed refuse compliance with the king's demand, but he delayed to obey it; and as his brother the captain was in the meantime actively engaged in storing the place with provisions,* it may be inferred that Morton had actually contemplated defending it. The inhabitants of the town, suspecting his purpose, intercepted a convoy of victualling stores on their way to the castle; whereupon the constable of the castle, Archibald Douglas, at the command of the captain, came out with a party of soldiers, who, discharging their pieces among the people, slew several of them, and wounded others. The population, enraged and alarmed, rose in arms, and so strictly watched all the avenues of the castle, that ingress and egress were alike impossible.† Under these circumstances, Morton, without any show of resistance, surrendered the place to Lords Ruthven and Lindsay, who immediately took possession of the royal apartments and the crown jewels; while the keys of the gates were delivered to Seton of Touch and Cunningham of Drumwhassel.‡ As to the money, Morton was not so facile. He peremptorily refused compliance with the king's demand, alleging that he had borne the expense of the civil war; that he had supported not merely the dignity of his own office, but also the king's household; and that he had repaired and ornamented the royal palaces at an expense far beyond what the revenues of the crown were adequate to meet. With respect to the Mint and the wardenship of the Borders, he was content, he said, to leave these entirely to the discretion of the king, to the support of whose dignity, when he came of age, he would willingly sacrifice his entire fortune.§ In return for all these concessions, the fallen minister, with apparent humility, simply requested that parliament at its next meeting should pass an act approving of his administration while in office.

Before the departure of Randolph for the English court, Morton, in a brief conference which he held with him, committed to his care a letter for Burghley,* from some expressions in which, as well as from the letter of Randolph to Killegrew already quoted, it is evident that he had informed Randolph of certain schemes he had in view, but which he was too cautious to commit to writing. It may also be inferred, from Randolph's words in the letter referred to, that he entertained great hopes of the success of Morton's plans.

A parliament summoned.

Argyle and the other confederate lords, having formed their council,† met at Edinburgh, and issued a proclamation for the assembling of parliament on the 10th June. But while they now felt secure in the possession of the power they had so suddenly acquired, and Morton, apparently contented with the private station into which he had sunk, no longer gave them any uneasiness, they were on the eve of a revolution not less sudden and complete than that to which they owed their present elevation. The mind of the ex-regent had been occupied during his retirement with other subjects than those of agriculture and gardening, to which he feigned to be so much devoted. He had been plotting his own return to power, if not under the name of regent, at least with an authority equal to that which he had wielded while he enjoyed that title. Having insinuated himself into the confidence of the young Earl of Mar, the son of the regent of that name, and the nephew of Alexander Erskine, governor of the Castle of Stirling, he represented to that young nobleman, then in his twentieth year, that being by hereditary right entitled to the governorship of Stirling Castle, he was suffering great injustice at the hands of his uncle, who ought now to resign to him the command of that fortress and the custody of the king's person. He hinted that so long as his uncle continued to usurp these important trusts, he, and not the young earl, was looked upon as the head of the ancient house of Mar. He declared that this was an indignity to which the earl ought not, in justice to himself, any longer to submit, especially when by one bold effort he might place himself in his rightful position—an attempt in which, if necessary, he would be seconded by the whole strength of the house of Douglas, and assisted by the counsel of his uncles, the Abbots of Dryburgh and Cambuskenneth.

These promptings, so flattering to the love of enterprise natural at his age, were not lost on the youthful nobleman. On the 26th April, attended by his customary retinue, he repaired to the castle, and being admitted as usual without suspicion, he remained there for the night. Rising early in the morning, and assembling his attendants under the pretence of going on a hunting expedition, he proceeded, along with the two abbots his uncles, to the gates, where they were met by Erskine, who had gone to let them out. He was

* Calderwood, vol. iii. p. 396.
† Ibid.
‡ Aikman's Buchanan, vol. iii. p. 27.
§ Ibid.

* MS. Letter, State Paper Office, the Earl Morton to Lord Burghley, 28th March, 1578.
† MS. Record of the Privy Council, in Register-house, Edinburgh, 24th March, 1577-8.

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immediately surrounded by the whole party. Mar forcibly took possession of the keys; the abbots branded him as a usurper; and, before his shouts of "treason" could bring the garrison to his assistance, he was expelled from the castle, of which Mar immediately took possession; and placing new guards at the gates, induced the garrison without difficulty to swear fidelity to him as the governor, and thus remained at once master of the fortress and custodier of the young king.

The Earl of Mar gains possession of Stirling Castle.

When intelligence of this unexpected event reached the council, at Edinburgh, they rode in a body to Stirling, and, presenting themselves at the gates of the castle, demanded admittance. This, however, Mar refused, unless they chose to come one by one, each accompanied by not more than a single attendant.*

Thus repulsed, the council assembled at Stirling, and issued a proclamation forbidding any nobleman to repair thither with more than a certain limited number of armed attendants—namely, an earl with twenty-four, a lord with sixteen, and a baron with six. In the meantime, however, they sent secret orders to assemble the whole of their own forces.†

At the earnest desire of the king, a reconciliation took place between Mar and his uncle, when it was agreed that the former should retain the custody of the Castle of Stirling and of the king's person; while to the latter was assigned the keeping of the Castle of Edinburgh, with, however, free access to his majesty at all times.

No change had as yet been made in the government of the country, which, notwithstanding these transactions at Stirling, might immediately have resumed its functions, as if no such event had taken place; but Morton, who, though he had hitherto kept in the background, was universally suspected of having prompted Mar's enterprise for the furtherance of his own ambitious designs, was now once more to appear on the scene, and to wield, under a different name, a power greater than that of which he had been deprived. The king and his advisers summoned a meeting of the council to be held at Stirling on the 10th June, for the purpose of arranging the business to be submitted to the consideration of parliament, which was to assemble at Edinburgh in the ensuing month. To this meeting Morton was specially invited by a letter from the king,—a preconcerted measure probably contrived by Morton himself, and brought about through the influence of Mar and other friends who were near the king's person. The summons was of course readily obeyed; and Morton, setting out at midnight with a small retinue, was admitted into Stirling Castle by Murray of Tullibardine. At the meeting of the nobles Morton was, out of respect for his former high position, elected president; and it was not long ere he gained a complete ascendancy in the council, as well as over Mar and the young monarch.* By advice of the council, the Abbot of Dunfermline was sent as ambassador from the king to Elizabeth, with instructions to thank her for the great favour with which she had ever regarded him, to insure a continuance of peace between the two countries, and "to propose a stricter league for their mutual defence and the maintenance of true religion." †

The time appointed for the meeting of parliament now drew near; but Morton, who never quitted the castle,‡ unwilling either to leave the king behind, or to carry him to Edinburgh, where the opposite faction was so strong, persuaded the king to issue a proclamation changing the place of meeting to the great hall in Stirling Castle.

Place of meeting of parliament changed.

Argyle and his party, dreading the growing power of Morton, who had virtually both the king and the castle in his keeping, were not less alarmed than offended at this change; and forthwith assembling in the capital, they passed a resolution declaring that they would on no account attend a parliament assembled within a fortress held by their enemies, and where consequently "men might not declare their minds freely." This new measure occasioned not less dissatisfaction among the citizens of Edinburgh. The residence of the king at a distance from his capital had long been felt as a grievance; but when they learned that the parliament was also to be removed to Stirling, their discontent broke out into open complaint, and rumours, however absurd and incredible, if fitted to excite public feeling against the king's advisers, were eagerly received and propagated. That the king was detained as a prisoner—that he was to be conveyed to England—that the new parliament intended to dissolve the ancient league with France—that the country was to be betrayed into the hands of the English queen—were among the reports which obtained circulation, and kept the public mind in a state of anxiety and alarm.

Resolution of Argyle and his party.

In this emergency the council issued a proclamation in the name of the king, declaring that the royal residence had been fixed at Stirling in conformity with his majesty's own desire; that no change whatever in the foreign relations of the country had ever been contemplated; and that the parliament about to assemble had no other object in view than to pass such acts as might tend to promote the honour of God, the safety of the king, and the good of the country. This, however, did not allay the ferment. The fears and suspicions that had taken hold of the minds of the citizens were exaggerated and confirmed by the determined attitude of the lords then at Edinburgh. There

* MS. Calderwood, British Museum, p. 1061; Calderwood's Historie, vol. iii. p. 408.

† Ibid.

* MS. Calderwood, British Museum, Ayscough, 4735, p. 1061; also original draft, State Paper Office, Articles delivered by Argyle, Atholl, &c., to Lord Lindsay; Tytler, vol. viii. p. 34.

† MS. Draft, State Paper Office, 18th June, 1578; ibid.

‡ Calderwood, vol. iii. p. 409. "Morton remained in the castell, the rest of the nobilitie in the toun."

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they had resolved to remain, to content themselves with sending a deputation to Stirling to protest against the legality of a parliament in which freedom of discussion was impossible, and to petition the king to adjourn the meeting to a fitter time and place.

Morton, who had now the chief, if not the sole direction of affairs, was not to be turned from his purpose by this opposition; and on the day appointed (the 16th July) the parliament assembled within the great hall of Stirling Castle. The king, arrayed in his robes of state, opened the session in a short speech, which was no sooner concluded than the Earl of Montrose and Lord Lindsay presented themselves as commissioners from the Earls of Argyle and Atholl, and their adherents, in whose names Lindsay protested that nothing done by this convention should prejudge the nobility, their heirs, successors, and posterity, of their liberties granted by his majesty's predecessors; because, being held within a fortress, it was not a free parliament, that it had consequently not the authority of a parliament, and all its proceedings should be held null and void. He further protested for remedy of law in case it were otherwise.* Morton, who, in the absence of Atholl the chancellor, filled his place, now commanded Lindsay and Montrose to take their own places. Lindsay replied that they would do so if commanded by the king, but not otherwise; and the king having repeated the command, they obeyed, after having taken instruments that they did so at the command of the king. After a sermon preached by John Duncanson, the minister of the king's household, and a speech by Morton, the parliament was proceeding to the election of the lords of the Articles, when they were again interrupted by Lindsay, who once more protested that every act of such a parliament was illegal and null, and ridiculed the choosing of the lords of the Articles as a farce. Morton, now losing all command of temper, gave vent to his fury in a fierce invective against Lindsay, whom, unmindful of the royal presence, and in violation of the dignity of the assembly, he loaded with abuse. "Think ye, sir," said he, "that this is a court of churls or brawlers? Take your own place, and thank God that the king's youth keeps you safe from his resentment."—"I have served the king in his minority," replied Lindsay, "as faithfully as the proudest among ye; and I think to serve his grace no less truly in his majority." On this Morton was observed to whisper in the ear of the king, who immediately rising, confused and blushing, gave utterance to a short speech, which had no doubt been concocted for him by Morton beforehand, in anticipation of Lindsay's protest. "Lest any man," he said, "should judge this not to be a free parliament, I declare it free; and those who love me will think as I think." †

Morton again in power.

Meeting of parliament.

* Calderwood, vol. iii. p. 413.

† Ibid., p. 414; also MS. Calderwood, British Museum, pp. 1062, 1065.

Lindsay being thus silenced, the business proceeded without further interruption. The resignation of Morton was formally accepted, and the king's assumption of the government ratified and confirmed. A new council was appointed, consisting of the Earl of Morton, who sat as chief; the Earls of Argyle, Atholl, Lennox, Rothes, Glencairn, Eglinton, and Buchan; the Lords Boyd, Ochiltree, and Catheart, and the Abbots of Dryburgh and Cambuskenneth. It was enacted that this council should continue in office until further order should be taken by parliament; that they should hold their sittings at Stirling, or at such other place as the king might select as his residence for the time; that four should remain with the king by course for two months, beginning with Morton, Lennox, Boyd, and Cambuskenneth, but that it should be lawful for any of the rest to remain with the king, if they pleased, during the whole year; that three should subscribe along with the king all public acts and deeds issued in his name; and that, in the absence of the secretary, Mr. George Buchanan and Mr. Peter Young should subscribe such things as belonged to his office. A full discharge was also given to Morton for all his acts and intromissions during the regency.*

In the meantime, Montrose had withdrawn from the hall and ridden hastily to Edinburgh, where, having joined the lords of his party, he affirmed that he was the bearer of secret instructions from the king, commanding his subjects to assemble in arms, and rescue him from the thraldom in which he was held by Morton and his faction. There is some reason to doubt the truth of this assertion, but it was readily believed by the citizens, who, dreading a renewal of the tyranny of their old oppressor, flew to arms, and declared their resolution to deliver their sovereign and their country from the odious usurpation of a traitor, who had bartered their independence for English gold. Highly gratified by this outburst of enthusiasm, Argyle and Atholl sent an encouraging message to the citizens, informing them that the lords would quickly join them with a force sufficient to overwhelm their enemies, and restore to the king that freedom of action of which he had been treasonably deprived. As a preliminary step, the recusant lords issued a declaration, in which Morton was accused of having, by means of confederates, clandestinely surprised the Castle of Stirling, of keeping the young king in a state of captivity, so that his most faithful subjects and councillors could not find access to him, of arbitrarily changing the place of meeting of parliament, and of levying troops in the king's name for the support of his own usurped authority; and they, therefore, avowed their determination to employ means for setting the king at liberty, and saving the country from the yoke of the tyrant. This declaration was circulated everywhere throughout the kingdom; and

* Calderwood, vol. iii. pp. 417, 418; draft, State Paper Office, Names of the King's Ordinary Council; and Acts of Parliament of Scotland, vol. ii. p. 94.

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the lords began to summon their vassals and prepare for war.*

By retiring to Edinburgh, Montrose fortunately escaped imprisonment; for next day the council issued an order commanding him and Lindsay, under pain of rebellion, to confine themselves to their lodgings.† Lindsay, who had remained behind, was constrained to obey; but, after the lapse of a few days, he departed without having obtained permission,—an act of disobedience which seems to have been overlooked, as Lindsay, notwithstanding what had occurred, was suspected of a leaning to Morton's faction.‡

Preparations for civil war.

Argyle and Atholl, having assembled their feudal retainers, joined the armed citizens and occupied the capital, in contemptuous disregard of an order from the Privy Council, commanding them, under pain of treason, to depart from Edinburgh within twenty-four hours. The most active preparations for hostilities now commenced on both sides; noblemen summoned their armed vassals, private citizens flew to arms, proclamations and counter-proclamations were issued by the opposing factions, and the country seemed once more on the eve of being desolated by civil war. Sir Robert Bowes, the English ambassador, laboured earnestly to bring about a pacification. On the 11th August, however, Argyle and Atholl marched out of Edinburgh with one thousand followers; and such were the zeal and alacrity of their adherents, that when they had reached Falkirk, two days afterwards, they found themselves at the head of an army of seven thousand men. Before them was carried a banner of blue silk, on which was painted the figure of a boy looking through a grated window, with the inscription—

"Liberty I crave,
And cannot it have."§

This of course was meant to represent the young king as held in captivity by Morton, and underneath was written a declaration expressing the resolution of the combatants to set him free or die in the attempt.

Morton, on the other hand, acted with his accustomed boldness and activity. Under his direction, Angus, who had just been appointed Lieutenant-general of the kingdom, issued a proclamation setting forth his commission to convene the lieges at Stirling on the tenth day of August, armed for war and with provisions for fifteen days, for the defence of the king's person against certain disobedient persons who had risen in arms and levied troops, to the danger of the prince and the disturbance of the peace and quietness of the kingdom.* The king also, though detesting the new guardianship under which he was placed, and especially dreading the stern and haughty bearing of Morton, who now wielded the whole power of the state, was constrained to issue a proclamation declaring that it was his own free choice to reside at Stirling, that he was under no manner of restraint, and that he was satisfied with the attendance of Mar, in whom he could place more confidence than in those persons who were now raising such commotions in the country. When this proclamation reached Edinburgh, the lords of Argyle's party would not allow it to be published.† Angus speedily found himself at the head of a body of five thousand men, and with these he directed his march towards Falkirk, where the opposing force had halted, and encamped within their view, on the opposite side of the Carron. His army, though inferior in numbers to that of Argyle and Atholl, consisted chiefly of men of higher rank, and had the advantage of acting, nominally at least, under the royal authority; but, on the other hand, many of them had taken up arms rather in obedience to the king's command than from any favour to Morton, and declared that they would not strike a single blow against the opposite party.‡

Interposition of Bowes.

Skirmishing had commenced between the advanced posts of the two armies, and a general engagement seemed about to take place, when Sir Robert Bowes, accompanied by two of the principal ministers of the kirk, Mr. James Lawson and Mr. David Lindsay, presented himself on the field, and in the name of his mistress, the queen, once more interposed for the preservation of peace.§ A lengthened and acrimonious discussion ensued, during which an incident occurred which, though in itself of comparatively little public importance, had probably a great effect on the minds of both armies, and contributed towards the result of the negotiations. One Tait, a Teviotdale man and a follower of Ker of Cessford, who belonged to Argyle's party, boastfully advanced to the front of the lines, and challenged any horseman of the opposite party to single combat. The challenge was accepted by one of the followers of the Master of Glammis, named Johnston, and a small plain by the river's side, within sight of the horsemen of both armies, was selected as the scene of action. At the first charge Tait fell mortally wounded, leaving his comrades disheartened by what would probably be considered by many of them as an evil omen, while by some of the opposite party it would be esteemed a token of success.

Pacification.

The mediation of Bowes was ultimately successful, and peace was for the present restored. Various circumstances conduced to this result. Morton was, not without

* MS. Letter, British Museum, Caligula, c. v., fol. 101, Lord Hunsdon to Burghley, 19th August, 1578, Berwick; Tytler, vol. viii. p. 36; Aikman's Buchanan, vol. iii. pp. 30, 31.

† MS. Books of Privy Council, Register-house, Edinburgh, 17th July, 1578.

‡ Calderwood, vol. iii. p. 417.

§ MS. Letter, Caligula, c. v., fol. 101, Lord Hunsdon to Burghley, 19th August, 1578, Berwick; Tytler, vol. viii. p. 38.

* Calderwood, vol. iii. p. 423.

† Aikman's Buchanan, vol. iii. p. 31.

‡ Calderwood, vol. iii. p. 424.

§ Ibid.; also MS., Calderwood, p. 1071.

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reason, distrustful of his troops; while Argyle and Atholl were convinced that, even if successful in their first encounter, they were in no condition to follow up their victory. To obtain possession of Stirling Castle appeared at once essential and impracticable, as Morton, besides his own resources, which were great, could reckon on support to any necessary amount from the Queen of England. An agreement was accordingly drawn up in the name of the king, in which he declared that, "foreseeing the wreck and calamity with which the realm shall be afflicted, if the present division and apparent trouble be suffered further to proceed: therefore, with advice, consent, and mature deliberation of the lords of our secret council * * * we have pronounced, declared, statute, and ordained, and by these letters declare statute, and ordain as followeth:—First, that all hostility shall without any delay cease; all forces be dissolved, except some bands of horsemen already retained upon our charges, which bands we will shall only be employed for the quietness of our borders, and others our affairs, and not against the lords at Linlithgow, or any of their adherents in this late action. Forasmuch as we understand, and are thoroughly persuaded, that the lords convened at Edinburgh took arms for the love and tender affection they bare to us, we accept and allow the same since the tenth of June last as good services done, and all the parties and adherents in the same are accepted by us as good subjects and servants. We will that our right trusty cousin and counsellor, the Earl of Argyle, shall remain with our council, and be lodged within our castle at Stirling, with the like number as any other nobleman is lodged therein, saving the Earl of Mar, who hath the custody thereof; and that the said Earl of Argyle shall have the like access unto us and our ear as any other nobleman about us shall have. We will likewise that the Earl of Montrose and Lord Lindsay shall be added to our council, as two of the three appointed by our late act of parliament, and the third to be nominated when we think time. We will call eight noblemen, with advice of our dearest sister and cousin, the Queen of England, and by their counsel and assistance, God willing, before the first day of May next, we will take order for the reconciliation of our nobility to be united, for all actions and griefs fallen among them by occasion of these troubles, and final ending of the same. * * * Our will and pleasure is, that "all the noblemen, barons, and gentlemen, our subjects, coming to us to do their dutiful services and good offices, shall be admitted to our presence and free speech, as to good subjects appertaineth. * * * Given under our signet, and subscribed by us, with advice of the lords of our secret council present. At Stirling, the 15th day of August, and of our reign the twelfth year, 1578." *

Though this agreement was signed by both parties, their reconciliation was only apparent. The arbitrary rule of Morton, and his attempts to humble the ancient nobility of the country, were still fresh in the recollection of Argyle and his party, who, naturally dreading the consolidation of his power, laboured to undermine it; but, after a scene of angry contention and mutual accusation, in the presence of the king, their animosities were for the present hushed up, though it is probable that they were still as far as ever from a cordial reconciliation.

To celebrate and cement this agreement, Morton invited the principal lords, including those who had so recently been his opponents, to a sumptuous banquet, immediately after which, Atholl, who had been one of the guests, was seized with violent sickness, and four days afterwards died at Kincardine. The suddenness of the distemper, its apparent connection with the banquet, and the confirmation of Morton's position, which would obviously have resulted from the removal of such a formidable rival, excited, if they did not justify, a suspicion of poison, which was universally entertained, and publicly expressed, particularly by the friends of the deceased earl, who did not scruple to accuse Morton of having wilfully occasioned his death. Morton, however, who was not ignorant of these accusations, either strong in conscious innocence, or relying on his power of crushing his accusers, treated the imputation with contempt. In the meantime the body was opened, and the contents of the stomach examined by a learned committee of physicians, surgeons, and apothecaries, put on oath, but they could not agree in their verdict. Some confidently affirmed that the presence of poison was palpable and undeniable; others as confidently denied the presence of any deleterious substance whatever. Among the latter was Dr. Preston, one of the most eminent physicians of his time, who in the heat of the discussion, as a proof of the sincerity of his conviction, was rash enough to taste the contents of the stomach. He was immediately taken ill, and, though saved with some difficulty from falling a victim to his experiment, his health was never afterwards completely re-established.* From this dispute we may form some conception of the low state of chemical science at that period. Analysis, so well understood at the present day, would quickly, by means of a few simple but infallible tests, have placed the matter beyond the reach of doubt. As it was, the doctor's sudden and continued sickness served greatly to strengthen, and, in the minds of many, fully to confirm the suspicions entertained of Morton's guilt; but no attempt was made to institute proceedings against him.

Death of Atholl.

The office of chancellor, vacant by the death of Atholl, was conferred upon Argyle, who in consequence became more reconciled to the supremacy of his rival in the king's council. Morton was now at peace with all parties, and fully re-instated, though under a different name, in all the power he had formerly enjoyed. But, notwithstanding this apparent reconciliation,

Argyle appointed chancellor.

* Calderwood, vol. iii. pp. 424, 425.

* Calderwood, vol. iii. p. 443.

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few experienced and intelligent observers failed to perceive that the present state of matters was not likely to be of long duration. Such appears to have been the opinion of Sir Robert Bowes, the English ambassador, who was intimately acquainted with the condition of Scottish affairs. In a letter addressed to Burghley from Edinburgh, shortly before his return to the English court, he thus expresses himself:—"By my common letters to the lords of her majesty's council, the weltering estate of this realm, that now attendeth but a tide for a new alteration of the court, will appear to your lordship, and how necessary it is in this change approaching, and in the confederacies presently knitting, to get some hold for her majesty amongst them."*

These apprehensions were partly grounded on the state of parties in Scotland itself at the time, but had probably still more emphatic reference to the precarious condition of the foreign relations of the country, and the schemes then concerted for the restoration of Mary and the re-establishment of Romish supremacy.

The return of Morton to power had at first given great pleasure to Elizabeth, who regarded that event as highly favourable to the English party in Scotland; but she was not yet fully aware of the dangers, both within and without, by which his government was threatened, and which in so short a time brought it to a sudden and disastrous close. On the other hand, the present crisis in Scottish affairs was looked on by the Roman Catholic party both at home and abroad as one eminently favourable to an attempt to restore their ancient faith. The Bishop of Ross, who had never ceased to exert himself for the promotion of this object, in connection with the liberation and restitution of his mistress, was now on the continent, intriguing with the courts of France, Spain, and Germany, and calling on them to unite with the Pope at this juncture to advance the project which he had so much at heart. The English ministers, though they had spies and informers in every country in Europe, were not apprized of the extent of these machinations until accident threw into the hands of Walsingham and Burghley a packet of intercepted letters written in cipher. From these it was discovered that Atholl had maintained a close correspondence with the Bishop of Ross, and that at the instigation of Mary a project was set on foot for seizing the young king and conveying him to France. It further appeared that Henry III., the Duke of Guise, the Emperor of Germany, and the Duke of Bavaria, with all of whom Ross had been in communication, had signified their readiness to unite for the purpose of liberating Mary and restoring her to the throne of Scotland, and once more establishing the Roman Catholic faith in that kingdom. The discovery of this formidable conspiracy excited consternation and alarm in the minds of Elizabeth and her ministers, and undoubtedly contributed to hasten the catastrophe which ultimately fell on the unfortunate Scottish queen, in whose unjust detention these troubles had originated.

Intrigues of the Bishop of Ross.

* MS. Letter, British Museum, Caligula, c. v., fol. 109, Sir R. Bowes to Burghley, 3rd November, 1578, Edinburgh.

Once more secure in the possession of power—fortified by the name and authority of the young sovereign, whom he employed as an instrument for advancing his own ambitious designs—untaught by experience, and incited by his native cupidity—Morton once more ventured to lay his hand on the nobility. He had already gained over to his party or crushed the most formidable of his enemies, and there now remained only the house of Hamilton, of all his opponents, from whose power and influence he felt he had anything to dread; while the extensive possessions of that ancient family were viewed with covetous eyes by him and his faction. The Duke of Chatelherault was dead, and his eldest son, the Earl of Arran, then hopelessly insane, had been for some time confined in Draffan Castle, under the guardianship of his mother. Lord John Hamilton, the second son, sometimes mentioned in history as Lord Arbroath, was Abbot of Aberbrothwick, and acted as administrator of the family estates; the third, Lord Claud Hamilton, was Commendator of Paisley. In the event of the predecease of Mary and of the young king, Arbroath was next heir to the throne of Scotland; and at that time he was reckoned one of the wealthiest noblemen in the kingdom. His extensive estates, situated in the Netherward of Clydesdale, and comprising a large portion of that district, adjoined to those of the Earl of Angus, which embraced nearly the whole of the Overward. Morton and the Douglases had long coveted these rich possessions, thus conveniently situated; and a pretext was not wanting for seizing and confiscating them. The melancholy condition of Arran, the elder brother, precluded any charge from being brought against him; but the two younger brothers had been accused of being accessory to the assassination of the Regents Moray and Lennox, and on that charge had been included in the general act of attainder; and as the amnesty stipulated in the treaty of Perth did not extend to such as had participated in these murders, it was determined to proceed against the unfortunate noblemen on the former sentence, and, without any trial or legal evidence of their guilt, to subject them to the penalties of treason. Morton found no difficulty in inducing the council to grant a commission to himself, together with the Earls of Mar and Eglinton, and the Lords Ruthven, Cathcart, and Boyd, to proceed against the Hamiltons, and to seize on their persons and estates.*

Proceedings of Morton against the Hamiltons.

Morton had calculated on this commission, and was already prepared to act upon it without loss of time, or giving his victims warning of his intentions.

* MS. British Museum, Caligula, c. v., fol. 82; also draft of the King's proclamation against John Hamilton, some time Commendator of Arbroath, and Claud Hamilton, some time Commendator of Paisley, dated 2nd May, 1579; Bowes' Papers; Tytler, vol. viii. p. 41.

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With this view he had previously hired a band of mercenaries, whom he assembled at a few hours' notice, and, with the other members of the commission, set out at their head, and marched towards Hamilton. Fortunately, the brothers had received notice of these transactions, and managed, though not without much difficulty, to make their escape. Lord Arbroath fled to Flanders, where he lived for some time in great indigence; and Lord Claud, after remaining under cover for a short time, escaped into England. On the 4th of May, Morton and Angus besieged the Castle of Hamilton, which had been entrusted to the keeping of Arthur Hamilton of Merton. After an unsuccessful resistance of two days, he offered to surrender on condition of his own life and the lives of the other defenders being spared, and pardon being secured to them for all past offences, with the exception of the murder of the king and the regents,—all the three crimes having been laid to the charge of the Hamiltons without discrimination. These terms were rejected with disdain, and Merton was forced to surrender unconditionally.* He and his companions, among whom was a brother of Bothwellhaugh, named Arthur, who had assisted in the escape of the murderer of the regent, were conveyed to Stirling; and, notwithstanding much influence was employed to save them, they were all hanged. The Castle of Draffan was next invested; but its garrison having deserted during the night, it surrendered at the first summons. There was still, however, an obstacle which stood between Morton and the gratification of his unscrupulous rapacity. Whatever might have been the offences of his two brothers, Arran at least could be convicted of no crime; and consequently the family estates, which devolved on him as the eldest son, could not be legally confiscated. This obstacle, however, was easily surmounted by a man of Morton's unprincipled character, wielding almost the whole power of the state. In gross violation of justice and common sense, and by a flagrant perversion of the law, it was held that Arran, though incapable of controlling his own actions, and altogether ignorant of what was going on, was nevertheless responsible for the acts of his servants; and as they had refused obedience to the king's summons to surrender, he was declared guilty of treason, and his estates were forfeited. He was consequently conveyed to Linlithgow, where he and his mother were kept in rigorous confinement, in the custody of Captain Lambie,† a coarse and brutal man, and an inveterate enemy of the house of Hamilton.‡ The revenues of Arbroath and of his brother, Lord Claud, were sequestered; and even private gentlemen connected with the Hamiltons "were forced to underlie the law, and pay great sums of money."* The ruin of the noble and ancient house of Hamilton now seemed to be complete; but the unjust and arbitrary proceedings by which it had been brought about began to excite the fears of the nobility for the dignity and stability of their order. To allay these apprehensions, which Morton well knew might ultimately endanger his own power, a proclamation was issued in the king's name, in which he declared that he had authorised these proceedings against the Hamiltons only to avenge the murder of his father and of the two regents, as he was bound in conscience and duty to do; and that every article in the pacification should remain intact.†

Siege of the Castle of Hamilton.

Forfeiture of the Hamiltons' estates.

Mary had beguiled some of the solitary hours of her captivity in embroidering a rich vest for her son, which she sent him about this time by Naue, her secretary, together with an affectionate letter and some valuable jewels; but as the letter was addressed "To our loving son, James, Prince of Scotland," the messenger was dismissed without being admitted to the king's presence, and carried back the gifts to his unfortunate mistress.‡

Morton seemed to have obtained firm possession of that power to which he had waded through so many crimes; but the day of terrible retribution was approaching. The king had now reached an age at which it was found impossible to confine him any longer within the walls of Stirling Castle; and as the inhabitants of the capital were extremely dissatisfied at the continued absence of the sovereign, Morton, to whose influence this was ascribed, was exceedingly unpopular among them. With a view, therefore, to conciliate them, and yielding to a necessity which he could no longer avert, he resolved to comply with their wish by removing the king to Edinburgh, where he now summoned a parliament to assemble. In the midst of the preparations for the king's removal, an event occurred which, though seemingly of no great moment in itself, ultimately led to consequences of great importance. This was the arrival from France of the king's youthful cousin, Esmé Stewart, commonly called Monsieur D'Aubigny, the son of John Stewart, brother of Matthew Earl of Lennox, the late regent. The title of Lord D'Aubigny was derived from the town of Aubigny, in Berri, which had been given to John Stewart, of the family of Lennox, and had ever since belonged to the younger brother of that house.§ He had been educated at the court of France, and is described as a youth of highly prepossessing appearance, good temper, graceful manners, and elegant accomplishments. The ostensible objects of his visit were to congratulate his royal relative on his accession, and to claim the estates and title of the Earl of Lennox; but it was rumoured and generally believed that

Arrival of D'Aubigny.

* MS. Letter to Sir George Bowes, supposed to be from Mr. Archibald Douglas, Edinburgh, 24th May, 1579, copy of the time, Bowes' Papers; Tytler, vol. viii. p. 45; Calderwood, vol. iii. p. 442.
† Calderwood, vol. iii. p. 442.
‡ Tytler, vol. viii. p. 46.

* Calderwood, vol. iii. p. 442.
† Aikman's Buchanan, vol. iii. p. 35.
‡ Ibid.; Robertson, vol. ii. p. 59.
§ Calderwood, vol. iii. p. 457.

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he had been sent over by the house of Guise, with a view to fill the place of Atholl, to counterbalance the influence of Morton, to re-organise the French party in Scotland, and renew that friendly intercourse which had long been interrupted between the two countries. This belief was strengthened in the minds of many by the circumstance that, on his departure, the Duke of Guise had accompanied him to the ship. He was attended by Monsieur Momberneau, a person distinguished by brilliant wit, and gay and sprightly manners;* and by Mr. Henry Ker, a man of retired habits, who had long been his confidential servant, but who now, from what cause does not appear, was suspected by the ministers of the Kirk of being employed on some secret mission by the Guises.†

He becomes the king's favourite.

D'Aubigny had not been many days at court ere he had captivated the affection of his royal cousin, who now began to exhibit that predilection to favouritism, founded on superficial and frivolous qualifications, by which he was distinguished to the end of his life. In a very short time D'Aubigny was created Earl of Lennox, the king having induced his granduncle to resign that title, and accept in its stead that of Earl of March. To support D'Aubigny in his newly-acquired rank, the king bestowed on him the temporalities of Aberbrothwick, which had been forfeited by Lord John Hamilton. Nor was this all: James further testified his ardent attachment to his favourite by appointing him Governor of Dunbarton Castle, Captain of the King's Guard, and First Lord of the Bedchamber.‡ The royal favour, thus munificently expressed, had its usual effect upon the courtiers. The favourite rose into high consideration; Argyle and many of the principal nobility hastened to pay court to him, and bind themselves to his service.§

Is made Earl of Lennox.

Captain James Stewart is introduced to the king.

About the same time another young man was introduced to the notice of the king, and soon began to participate with Lennox in his favour and confidence. This was Captain James Stewart, the second son of Lord Ochiltree. The two favourites, however, were of very different characters: Lennox was undesigning, open, and generous—unsuspicious, and therefore liable to be imposed on—affable and courteous in his deportment, besides excelling in almost all the youthful sports and pastimes of the age, and therefore fitted to be an agreeable companion to the young sovereign; but destitute of political sagacity, inexperienced in public business, and ignorant of the state of the nation, and therefore manifestly unqualified for the office of a minister of state. Stewart, on the other hand, is described as a young man of profligate habits, addicted to every vice, and regardless even of common decency. He was fertile in the formation of ambitious schemes—often aimed at objects seemingly unattainable—and displayed in the pursuit singular dexterity, fearless audacity, and shameless impudence. Notwithstanding this dissimilarity of character, the two young courtiers, it is said, lived together in harmony, and shared their master's favour without any feeling of jealousy or rivalry, such as is common between favourites.*

Fears of Elizabeth.

The sudden elevation of D'Aubigny, the doubt that hung over the object of his visit to the court of Scotland, and the influence which he, a Roman Catholic, evidently possessed over the young king, were sources of profound anxiety, if not of actual alarm, to Elizabeth. She was haunted by the terror of a French alliance with Scotland, and the consequent downfall of English influence in that country, and still more by the dread of a Roman Catholic league, for the restoration of Mary and the re-establishment of popery. These fears were moreover every day increased by the communications of her secret agents, who were employed in great numbers both in Scotland and France. Unwilling, however, to make any public demonstration before the objects of her apprehension had assumed some definite and palpable form, she resolved in the meantime to content herself with sending a vigilant and intelligent agent to keep a strict watch on the course of events. For this mission she selected Captain Nicolas Arrington, an officer of the garrison of Berwick, who had already given repeated proofs of his capacity, as well as his acquaintance with Scottish affairs. He was, of course, entrusted with a double commission. His open instructions were to intercede with the king in favour of the Hamiltons. This would afford him, it was supposed, an opportunity of carrying out without exciting suspicion the secret objects of his mission, which were to study the character and penetrate the designs of D'Aubigny, to ascertain the state of parties, and what views were entertained with respect to the marriage of the king.† His mediation in favour of the Hamiltons completely failed; the king, probably by the instigation of Morton, appeared inflamed with resentment against them, and would consent to no mitigation of their punishment. Respecting the marriage of the king, Arrington wrote to Burghley, informing him that no definite proposal had yet been made, either by D'Aubigny or the council; but, with regard to D'Aubigny himself, he remarked, "It was evident that the young French stranger had already won the affection of his royal kinsman, and might look for high preferment," if he could be prevailed on to change his religion.‡

The time appointed for the meeting of parliament having arrived, the king, attended by his favourites, set out for Edinburgh. He proceeded from Stirling to Linlithgow on the 29th September,

* Calderwood, vol. iii. p. 457.
† Tytler, vol. viii. p. 50.
‡ Robertson, vol. ii. p. 60.
§ MS. Letter, British Museum, Caligula, c. v., fol. 133, and also 135, Bowes to Burghley, 22nd October, 1579, Berwick; Tytler, vol. viii. p. 52.

* Robertson, vol. ii. p. 61.
† Tytler, vol. viii. p. 50.
‡ Ibid; MS. Letter, British Museum, Caligula, c. v., fol. 130, Nicolas Arrington to Burghley, 10th October, 1579, Berwick.

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and, on the following day, made his entry into the capital. He was accompanied by Morton, Angus, Argyle, Montrose, Mar, Lindsay, Ochiltree, the Master of Livingston, and the Master of Seton, and was escorted by a body of about two thousand horse. The Homes and the Kers, with about three hundred horse, met him at Corstorphine. The burgesses of Edinburgh, arrayed in armour, received him at the gate of the city, when he alighted, and was saluted with a discharge of cannon from the castle. The people of Leith met him at a spot called Quarrell Holes; and he reached the abbey amid the acclamations of the multitude and the thunder of artillery from the ships in the Firth.*

Arrival of the king in Edinburgh.

The presence of James in the capital of his kingdom diffused extraordinary joy among the inhabitants, who now fondly hoped that they were entering on a new era, in which they should once more enjoy the blessings of peace, social order, and prosperity, under the regular government of their ancient line of kings. Their satisfaction was testified, according to the manner of that age, by much pompous ceremony and a profusion of costly pageantry, much of which, in these more sober and practical times, would be deemed idle and ridiculous. These ceremonies have been described with great minuteness, and with wonderful agreement as to details, by most of the historians of that period, and present us with a variety of curious particulars, interesting to the antiquarian and the student of manners and customs. "The king made his entry in Edinburgh," says Calderwood, in his quaint and graphic manner, "at the West Port upon Friday, the 17th October. He was received by the magistrates of the town under a pompous pale of purple velvet. That port presented to him the wisdom of Solomon deciding the plea between the two women who contended for the young child, and the servant that presented the sword to the king with the child. After he had entered in at the port, Mr. John Sharpe made an harangue in Latin. The Provost, Baillies, Treasurer, Dean of Guild, rode with foot mantles; the rest of the council, and other honest men of the town, about three hundred, clothed in velvet, satin, and silks, and twenty-four officers, clothed in black, were there also at his entry. At the old port of the Strait Bow hung a glorious globe, which opened artificially as the king came by, wherein was a young boy presenting the keys of the town to his majesty, all made of massive silver, and were presently received by one of the Lords of the Secret Council. The musicians sang the twentieth Psalm, and others played upon the viols. When he came down to the Old Tolbooth, the fore-face whereof was covered with painted deals, there he saw the crafts' standards and pinsells [penoncelles] set, and four fair young maids representing the four cardinal virtues—Justice, Temperance, Fortitude, and Prudence, or, as others report, Peace, Justice, Plenty, and Policy. Every one of them had an oration to the king. The wheel of fortune was burned with powder. When he came down over against the Great Kirk, Dame Religion desired his presence, so he lighted at the lady's steps, and went into the Great Kirk. Mr. James Lawsone made an exhortation upon Psalm second, verse tenth, and exhorted the king and the subjects to do their duty, to enter in league and covenant with God, and concluded with thanksgiving. After sermon was sung the twentieth Psalm. When he came to the Cross, there Bacchus sat on a puncheon, with his painted garment and a flower garland. He welcomed the king to his own town, and drank many glasses, and cast them among the people. There were there run three puncheons of wine. At the Salt Tron was described the genealogy of the kings of Scotland: a number of trumpets sounded melodiously, and crying with a loud voice '*Weele fare to the king.*' At the Nether Bow were represented the conjunction of the planets, as it was in the time of his nativity, and Ptolemæus describing his beauty and fortunes bestowed upon him by the influence of the stars. From the West Port to the Nether Bow, all the stairs on the High Street were covered with tapestry, cards, and boards. Many were hurt on the streets through throng. From the Nether Bow he went to the abbey. The town of Edinburgh presented him with a cupboard worth six thousand merks."*

Reception of the king.

Throughout all the solemnities and ceremonies of this reception, the king publicly exhibited his partiality to his favourite, Lennox; he was ever by his side, and walked on his right hand during the procession, which lasted upwards of one hour. He was lodged in the royal palace, and sumptuous apartments were provided for him next to the king's bedchamber. These tokens of the royal favour drew upon their object, as a matter of course, the sycophantish adulation of all who had access to him, and expected, through his medium, to win their way to distinction at court. Wherever he went he was treated with a consideration befitting the most exalted rank, and eagerly—

"Followed, flattered, sought, and sued."

The parliament assembled, according to appointment, on the 20th October, and was opened with great solemnity by the king in person, Angus carrying the crown and Argyle the sceptre;† but, excepting some explanatory and declaratory acts regarding the Kirk, no business was transacted of any public importance.

Meeting of parliament.

The exalted rank which Lennox had so suddenly attained, the high consideration in which he was held by the nobility, and, still more, his great influence with the king, began now to give Morton serious uneasiness. His pride would not stoop to pay court to the favourite—a foreigner and an upstart—who owed his unmerited elevation to the foolish preference of the king—a youth of fifteen.

* Calderwood, vol. iii. pp. 457, 458.

* Calderwood, vol. iii. pp. 458, 459.

† Ibid., pp. 459, 460.

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He nevertheless could not get rid of the mortifying conviction that Lennox must be regarded as a rival, who had already, to some extent, succeeded in pushing him aside, and who might ultimately unite with his enemies in driving him from power. But Morton had been accustomed to crush his enemies, not to flatter them; he had triumphed over all opposition during his regency; he had forced his way back to the highest office in the state, in spite of a powerful coalition of the principal nobility; he had since overthrown and ruined the ancient house of Hamilton, notwithstanding its near connection with royalty itself; and, confident in the resources of his own daring genius, he did not despair of being able to undermine the credit of the favourite. To this task he therefore addressed himself with his characteristic cunning and dexterity.

Suspicions had, from the first, been entertained regarding the real object of D'Aubigny's visit to Scotland. These Morton now took care to revive and strengthen. By means of his friends, reports were industriously circulated that Lennox was actually a secret agent sent over by the Duke of Guise and the Pope, for the purpose of inducing the young king, if possible, to embrace popery, and of subverting the established religion of the country. In proof of this, sundry facts were brought prominently forward and strongly insisted on. Lennox himself was professedly a Papist; the Duke of Guise had accompanied him to Dieppe, and had remained in secret conference with him for six hours in the ship;* before repairing to Scotland, he had held frequent consultations with the Bishops of Glasgow and Ross, regarding, among other subjects, as was alleged, an association between the young king and his mother in the government, and an alteration in the state of religion in Scotland;† though he had been so poor that his annual rents did not amount to more than ten thousand francs, and his lands besides were under mortgage, yet he had brought over with him forty thousand pieces of gold, in crowns and other coins; part of this money had already been given to Lady Argyle, and a warm and intimate friendship had suddenly sprung up between him and the earl.‡ From this last circumstance it was inferred that the money was intended to be employed in corrupting certain of the nobility.§ These rumours did not fail to alarm the clergy, who were peculiarly sensitive to every thing that seemed to them to threaten danger to the Protestant Church. Their own fears were speedily communicated to their congregations; the cry of "the Church in danger" resounded from the pulpits; solemn warnings were uttered against the dark intrigues of popery; and even the conduct of the king in entertaining popish favourites at court was condemned and lamented.

* Calderwood, vol. iii. p. 460.
† Ibid.; State Paper Office, French Correspondence, Paulet to Walsingham, 29th August, 1579, Paris; Tytler, vol. viii. p. 53.
‡ Calderwood, vol. iii. pp. 460, 461. § Ibid.

So great was the excitement of the public mind that the king sent for the ministers of the Kirk, and informed them that he had been labouring to convince Lennox of the errors of popery, and, finding him willing to be instructed, was desirous that one of their number should be appointed for that purpose. Their choice, which met with the king's approval, fell upon Mr. David Lindsay, one of the ministers of Leith, who had not continued his instructions above a few weeks ere Lennox was, or feigned to be, convinced, publicly abjured the errors of the Romish creed, and professed himself a Protestant and a member of the Scottish Presbyterian Church, by signing the Confession of Faith.* The principal ground of complaint was thus obviated, but the sincerity of Lennox was suspected; and the public jealousy was still farther augmented by the publicity given to certain intercepted dispensations from the Pope, by which Roman Catholics were permitted to profess, subscribe, or even swear whatsoever they pleased, provided they did so with a view privately to promote the interests of the Romish Church.† It is but justice, however, to Lennox to record the fact that he professed himself a Protestant at his death.‡ The utter recklessness of all moral principle implied in these dispensations, which entirely destroyed all confidence between Roman Catholics and Protestants, even when confirmed by the sanctity of an oath, excited universal horror and apprehension among the adherents of the Reformed religion, and led to the formation of that memorable bond known in history by the name of the "National Covenant." This remarkable document, which was drawn up by Mr. John Craig, consisted of an explicit abjuration of the errors of the Romish Church, stated in detail, and a solemn engagement to adhere to and defend the doctrine and discipline of the Reformed Church in Scotland; an express recognition of the authority of the king, "as a comfortable instrument of God's mercy, on whose safety and good behaviour" depended the stability of the Reformed religion; and an engagement, on the part of the covenanters, to defend his person and authority with their "goods, bodies, and lives, in the defence of Christ's evangel, liberties of the country, ministrations of justice, and punishment of iniquity, against all enemies within this realm and without." This bond, which was framed in terms of an oath, was subscribed by the king and his household, and all ranks of men in the realm were enjoined by an order of the Privy Council and an act of the General Assembly to do the like.§

Lennox abjures popery.

The National Covenant.

These precautions undoubtedly indicated a general distrust in the stability of the present state of

* Robertson, vol. ii. p. 62.
† Aikman's Buchanan, vol. iii. p. 38.
‡ MS. Letter, British Museum, Caligula, c. vi., fol. 36, Bowes to Burghley and Walsingham, 16th May, 1580, Edinburgh; Tytler, vol viii. p. 62.
§ Spottiswood, p. 309; Cook's History of the Church of Scotland, vol. i. p. 311.

the kingdom; and many circumstances contributed to aggravate this feeling of insecurity in the minds of men of far-seeing political sagacity. Notwithstanding the great amount of national wealth manifested by the extravagantly expensive pageants that attended the king's public entry into the capital, and the vast revenues of many of the nobility, such was the poverty of the king that he could not without difficulty uphold the dignity of his position: he could scarcely even provide for his personal security. The royal revenues had, during his nonage, been plundered to such an extent, by various officials entrusted with their management, that he was unable to raise so much as three thousand pounds for the charges of his household; while the nobility, who had risen in proportion as the king had lapsed into indigence, "would spare nothing they possessed to the king's aid without deadly feud."* For the safety of the king's person, at this period, when sudden and violent changes were by no means uncommon, it had been considered advisable that the king should be provided with a body-guard, and should be constantly attended by six of his Privy Council in rotation; but money could not be found to pay the soldiers, the councillors refused to furnish their own table, and the king could not meet the expenses of their maintenance, so that he was frequently left almost alone, and with no attendants but his domestics.†

Poverty of the king.

A representation of this wretched state of destitution, in which the young king had entered on his government, had some time before‡ been made to Elizabeth by Elphinstone, Abbot of Dunfermline, who had been sent to the English court chiefly for this purpose; but the queen, with her habitual parsimony, refused to lend the least assistance.§ Since that time the evil had gone on increasing, while the feuds that had arisen among the nobility, since the arrival of Lennox, had rendered it doubly necessary to take precautions for the security of the king's person.

The reports which Morton had raised with a view to destroy the reputation of Lennox, his rival, were soon followed, probably in retaliation, by alarming rumours against himself. It was said that he had been for some time carrying on a secret correspondence with the English queen, respecting a plot for seizing the young king and conveying him to England. Morton immediately brought the matter under the notice of the council, indignantly protested his innocence, and demanded to be brought to trial; but the council unanimously declared their disbelief of the accusation, and issued a proclamation against such as propagated false reports, tending to produce discord between the king and any of his nobility. Nevertheless, as if some suspicion of Morton's guilt were secretly entertained, the office of Lord Chamberlain, which had long been in abeyance, was revived and bestowed upon Lennox; Alexander Erskine, Captain of the Castle of Edinburgh, and one of Morton's most inveterate enemies, was appointed his deputy; a guard of twenty-four young noblemen was organized to attend closely on the king, and Lennox and Erskine were named as its commanders.*

Morton was much annoyed and not a little alarmed by these arrangements, which appeared tacitly to insinuate some doubt of his fidelity; but scarcely had they been made when another rumour arose, which once more threw the whole court into consternation. Intelligence was brought to the Earl of Mar that Lennox and his faction had formed a conspiracy for carrying off the king to Dunbarton, and thence conveying him to France; and the night of the 10th April was named as the time fixed on for carrying the plot into execution.† It was also rumoured that a confederacy had been formed by the same party against the Earl of Morton, for the purpose of convicting him of participating in the murder of the king's father. Sir James Balfour, then a voluntary exile in France, and who it was well known was involved in the guilt of that horrible crime, had offered, it was said, on promise of pardon, to produce the bond entered into by the murderers, containing, among other signatures, that of Morton, so that his guilt could be fully established, and his punishment rendered certain.

In the meantime, the dreaded night of the 10th April arrived. The king was then at Stirling Castle, and extraordinary precautions were employed to insure his safety. No one was permitted by Mar to have access to him, and guards were placed both within and without his bedchamber. Lennox, in well-grounded alarm, retired to his own apartments, attended by a band of armed followers, and threatened the last extremity of his vengeance against any who should attempt to molest him. Many of his adherents, including Argyle, Sutherland, and Glencairn, when they learned his danger, hastened to Stirling Castle, but were denied admittance within the gates. Confusion, perturbation, and terror reigned throughout the castle. A mysterious and undefined dread, as of some supernatural agency, took possession of the minds of men but little subject to the emotion of fear, yet the night passed without anything occurring to justify these apprehensions. Arrington, who was then an inmate of the place, wrote to Burghley an account of this remarkable scene. "The young king," he said, "is in heavy case, and much amazed with these troubles, and the more by reason of his great affection for D'Aubigny,

* MS. British Museum, Caligula, c. v., fol. 155, copy, Memorial of the present state of Scotland, 31st December, 1579; Tytler. vol. viii. pp. 53, 54.

† Ibid.

‡ 30th July, 1578.

§ MS. State Paper Office, Demands of the Abbot of Dunfermline, Ambassador from the King of Scots, 30th July, 1578; Tytler, *ut supra*.

* Aikman's Buchanan, vol. iii. p. 39.

† MS. Letter, British Museum, Caligula, c. vi., fol. 8, Captain Arrington to Lord Burghley, 16th April, 1580, Berwick; Tytler, vol. viii. pp. 55, 56.

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whom he perceives the mark they shoot at. Mons. D'Aubigny, with his faction, doth offer to abide the trial by law, or otherwise, in their very persons, that there was never any such plot or meaning by him, or his consent, or by any other to their knowledge, to have drawn the king either to Dunbarton or any other sinister course." *

Little credit can be attached to any of these rumours, by which so much uneasiness was occasioned; and we shall probably not err widely from the truth, if we regard them as fabrications invented and propagated by the rival factions of Morton and Lennox, having no reality in themselves, though based on actual and well-known circumstances which gave them an air of probability.

Lennox, though he vehemently denied the imputations cast upon him, yet, with that candour which formed a marked feature of his character, frankly admitted that he would gladly see such changes effected in the administration of affairs as would protect the revenues of the crown from the depredations of parties whom Morton and Mar had thrust into office.

Elizabeth, however, who attached more importance to these mutual accusations than they probably deserved, became alarmed. She had been informed by her ambassador in France that there was a project in agitation for carrying the young king to that country, and her mind was in consequence predisposed to give ready credence to the designs imputed to Lennox and his associates. She accordingly dispatched Sir Robert Bowes as her ambassador to Scotland, with instructions thoroughly to investigate the grounds of the report of an attempt to convey the king to France, to uphold to the utmost of his power the influence of Morton and his party, and to undermine that of Lennox, to intercede for the pardon of the Hamiltons, and to insinuate that the queen would not object to gain over by pensions some of the chief persons in authority. Of such urgent importance did the object of his embassy appear to Elizabeth and her council, that, before setting out, he was directed, by letter from Walsingham, to use his utmost vigilance and dispatch, as a rumour prevailed in Spain that mass had actually begun to be celebrated in Scotland, and that the Roman Catholic party were preparing to attack the Protestants by force of arms. Walsingham stated, moreover, that to his certain knowledge Ker of Fernyhirst, a Catholic and an active partizan of the queen's faction, accompanied by Hamilton of Bothwellhaugh, the assassin of the Regent Moray, had recently ridden post from France into Spain. † The importance attached by Walsingham to these vague rumours, and this apparently not very important event, strongly indicate the panic that had seized upon the English government.

* MS. Letter, British Museum, Caligula, c. vi., fol. 7, Arrington to Walsingham or Burghley, 10th April, 1580, Stirling. The address of the letter is torn away. Tytler, vol. viii. p. 57.

† Draft, State Paper Office, Walsingham to Bowes, 3rd July, 1580.

Bowes was very courteously received at the Scottish court; but no sooner did he allude to the subject of the Hamiltons, than a change took place in the king's demeanour, which convinced the ambassador that there was little hope of success in that object of his mission.* Nor were his hopes of being able to revive the declining authority of Morton much more considerable. Morton himself was among the first to perceive that his power was on the wane, while that of his enemies was on the increase; and he had nothing to hope from the favour of the king, who now seemed entirely alienated from him. Unable to cope with these adverse circumstances, he had begun to think of providing for his safety by withdrawing into private life. He communicated his apprehensions and his half-formed resolution to the English ambassador in a secret conference, held during the night in Stirling Castle, when he expressed his fear that it was now in vain to make any attempt to crush Lennox, who, by professing to be a Protestant, had so far secured the support of the Protestant clergy that they had addressed to the council a letter in his favour.†

This despondency on the part of Morton was, however, more feigned than real: he still clung to power, and the intention of abandoning public life was, unfortunately for himself, very far from being fully formed. His design in seeking this secret interview, there is good reason to believe, was, at least in the first instance, to ascertain to what extent, if any, Elizabeth was inclined to furnish him with "the sinews of war;" for we find him shortly afterwards declaring to Bowes that he would be compelled for his own security to throw himself into the arms of Lennox and his faction. "He utterly distrusted," he said, "Elizabeth's intention to be *at any charges* for the affairs of Scotland; his own peril was great and imminent; yet, *had he been backed by England*, he would have adventured to beard his enemies, and to have retained the country at the devotion of the queen. It was too late now; and to save himself from ruin, he would be driven to means which could be profitable to neither of the realms, and were much against his heart." ‡

With regard to the alleged conspiracy for the abduction of the king, Bowes had considerable difficulty in arriving at any certain conclusion. The king himself was at first extremely reserved on that subject; and it was not until the ambassador had, in the course of repeated interviews, insinuated himself into the king's favour and confidence, that he could obtain through that channel any such information as he was in quest of. At last, however, Bowes partially succeeded in

* MS. Letter, British Museum, Caligula, c. vi., fol. 25, Bowes to Burghley and Walsingham, 3rd May, 1580; Stirling; Tytler, vol. viii. p. 58.

† MS. Letter, British Museum, Caligula, c. vi., fol. 31, Bowes to Burghley and Walsingham, 10th May, 1580, Stirling.

‡ MS. Letter, State Paper Office, Bowes to Walsingham, 2nd August, 1580.

overcoming the king's scruples; and from sundry particulars communicated by his majesty, it appeared that a conspiracy had actually been on foot, but for a very different purpose from that which rumour had assigned to it. Its real object was the overthrow of Morton, the dismissal of Mar and others of that party, and an entire remodelling of the king's council, under the leadership of Lennox and Argyle. It was moreover in contemplation to introduce into the council Sir John Seton, Sir George Douglas, and other attached servants of the captive queen. This intelligence confirmed Bowes in the suspicion that Lennox, as originally surmised, was actually an agent of the house of Guise, and that he had succeeded in gaining over the young king to the French party.*

With a view to counteract the influence of Lennox, and if possible to bring back the king under English influence, the ambassador sought a private interview with the king, on a subject of great delicacy and importance—the succession to the throne of England. The particulars of this interview were detailed in a letter written in cipher, and addressed by Bowes probably to Burghley or Walsingham, for the address having been lost it is impossible to determine with certainty. Of the authenticity of the letter itself, however, there is not the slightest doubt. "In private with the king," he says, "I have offered to acquaint him with a secret greatly importing him and his estate, and lately discovered to me by letters, which were not out of the way in case he should desire sight thereof; and, taking his honour in pledge for the secrecy, which he readily tendered, I opened to him at large all the contents specified in the cipher note last sent to me, and to be communicated to him, persuading him earnestly to beware that he made not himself the cause of greater loss to him than France, Scotland, or Lennox could countervail. He appeared here to be very much perplexed, affirming that he would both most chiefly follow her majesty's advice, and also ask and require her counsel in all his great adoes. * * * In which good resolution and mind I left him; wherein, with good company and handling, I think he may be well continued. But Lennox having won great interest in him, and possessing free and sure access to him at all times, * * * I dare not therefore assure, in his tender years, any long continuance or sure performance of this promise." †

The ambassador's misgivings turned out to be well founded: the influence of Lennox proved more than a counterpoise to the lures of Elizabeth and the efforts of Bowes, and became daily more and more predominant.

In the meantime Morton, alarmed at the danger by which he and his party were threatened, applied as a last resource to Elizabeth. She immediately sent instructions to Sir Robert Bowes, who had recently been recalled from Scotland, and was then at Berwick, to return to the Scottish court without delay, to accuse Lennox of practices tending to disturb the peace of the two kingdoms, and to insist in her name on his instant removal from the council. Bowes obeyed; but such an extraordinary demand being considered by the council as an insult to the king, and an encroachment on the independence of the kingdom, they affected to doubt his powers, and desired him to produce his commission. This he refused to do to any except the king himself, who, on learning the nature of his instructions, refused to admit him to an audience. The ambassador retired in disgust without taking leave, and the court, surprised, and probably in some degree alarmed at his abrupt departure, sent Sir Alexander Home to expostulate with Elizabeth on the subject. The English queen, however, indignant at the treatment which her ambassador had received, and which she considered as an affront to herself, refused to admit Home into her presence, but referred him to her treasurer, Lord Burghley, to whom he was ordered to impart his commission. Burghley courteously apologised to Home for his having been refused an audience of her majesty, assuring him that this was very far from proceeding from any disrespect to him individually; but at the same time declaring that the queen was highly displeased at the treatment of her ambassador, in having his commission doubted, in being required to exhibit his instructions, and denied admittance into the presence of the king. This indignity, however, he added, he was far from imputing to the king personally, who might well be excused on account of his youth and inexperience, but to the pernicious advice of bad counsellors, by whom he was misled, and who had abused his confidence. He then commenced an enumeration of what he considered to be important services rendered by his mistress to the king. She had watched over him from his cradle, she had placed the crown on his head, and had laboured to defeat the machinations of his enemies; and he recommended the ambassador to advise his master to beware of sacrificing the friendship or rejecting the counsel of so powerful an ally, who had ever regarded him with a mother's tenderness, through the influence of an inexperienced young man, a Frenchman by birth, married to a French woman, and at heart a Papist, who had in view his own aggrandizement, and hoped, now that the Hamiltons were in disgrace and exile, to be declared next heir to the crown. The ambassador commenced his reply by assuring Burghley that the intelligence of the young king was remarkable for his years, and that his affection and devotedness to the queen were great, as he could easily convince her majesty, if he were honoured with an audience. To this Burghley answered, that it was in vain to speak of an audience, as the queen had determined not to see him; and as to the intelligence of the king, he had given no proof of it in reposing so

* Tytler, vol. viii. p. 60.

† MS. Letter, State Paper Office, original cipher and decipher. The letter contains proof that its date must be the 16th or 17th May, 1580. Tytler, vol. viii. p. 61.

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much confidence in the counsel of a single individual, in opposition to that of so many tried and experienced friends.*

On his return home, the ambassador reported his uncourteous reception at the English court, and the unpleasant conference he had held with Burghley. All this was imputed to the agency of Morton, through his correspondence with the English government, and thus tended still farther to exasperate the hatred of his enemies and to hasten his downfall.

Elizabeth threatens to deprive James of the succession.

As a last resource, Elizabeth directed Bowes, who had not yet left Edinburgh, though he had withdrawn from court,† once more to alarm the king regarding the succession. He was instructed to assure him in strict secrecy, that if he continued to follow the counsel of Lennox, in preference to that of the English queen, his right to succeed to the throne of England would be abrogated by an act of parliament, and conferred on another. James, however, regarding this as an empty menace, showed no inclination whatever to discard his favourite; and the queen shortly afterwards recalled her ambassador, but directed him, before finally taking leave, to express to the king in strong terms her sense of his ingratitude. At this uncourtly interview the ambassador thus expressed himself:—"His royal mistress," he said, "was bitterly mortified to find that this was all the return for her care of James ever since his cradle. She had little expected to be treated with contempt, and to see promoted to credit and honour the very man against whom she had expressed so much suspicion and dislike; but hereafter he might find what it was to prefer a Duke of Lennox before a Queen of England." ‡

James, now undisturbed by the remonstrances of his haughty relative, began to display a growing attachment to France. He entered into correspondence with his mother,§ and was persuaded by Lennox to unite with the courts of Rome, Paris, and Madrid, to secure her liberty.

The ruin of Morton, one of the bitterest enemies of Mary, was hastened by these events, and was now at hand. Lennox and his faction had long looked for some pretext to get rid of him; but he seemed to be so fenced round by his power, wealth, and influence, as to have no point left open to attack. The present opportunity was eagerly embraced of completing the alienation which had been long on the increase between him and the king. Nor was this difficult to accomplish. James had all along rather feared than loved him. Morton had taken no pains to ingratiate himself with the youthful sovereign; he had neglected the courtly arts of flattery; and his demeanour more resembled that of a tutor than a minister. A vulnerable point was at length thought of, by which this formidable minister might be assailed. In the deed of indemnity granted to him at the termination of his regency, no mention was made of one crime, with which before his accession to power he had been openly charged—namely, that he had been in some way accessory to the murder of Darnley. On this charge it was now determined to arraign him; and an accuser, whose reckless boldness rendered him equal to the task, was found in the person of Captain James Stewart, a man who was ready to embark in any enterprise, however hazardous, that seemed likely to lead to fortune and conciliate the royal favour. Stewart was a man of learning, and, being nearly connected with John Knox, who had married his sister, it is supposed had been at first destined for the Church; but his ambition, love of enterprise, and restless activity, prompted him to embrace another and a very different mode of life. He chose the profession of arms, which he pursued as a soldier of fortune in the wars of France and Sweden. His moral character was infamous in the extreme, his desire of power was great, and he was utterly unscrupulous as to the means he employed for attaining it.

With a view to secure the conviction and condemnation of Morton, it had been arranged that Sir James Balfour, who was then an exile in France, and who it was supposed had in his possession the bond for the murder of Darnley, should return secretly to Scotland, and overwhelm Morton at once by exhibiting that infamous document, with his signature attached to it.*

Morton had been warned of his danger, but with characteristic pride and obstinacy, refused to avail himself of the opportunity to escape; and at the next meeting of the council took his place as usual at the board where the king presided. They had not been long assembled when the usher entered, and announced that Captain James Stewart was at the door, and solicited an audience on business of great and urgent importance. He was immediately admitted, when, falling down on his knees before the king, he said—"My duty to your highness has brought me here to reveal a wickedness that has been too long obscured. It was that man (pointing to Morton), now sitting at this table, a place he is unworthy to occupy, that conspired your royal father's death. Let him be committed for trial, and I shall make good my words."† Amidst the excitement caused by this extraordinary scene, Morton seemed to retain his wonted firmness and composure. Rising from his seat, he for a moment regarded his accuser with a scornful and contemptuous smile; then, turning towards the king, "I know not," he said, "by whom this informer has been set on, and it were easy for one of my rank to refuse all reply to so mean a person; but I stand

Morton accused before the council.

* Aikman's Buchanan, vol. iii. pp. 39, 40; Robertson, vol. ii. pp. 63, 64.

† Calderwood, vol. iii. p. 473.

‡ Original draft, State Paper Office, Walsingham to Bowes, 7th October, 1580; Tytler, vol. viii. pp. 65, 66.

§ Original Letter, State Paper Office, James VI. to Mary Queen of Scots, 29th January, 1580-1.

* Tytler, vol. viii. p. 68.

† MS. Letter, State Paper Office, Bowes to Walsingham and Burghley, 1st January, 1580-1; Tytler, vol. viii. p. 68.

upon my innocence—I fear no trial. The rigour with which I have prosecuted all suspected of that murder is well known; and when I have cleared myself, it will be for your majesty to determine what they deserve who have set this perjured tool of theirs to accuse me." Stewart, who remained still on his knees, retorted with great warmth. "It is false, utterly false!" he exclaimed, "that any one has instigated me to make this accusation. A horror for the crime, and zeal for the safety of my sovereign, have been my only counsellors; and as to his pretended zeal against the guilty, let me ask him where has he placed Archibald Douglas, his cousin? That most infamous of men, who was an actor in the tragedy, is now a senator, promoted to the highest seat of justice, and suffered to pollute that tribunal, before which he ought to have been arraigned as the murderer of his prince." * Having uttered these words he sprang to his feet, and Morton laying his hand on his sword, a conflict would probably have ensued, had not Lords Lindsay and Cathcart interposed to prevent it. The king ordered them both to be removed; and the justice-clerk, who sat at the council-table, having declared that according to the law a person accused of treason must instantly be warded, the council, after a brief consultation, ordered Morton to be committed. He was at first confined in one of the apartments of the palace, from which he could without much difficulty have made his escape;† but, though strongly urged by his friends to do so, he firmly refused, declaring "that he would rather die ten thousand deaths than betray his innocency in declining trial." ‡ Two days afterwards he was removed to the Castle of Edinburgh, of which Alexander Erskine was then governor, and shortly afterwards to that of Dunbarton, where he was committed to the custody of Lennox, who, as we have seen, had been entrusted with the command of that fortress. A warrant was also issued for the arrest of Archibald Douglas, who was then residing with his lady at the Castle of Mortram; but George Douglas, younger, of Langniddry, having been apprised of the circumstance, hastened to give him warning with such precipitation as to destroy two horses by the way. Archibald instantly fled to England, and escaped just in time to save himself from the clutches of Alexander Hume of Manderton, who had been entrusted with the warrant for his apprehension, and who arrived at the castle about five o'clock the following morning.§

Is committed for trial.

The news of the accusation and imprisonment of Morton, who had so largely contributed to the maintenance of the English influence in Scotland, gave great uneasiness to Elizabeth. Without loss of time she dispatched Randolph as her ambassador into Scotland, with instructions to remonstrate strongly with the king, and ordered Lord Hunsdon, the governor of Berwick, to assemble a body of troops and march across the Borders.*

Randolph sent to Scotland.

The ambassador, who reached the capital on the 18th of January, found to his dismay that there scarcely remained an English party there. On the contrary, the alliance with England had become so odious to the great body of the people that he considered his life in danger, and wrote to Walsingham, who had given him in his despatches merely the title of envoy, requesting that he should be addressed as ambassador, in order that the respect due to that rank might protect him from outrage.† Nor did he find the nobility in general more favourable. All were either decidedly hostile, or were shy and distrustful, with the single exception of the Earl of Angus, who was ready to risk life and fortune in defence of his kinsman. The great bulk of the nobles were watching the course of events before declaring themselves, and in particular looked for some more substantial proof than mere words of Elizabeth's sincere intention to support them, in the event of their actively engaging to promote the object of Randolph's mission. They had already witnessed so many examples of her double and treacherous policy, in deserting in their hour of peril those whom she had artfully induced to espouse her cause, that she had entirely lost their confidence. Randolph's application to the king was even less satisfactory. Instead of conciliating him, he had in the first instance given him great offence by studiously avoiding all communication with Lennox.‡ In vindication of this part of his conduct, he charged Lennox with being an agent of the Pope and of the house of Guise, and with carrying on a secret correspondence with the enemies of both kingdoms; and in proof of these charges he offered to produce an intercepted letter from the Bishop of Ross to the Pope, which would fully satisfy the king as to their truth. James warmly repelled the accusation as utterly false. Lennox, he said, was an honourable man, and, being his near kinsman, had come to visit him from motives of affection; and with regard to the intercepted letter, if there really existed any such document, it was either a forgery or was concocted by the Bishop of Ross for Lennox's ruin. "The bishop's character," he added, "is well known: he is my declared traitor and rebel; a favourer and kinsman of the Hamiltons, the mortal foes of the house of Lennox; and no one would be more likely than Beaton to think his labour well bestowed, if, by his letters and intrigues, he might cause me to suspect and discard my kinsman, who has embraced the true religion, and is zealous for my honour and interest. On this head," he continued, "the duke is anxious for the

His interview with the king.

* Spottiswood, p. 310.
† Calderwood, vol. iii. p. 481.
‡ Aikman's Buchanan, vol. iii. p. 42.
§ Calderwood, vol. iii. pp. 481, 482.

* MS. Letter, State Paper Office, Walsingham to Randolph, 8th January, 1580-1; Tytler, vol. viii. p. 70.
† MS. Letter, State Paper Office, Randolph to Walsingham, 22nd January, 1580-1; Tytler, vol. viii. p. 71.
‡ MS. Letter, State Paper Office, Randolph to Walsingham, 22nd January, 1580-1, Edinburgh, Sunday; Tytler, vol. viii. p. 71.

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fullest investigation, and will refuse no manner of trial to justify himself from so false a slander; and as to the trial of Morton, my good sister cannot be more solicitous on that head than I myself. But what would she have? Can she complain that a man accused in my own presence of the murder of my father has been imprisoned till the evidence be collected against him? or is it reasonable to be angry because the day of trial is not fixed, when she is aware that Archibald Douglas, a principal witness, has fled into England, and that till the Queen of England delivers him up, Morton cannot possibly be arraigned?" *

These pointed remarks, to which the ambassador appears to have made little reply, left him small ground to hope for the success of this part of his mission. Elizabeth and her ministers had at first assumed a high and menacing tone, as if resolved to save Morton at all hazards. The country was threatened with invasion; † the king was warned to beware of the fate of his predecessors; ‡ and the life of the Queen of Scots, it was declared, should be forfeited, if that of Morton were not spared. §

Elizabeth threatens to invade Scotland.

Notwithstanding the threat of invasion, Hunsdon was in no haste to make preparations, and no English troops were led across the Borders. Elizabeth was not disposed to risk a war between the two kingdoms in defence of Morton; and, though lavish in her threats, she refused to grant any aid in the shape of money. Meantime Lennox and his faction were preparing for the national defence with the utmost activity, and the whole military force of the kingdom was ordered to be ready to repel the invading army of the English. In addition to the feudal militia, who in cases of emergency were bound to serve at their own expense, great numbers of hired, or as they were called "waged soldiers," were enlisted for the protection of the king's person, and supplies for carrying on the war with England were voted by the three Estates of the realm.

Randolph, having been unable to make on the king any impression favourable to the object of his mission, now addressed himself to the parliament. He made his appearance personally before that body, and in a speech which lasted for two hours, he enumerated and dwelt upon many of the benefits which the king and kingdom of Scotland had derived from the friendship of his royal mistress, and the alliance that had subsisted between the two nations, and accused Lennox of intriguing to disturb these amicable relations, to the great danger and detriment of both kingdoms. Elizabeth, he said, without demanding any territorial advantages for herself, had, at a great expense of blood and treasure, rescued the Scots from the thraldom of the French alliance, and established the true religion amongst them; she had ever warmly espoused the cause of the king, and had been mainly instrumental in placing and retaining the crown upon his head; and she had, with their co-operation, defeated all the machinations of popish princes, who had sought to deprive them of their ancient rights, to abolish amongst them the Protestant form of worship, and bring them under subjection to the See of Rome. Notwithstanding all this, he said, the queen his mistress had of late observed with concern an unusual coldness and apparent alienation in the Scottish Council, which she could ascribe to no other cause than to the mischievous interference of Lennox, who, as he was ready to prove by an intercepted letter from the Bishop of Ross, had come to Scotland as an agent of the Pope and the house of Guise, for the purpose of alienating the mind of the king from the friendship with England, subverting the Protestant establishment, and, by means of an alliance with France, re-establishing popery. That this person, a foreigner, and profoundly ignorant as to the real condition of the country, was allowed to direct the counsels of the king, and had abused that power and influence which he had done nothing to deserve, in seeking to displace the king's tried and faithful servants to make room for his own adherents; and, in particular, not content with having effected the removal of the Earl of Morton from the council, he was now engaged in conspiring the absolute ruin of that nobleman, who had so long laboured to promote the king's interest, to resist the encroachments of popery, and to preserve the blessings of the English alliance. He therefore called upon the parliament, in the name of his mistress, the Queen of England, to interfere for the removal of such a pernicious counsellor from the presence of the king, to protect Morton from the malice of his enemy, and to secure for him a fair and impartial trial. He added, that if force should be necessary for the accomplishment of these ends, he had authority from his mistress to promise them such assistance in men or money as they might require.*

Randolph applies to the parliament.

These exertions on the part of Randolph proved as unsuccessful with the parliament as his previous efforts had been with the king. Lennox denied the truth of the accusations brought against him, demanded a full investigation into his conduct, and defied his enemies to the proof; and parliament proceeded to vote a supply of forty thousand pounds for the maintenance of the war with England.†

Thus a second time disappointed, Randolph had now recourse to that species of intrigue in which he was probably the most accomplished master of the age. He endeavoured secretly to organise a faction, consisting of the friends of Morton and all

* MS. Letter, State Paper Office, the King of Scots and his Council's answer to Mr. Randolph, 7th February, 1580-1.

† MS. Letter, State Paper Office, Hunsdon to Randolph, 3rd February, 1580-1.

‡ MS. Letter, State Paper Office, Leicester to Randolph, 15th February, 1580-1.

§ MS. Letter, State Paper Office, Walsingham to Randolph, 9th February, 1580-1; Tytler, vol. viii. p. 73.

* Robertson, vol. ii. pp. 66, 67.

† Tytler, vol. viii. p. 74.

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who regarded the favourite with envy or jealousy, with the view of employing force, if other means should fail, to seize on the person of Lennox, or even to put him to death by some sudden and open attack. This measure was in fact a part of Randolph's secret instructions.* In this way, if by no other, it was hoped that the king would be secured to the English party, and finally detached from such counsellors as might induce him to prefer a French to an English alliance, or to seek the liberation of the captive queen.

Conspiracy against Lennox.

With such activity and zeal did Randolph labour to mature this seditious scheme that, in a very short time, an association for carrying it into effect was formed amongst the nobles. Their design, as described by Bowes in a letter addressed to Leicester, was to seize the person of the king and arrest or murder Lennox, according to circumstances. "Albeit," he said, "the levy of the forces newly assembled in Edinburgh and elsewhere, and the planting themselves about the king to guard his person against suspected surprise or violence, doth greatly threaten the stay or defeat of the purposes intended, whereof I know your lordship is advertised; yet I am in good hope that, if any opportunity be found, the parties associate will with good courage attempt the matter." In reply to this, Elizabeth signified her approbation of an attempt being made to "surprise" Lennox, provided it were executed at a time when he was separated from his young master; but would not consent to any violence being offered to the king himself.†

The plot was now ripe for execution. The conspirators had succeeded in corrupting some of the king's household, and, through their means, had obtained duplicates of the keys of the king's private apartments. Their plan was to enter the palace as secretly as possible, to seize the person of the king, and convey him to England, and to put Lennox, Argyle, and Montrose to death.‡ At the same time an association was formed, having for its object the rescue of Morton from his captivity, the principal actors being the Earls of Angus and Mar. The conspiracy was conducted with the utmost secrecy, all the arrangements having been concocted between Randolph and Angus, at meetings held by night, frequently in the fields. One of the chief conspirators was the Laird of Whittingham, brother to Archibald Douglas; and four confidential servants of Morton were engaged in the plot, and made acquainted with the most secret intentions of the association. Lord Hunsdon, who was also a party to the conspiracy, held an army in readiness at Berwick to march across the Borders the moment he received intelligence of the king's seizure, this being the signal agreed on between him and the leaders of this daring enterprise. The arrangements having been completed, nothing now remained but to carry the plot into execution, when Lennox received a hint which led to the discovery of the whole secret. Suspicion having fallen on Douglas of Whittingham, he was seized by Lennox, and the mere threatening of the rack proved sufficient to extort from him a full revelation of the conspiracy. Morton's servants, Fleck, Nesbit, Reid, and Jordan, were also arrested and put to the torture, and Angus was banished beyond the Spey. Randolph, who had for some time been so extremely unpopular that he was not only daily assailed with libels, but was actually in danger of assassination, finding his dark machinations now thoroughly exposed, fled precipitately by night from the capital, and took refuge in Berwick. Sir John Seton was immediately dispatched after him, with instructions to complain of his conduct, and to remonstrate against the concentration of troops on the Scottish Borders; but he was not allowed to proceed beyond Berwick. At the moment, however, when war seemed most imminent, Elizabeth, who had never any intention of embroiling the two kingdoms on account of Morton, finding all her efforts to save him by means of threats and intrigue unavailing, ordered Hunsdon to withdraw his troops, and recalled her ambassador.*

The conspiracy is defeated.

Flight of Randolph.

The utter failure of all these exertions in favour of Morton naturally tended to strengthen the hands of his enemies, and to render his situation more hopeless than ever. The arrogance and malignity of Stewart, his accuser, were now increased tenfold; and he even threatened vengeance against those who had instigated him to enter on the enterprise, if they should fail to prosecute it to the utmost extremity, declaring that if they "did not make an end of the old tyrant, he would soon make an end of *them*."† As is usual in such cases, the few friends still remaining to Morton began gradually to desert a cause which they deemed hopeless; and the nobles and others whose assistance had been purchased by Elizabeth, finding that she herself had at last abandoned the fallen minister to his fate, followed her example, and consulted their own safety by a reconciliation with the opposite party.

In the meantime, Captain Stewart continued to rise in the favour of the king, who bestowed on him the vacant title of Earl of Arran. Shortly afterwards the new peer received a commission, in conjunction with Montrose, to convey Morton from

Stewart created Earl of Arran.

* MS. Instructions to Mr. Randolph, 6th January, 1580-1; also Memorial for Secret Objects; Caligula, c. vi. 104—106.

† MS. Letter, State Paper Office, 14th March, 1580-1, Bowes to Leicester; also MS. British Museum, Harleian, 6999, fol. 479; Original draft, Walsingham to Hunsdon, 15th March, 1580-1.

‡ MS. Harleian, copy of the time, Randolph to Hunsdon, 20th March, 1580-1.

* Tytler, vol. viii. p. 78.

† MS. Letter, State Paper Office, 11th January, 1580-1, Bowes to Lord Burghley and Sir Fr. Walsingham; Tytler, vol. viii. p. 78.

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Dunbarton Castle to Edinburgh. In the execution of this mission they were attended by a band of their friends and dependents, and an escort of soldiers both horse and foot.* When Morton, who had not heard of Stewart's advancement, was shown the commission, he started as he read the words "James, Earl of Arran," and eagerly exclaimed, "The Earl of Arran! who is that? The Earl of Arran is dead."—"Not so," was the reply, "that title is now held by Captain James Stewart."—"Is it so?" said he, "then indeed all is over; and I know what I must look for."† On the 27th May the party reached Edinburgh with their prisoner, who was warded, under a strong guard, in the house of Robert Gourlay; and few or none were permitted to have access to him.‡

In these trying circumstances, and with the almost certain prospect of the awful doom that awaited him, Morton behaved with calm, undaunted courage. It is said that during his imprisonment, which had now continued for about five months, he had expressed deep contrition for the crimes into which he had been drawn by his inordinate ambition and love of power, deplored the indulgence in sinful pleasures by which his private life had been stained, and employed much of his time in the study of the sacred Scriptures.§

Trial of Morton.

On the day of trial, the 1st of June,‖ extraordinary precautions were taken in anticipation of an attempt to rescue him. Two bands of soldiers were stationed at the Cross, and two above the Tolbooth, within which the trial was to take place; and a third body of troops, together with a number of armed citizens, was drawn up along the principal street, so as to ensure his safe conveyance from his lodgings to the Tolbooth.¶

The indictment, which is now lost, consisted of numerous *counts* or charges, some of them too trivial to incur the punishment of death, others probably fabricated from distorted facts. Nineteen of these have been preserved in Mr. John Davidson's Memorials.** Before the trial commenced, however, a message arrived from the king, commanding the court to pass from all the charges except the "foreknowledge and concealing of the king's father's murder."†† The jury, which consisted of his avowed enemies, included Argyle, Chief-Justice, Montrose, Sutherland, Rothes, Glencairn, Ogilvie, Maxwell, Seton, Wemyss, Wauchton, Dairsie, and Lochinvar;‡‡ and although he challenged several of them, particularly Argyle and Seton, his objections were overruled, and these noblemen were retained upon his assize.

The illegality and manifest injustice of this procedure at once convinced Morton that his doom was sealed. "I saw," he said, in the conference which subsequently took place between him and Mr. John Durie and Mr. Walter Balcalquall, "so partial dealing against me, that it had been all alike to me, if I had been as innocent as Saint Stephen, as if I had been as guilty as Judas. For I perceived plainly that there was nothing but my life sought, howsoever it had been, which appeared in this, that no exception against any person that was to pass upon mine assize could avail. For I required the Earl of Argyle to purge himself of partial counsel given to the pursuer my accuser. He purged himself indeed, but I know the contrary, that he gave partial counsel to him. Likewise the Laird of Wauchton, the Lord Seton, and such others, who were known to be my enemies, notwithstanding any lawful exception, were put upon my assize. In consideration whereof, I cannot be persuaded of a thing which it behoved me to communicate to you, and it is this: I perceive it is not my life only that they are seeking; but they who are the authors of my death had some other purpose in hand, which they perceived could not goodly be done, unless I and such others who favour the good cause were taken out of the way. And therefore I cannot but suspect that I have been so handled, and such as hereafter shall be put at, that they may have a more patent way to do their turn; and I pray God, that ye that are to live behind me see not the practice thereof. But I fear it sore."* As the records of the Justiciary Court, containing the particulars of the trial, have been lost, we are left in the dark as to the nature and extent of the evidence produced; but it is known that Arran, in order to extort evidence, put several of Morton's domestics to the torture, and treated them with savage cruelty.† No direct or reliable proof, however, was probably produced to convict him of actual participation in the murder. The evidence of Sir James Balfour, which, it was hoped, would of itself have been sufficient to establish Morton's guilt completely broke down, as he either had not in his possession, or would not produce, the bond for the murder of Darnley.‡ That Morton had foreknowledge of the crime and concealed it, he himself admitted, both at his trial and subsequently; but, in justification of this, he pleaded extenuating circumstances which ought to have had great weight with the court. In the conference held after his condemnation with Mr. John Durie and Mr. Walter Balcalquall, it was said to him, "Apparently, my lord, ye cannot justly complain of the sentence that is given against you, seeing that with your own mouth ye confess the foreknowledge and concealing of the king's murder, of which two points only ye should not be able to abide the law." He answered, "I know that to be true, indeed. But yet they should have considered the danger that the revealing of it would have brought me to at that time; for I

* Calderwood, vol. iii. p. 556.
† Spottiswood, p. 213.
‡ Calderwood, vol. iii. p. 556.
‖ Tytler, vol. viii. pp. 79, 80.
Calderwood, vol. iii. p. 557; Tytler, vol. viii. p. 80.
¶ Ibid.
** Calderwood, vol. iii. pp. 557, 558.
†† Ibid.
‡‡ Ibid.

* Calderwood, vol. iii. p. 567.
† Robertson, vol. ii. p. 81.
‡ Tytler, vol. viii. p. 80.

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durst not have revealed it for fear of my life. For at that time whom to should I have revealed it? To the queen? She was the doer thereof. I was minded, indeed, to the king's father, but I durst not for my life; for I knew him to be such a bairne [child] that there was nothing told him but he would reveal it to her again. And therefore I durst in no wise reveal it. * * * I foreknew indeed and concealed, because I durst not reveal it to any creature for my life."* The jury found him guilty of the foreknowledge and concealing, in terms of his own confession; but as "concealing" did not seem to imply such an amount of criminality as participation, the words "art and part" were added at the suggestion, it is said, of Arran and Montrose.† The terms are the same as are still employed in the law of Scotland. He was declared, "convicted of counsel, concealing, and being art and part in the king's murder." On hearing the words "art and part," Morton, who had during the trial manifested little or no emotion, became much agitated, and, striking the table repeatedly with a small staff which he usually carried, he exclaimed with great vehemence, "Art and part! art and part! God knows it is not so." He was condemned, according to the barbarous custom of the time, to be beheaded, drawn and quartered. The more odious and disgusting part of the sentence was, however, remitted by the king, who appointed that he should suffer death next day by decapitation.‡

He is found guilty.

During the awful interval betwixt his sentence and execution, Morton is said to have manifested unusual composure of mind. He felt, he said, a serenity to which he had long been a stranger. He supped with apparent cheerfulness, and slept calmly until about three in the morning. He then rose, and after writing for three or four hours, lay down again. In the morning he dispatched a messenger with a letter to the king, who, however, refused either to read it or hear it read; but, as Calderwood informs us, "ranged up and down the floor of his chamber, clanking with his finger and his thumb."§ Shortly after, he was visited by some of the ministers of the city, when that long and interesting conference ensued to which we have already referred, and an account of which has been preserved, drawn up by Mr. John Durie and Mr. Walter Balcalquall, and attested by all who were present.‖

In regard to his prospects for eternity, he expressed himself full of confidence and joy. "As concerning all the glory," he said, "I had in this world, I care not for it, because I am persuaded now that all the honours, riches, friends, pleasures, and whatsoever I had in the world, is but vanity. And as concerning the estate whereunto now I am brought, I thank God for it; and am at this point, that I am content rather to render my life than to live, because I know, that as God has appointed a time for my death, so hath he also appointed the manner thereof. And, therefore, seeing now is the time, and this is the manner that best pleaseth my God to take me, I am content; and as for my life in this world, I care it not a penny, in respect of that immortal and everlasting joy which I look for, and whereof I am assured." And being desired, in the name of God, not to stand in defence of his own innocence, but plainly to confess his sins to God's glory, and to think however man had acted towards him, yet in the sight of God he was worthy of all he was about to suffer and much more, he answered, "However it be that men have done, I remit them to God and their own conscience. But I acknowledge, indeed, that God hath always done justly to me, and not only justly, but mercifully also, because I acknowledge myself, of all sinners, to have been one of the greatest; a filthy abuser of my body in the pleasures of the flesh, given over much to the world, and pleasures thereof, and such other sins as God might justly lay to my charge; and that I expressed not the fruits of my profession in my life and conversation. And therefore I beseech God to be merciful to me. And indeed now I acknowledge the great mercy of God in this, that among all the benefits he hath bestowed upon me, this is one of the chief, that in this, my last trouble, he hath given me space and leisure to repent my sins and to be at a point with my God. In which trouble also I have found greater comfort than ever I could have found before, because thereunto I had concluded with myself, that if God should have spared my life and delivered me out of this trouble, that then I should have cast away all the cares of the world, the pleasure of the same, and delight of all earthly things, and dedicated myself hereafter to serve my God in all kind of quietness and simplicity. And if it should please God to take me in this trouble, I had concluded to be content therewith also, being always assured of the mercies of God. And, therefore, now I thank God that now I find me at this point, that I am rather content to die than live, and that I shall not see the miseries to come; for I will assure you, that I think this to be the most acceptable time that ever God could have taken me. For I perceive and foresee such miseries and confusion to ensue, that I thank God I shall not see them; and ye who fear God and live behind me, when as ye shall see these, ye shall wish of God to be where I shall be, that is with him."

With respect to the crime for which he was about to suffer, he freely repeated his confession of foreknowledge and concealment, but solemnly denied that he had been consenting to it, or was in any manner a party in its commission. He declared that on his return from England, whither he had been banished on account of his concern in the murder of Riccio, in coming from Wedderburne to Whittingham he met the Earl of Bothwell, when he first informed him of the plot for the murder of

* Calderwood, vol. iii. pp. 561, 562.
† Ibid., pp. 558, 559.
‡ Spottiswood, p. 314; Crawford's Memoirs, p. 332.
§ Calderwood, vol. iii. p. 559.
‖ Ibid., pp. 559—573; Bannatyne's Memorials, Bannatyne Club Edition, p. 317.

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the king, and requested him to take part in it, as it was the queen's wish that Darnley should be taken out of the way; that he firmly refused "to meddle with the matter," and that, on being still further urged by Bothwell, he desired him to produce a warrant in the handwriting of the queen, when he would give him a final answer; but that such a warrant had never been furnished, and that, even if it had, he purposed to have banished himself again, and "turn his back upon Scotland until he had seen better." On being asked concerning the manner of the king's death, or whether he was acquainted with any of the secrets connected with the murder, his answer was, "As I shall answer to God, I know no more secret in that matter than I have already told, and heard by the depositions of such as have already suffered for it, which depositions are yet extant."

It is difficult to doubt the sincerity of these solemn asseverations, made by a man standing on the verge of eternity, and who had no longer any motive for concealment. Morton's life had indeed been stained by many crimes, some of them no less atrocious, but history must do him the justice to acquit him of any active participation in that for which he suffered.

On being questioned concerning the alleged poisoning of the Earl of Atholl, he answered, "Let God never be merciful to me if ever I knew anything of that matter, or heard of it, before I heard the common bruit of the country;" and on being asked if he had made any conspiracy against the Earl of Lennox, he answered, with like solemnity, "I never thought in my heart, nor purposed any conspiracy against the Earl of Lennox, nor minded ever to do him hurt, in body or otherwise."

Being reminded of his conduct towards the Church, his attempts to introduce episcopacy, and his obstructing in various ways the progress of the truth, when he might have done much good, both during his regency and since, he frankly admitted that he had done many things which he could not defend, but added, "As I shall answer to God, I did nothing in these matters either of contempt, malice, or otherwise; but if there was anything done amiss, it was of ignorance, and for lack of better knowledge, and if I had known better I would have done otherwise, and was now purposed, at last, to have helped them so far as I might."

The ministers remained with him until noon, after which he retired for a short time to his chamber. About two o'clock they returned, and dined with him, and remained with him until his execution. In a short time his keeper entered the apartment, and desired him to proceed to the scaffold. He seemed surprised, and replied, "Seeing they have troubled me this day over much with worldly matters, I supposed they should have given me this one night to have advised ripely with my God." His keeper answered, "All things are ready now, my lord, and I think they will not stay."—"I praise my God," said the earl, "I am ready also."

As he passed to the gate, on his way to the scaffold, he was met by Arran, who had been appointed to command the guards, and brought back to his chamber, where he was required to remain, until his confession should be put into writing, and subscribed by himself and the ministers present. Morton answered, with great calmness, "Nay, my lord, I pray you trouble me no more with these things, for now I have another thing to advise upon, that is, to prepare me for my God; seeing now I am at a point to go to death, I cannot write in the estate that I am now in. All these honest men can testify what I have spoken in that matter." Arran professed himself satisfied with this answer, but added, "Now, my lord, ye will be reconciled with me, for I have done nothing upon my particular against you." Morton answered, "It is no time now to remember upon quarrels; I have no quarrel to you or any other; I forgive you and all other, as I will all to forgive me."

Execution of Morton.

He then proceeded, with a calm and undaunted mien, towards the scaffold, where he made a short but impressive speech to those around him. After briefly repeating his confession of having concealed his foreknowledge of the king's murder, suppressing, however, the name of his near relative, Mr. Archibald Douglas, who had been so deeply implicated in that crime, he said—"I testify before God that, as I have professed the Evangel which this day is taught and professed in Scotland, so also willingly I lay down my life in the profession thereof. And howbeit I have not walked according thereunto as I ought, yet I am assured God will be merciful to me; and I pray all good Christians to pray for me. And I charge you all, in the name of God, that are professors of the Evangel, that ye continue in the true profession, and maintain it to your power, as I should have done, God willing, with my lands, life, and all, if I had had days. Which, if ye do, I assure you God shall be merciful to you. But if ye do it not, be assured the vengeance of God shall light upon you, both in body and soul." * Mr. James Lawson, one of the ministers, then engaged in prayer, during which Morton lay with his face on the ground, sobbing and sighing aloud; and so great was his agitation, that his whole frame shook and his body rebounded from the earth. After prayer, he arose with a serene and even cheerful countenance, and having cordially shaken hands with his friends around him, and bidden them farewell, he knelt down, and, refusing to have his hands bound, calmly laid his neck on the block. While in this posture, Mr. James Lawson, stooping down, whispered in his ear some ejaculations, which Morton repeated after him with a firm voice, and as he pronounced the words "Lord Jesus, receive my spirit!" the axe fell and terminated his earthly career. The execution took place about four o'clock in the afternoon of Friday, the 2nd of June. The body, covered with an old cloak, lay on the scaffold till eight in the evening, when it was carried by

* Calderwood, vol. iii. p. 574.

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common porters to the usual burial-place of criminals, and there interred. None of his friends durst attend it to the grave, or show their affection and respect by any outward token of grief. His head was fixed on the highest part of the Tolbooth, where it was suffered to remain, a public and revolting spectacle, for not less than eighteen months.* It was observed that Fernyhirst, who was known to have been pre-cognizant of the murder of the king, had placed himself in a window from which he could conveniently witness the execution, and that he appeared to take delight in the spectacle. Lord Seton also, and his two sons, were among the spectators; and so anxious were they to witness the sight, that they had taken the precaution to pull down a stair by which their view would have been interrupted.†

On the same day, the Earl of Angus, in dread of being apprehended by those who had procured the death of his uncle, fled from Hawick to Carlisle, whence he soon after proceeded to court, where he was honourably received and hospitably entertained by Elizabeth.‡

On the day following Morton's execution, George Binning, a servant of Archibald Douglas, was executed as an accomplice in the king's murder; and his confession, if it may be credited, affords some insight into the circumstances attending that obscure transaction. He asserted that his master, then a dependent of the Earl of Bothwell, was present at the perpetration of the murder, and in his hurry and confusion lost one of his slippers; that when he came home his clothes were begrimed with clay; and that as he himself was making his escape, he encountered in a dark lane several persons with their heads muffled up, so that he could not discern their countenances, but that he heard one of them speak, and thought from the voice that he was a brother of Sir James Balfour.§

The death of Morton was soon followed by fresh troubles and alarms. As that event left Lennox and Arran without a rival, they, by means of their influence over the king, wielded for a time the whole power of the state. One consequence of this was soon discernible in an increase of French influence, and a revival of the hopes and intrigues of the Roman Catholic party. To the imprisoned queen the death of Morton was a source of lively satisfaction;‖ and she once more began to entertain expectations of happier days. She had at first distrusted Lennox, but he had now acquired her confidence, and she opened up a correspondence with him; and although she had all along refused to give her son the title of king, and had induced the Romish princes of the continent to do the same, she now admitted that title; and the Duke of Guise following her example, wrote a letter in very friendly terms to James under that designation.* This change was obviously connected with a project which had been set on foot, by which it was proposed that James should resign the crown to his mother, and that she should then re-transmit it to him, and retire from the cares of government. Mary had not only consented to this project, but had entrusted the Duke of Guise with full powers to negotiate for its accomplishment.† This, however, it would appear, was only the ostensible part of a scheme which secretly aimed at changes far more important—namely, the restoration of popery, the deliverance of Mary from captivity, and her re-establishment on the throne of Scotland.‡ This scheme had been hatched by the Jesuits, concerted with Lennox, and even assented to by the king himself. It had further received the approbation of the Pope, the house of Lorraine proffered their zealous support, and the King of Spain promised military assistance.§

Intrigues of the Roman Catholic party.

In the meantime, Mary's condition had become so deplorable as to justify strong measures on the part of her friends and herself for effecting her liberation. She had now been a prisoner for thirteen years, during the greater part of which she had been subjected to such rigorous confinement, and suffered so much from anxiety and disappointment, that her health was completely broken down and her spirit crushed. From the want of exercise, and the cold and inhospitable mansions that had been selected for her imprisonment, she had almost entirely lost the use of her limbs, and had to be carried by her servants in a chair or litter. In these distressing circumstances she applied to Elizabeth, pathetically entreating to be allowed the use of a coach, that she might have the benefit of a little fresh air and exercise by driving in the park of Sheffield Castle. She also requested the attendance of two additional female servants and two men-servants, which she felt to be necessary in her present feeble state; and solicited passports for Lady Lethington and Lord Seton, whose society might in some degree alleviate her solitude. These simple and reasonable requests, which common humanity would have required no persuasion to grant, were warmly seconded by Castelnau, the French ambassador, but were peremptorily refused by the relentless Elizabeth.‖

Deplorable condition of Mary.

Mary had still spirit enough left to feel strong indignation at this fresh instance of Elizabeth's cruelty, and for a moment to entertain a scheme of personal resentment. She hastily resolved to resign, in favour of her son, her right of succession to the English throne, with a hope that he would invade England, and with the help of the Roman

* Aikman's Buchanan, vol. iii. p. 48.
† MS. Calderwood, British Museum, Ayscough, 4736, fol. 1158; Tytler, vol. viii. p. 84.
‡ Calderwood, vol. iii. p. 576.
§ MS. Calderwood, British Museum, Ayscough, 4736, fol. 1156; Tytler, vol. viii. p. 84.
‖ Labanoff, vol. v. pp. 264, 265.

* MS. State Paper Office, B C, Scrope to Burghley, 18th August, 1581; also B C, same to same, 30th September, 1581; also MS. State Paper Office, Bowes to Burghley, 3rd October, 1581.
† Labanoff, vol. v. pp. 185—187.
‡ Mignet, vol. ii. pp. 207, 208.
§ Ibid.
‖ Addition aux Mémoires de Castelnau, p. 519; Chalmers' Life of Mary, pp. 384, 388.

Catholic powers of the continent, seconded by the discontented among the subjects of Elizabeth herself, involve in merited ruin her odious enemy. But this project, so fraught with danger to her own life, as well as to her son's succession, was on calmer thought abandoned. She, however, presented a memorial to the queen and the English parliament, requesting that she might be heard, by deputies of her own appointment, on the subject of her title.* She declared it was not on her own account that she preferred this request, as her constitution was now so much shattered that she could not reasonably expect to survive her sister, but solely on account of her son, whose rights she, as a mother, felt a natural anxiety to secure. She therefore earnestly entreated Elizabeth to listen to her petition, by recognising the right of her son to the succession, as a means of promoting the tranquillity and amity of the two kingdoms. This request, however, was one of the last that Elizabeth would be disposed to grant. It was part of the settled policy of her whole reign to leave this point undetermined; and accordingly the petition was rejected, apparently without receiving any serious consideration either from the queen or her ministers. It was in consequence of this disappointment, perhaps, more than from any other cause, that Mary was finally induced to throw herself on the assistance of France, when that project known in history by the name of "the Association" was formed, for the purpose of carrying out the scheme to which reference has just been made, for securing the acknowledgment of James's title as King of Scotland, as well as for other objects, which, in the absence of full and authentic information, have been but obscurely and doubtfully hinted at by historians.

Vague rumours of these projects getting into circulation, alarmed and agitated the minds of the Protestant party, as well as of the English faction, and were followed, as usual, by reports calculated to increase the consternation. Among others, it was said that the king was about to marry a princess of the house of Lorraine. The inconsistent conduct of Lennox tended to augment rather than allay these fears and suspicions. Though still professing an ardent desire to maintain friendly relations with England, his demeanour towards the Presbyterians was greatly changed. The ministers of the Kirk were treated with coldness and neglect; and it soon became evident that he had entered into the views of the king respecting episcopacy, and was prepared to support him to the utmost of his power in attempting to establish it as the national religion.

Shortly after Morton's execution, Arran, in fear of being some time called to account for his illegal and barbarous proceedings for the purpose of extorting evidence against that nobleman, made his appearance before the king in council, and acknowledged that he had not only tampered with Morton's servants, but had subjected some of them to the torture: he lamented, he said, the necessity he was under of resorting to such measures, and craved an act of approval from his majesty and the council. This of course, in their present temper, was easily obtained. An act was passed declaring his whole conduct honourable, and incapable of being called in question at any subsequent period.*

* Murdin, p. 367.

Profligacy of Arran.

Arran, whose dissolute habits formed a prominent part of his character, had arrived at that advanced stage of profligacy when public opinion is set at defiance, and he now attracted the attention of the whole nation by a course of conduct which, even in that age, when a lax morality was rather the rule than the exception, excited universal horror and disgust. On his first arrival in Scotland, and before he had risen by royal favour to wealth, rank, or influence, he had been hospitably entertained at the residence of the Earl of March, to whom he became indebted for many acts of unmerited and disinterested kindness. Requiting, however, the friendly offices of his benefactor with base ingratitude, he seized the opportunity afforded by that familiar intercourse, to which he had been unsuspectingly admitted, to seduce the wife of his noble benefactor, a young and beautiful woman, but, as she probably deserved, described by historians of that time to be "intolerable in all the imperfections incident to her sex." Impatient of restraint, and regardless of even the outward semblance of decency, he next persuaded her, with a view to legitimize the coming offspring of their guilty passion, to sue for a divorce against her husband, on a ground which no woman even pretending to modesty would ever have assumed. Overawed by the influence and power of Arran, the court readily pronounced judgment of divorce; and immediately thereafter Arran and the countess were publicly married, with great pomp and solemnity.

Though these proceedings were beheld with abhorrence by men of all ranks, they seem to have excited no such sentiment in the king; on the contrary, the earldom of Arran, which Stewart had only received by gift, was now confirmed by a solemn investiture. At the same time Lennox was made a duke, the earldom of Orkney was conferred on the Earl of March, that of Gowrie on Lord Ruthven, and that of Morton on Lord Maxwell.† These marks of royal favour were no doubt conferred as a reward for the assistance rendered by their recipients in the overthrow of Morton.

Meeting of parliament.

In a parliament which now assembled, all the honours and immunities bestowed on Lennox and Arran were ratified and confirmed. No opposition appears to have been shown to this act; for as the king had previously intimated to the Earls of Mar, Eglinton, and Glencairn, and the Lords Lindsay, Boyd, Herries, and Ochiltree, that he would dispense with their presence, it is probable that none of the ad-

* Original record of Privy Council, in the Register-house, Edinburgh, 3rd June, 1581.

† Tytler, vol. viii. pp. 86 87.

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verse party were in attendance on this occasion.* At this meeting the adherents of the late Earl of Morton, including the Earl of Angus, Archibald Douglas of Whittingham; James Douglas, Prior of Pluscardine, and James Douglas of Pittendreich, two natural sons of Morton; Douglas of Parkhead; and Archibald Douglas, Constable of the Castle of Edinburgh, were declared rebels, and their estates were confiscated. In this parliament, the overweening presumption of Lennox met for once with a check from his master. Endeavouring to obtain a pardon for Sir James Balfour, as a reward for his assistance in bringing about the condemnation of Morton, James refused his request, referring him to those acts of parliament in which it was ordained that no person should ever be restored who had been implicated in the king's murder.† The existing statutes for the protection of the Church were confirmed by this parliament; an act was passed prohibiting the exportation of wool; another for the regulation of the coinage; and a sumptuary law, directed against certain extravagancies in dress, equipage, and entertainments, which had begun to prevail among the common people as they advanced in wealth, but which were viewed with great dissatisfaction by the nobility, as tending to obliterate those outward marks of distinction which they considered as belonging exclusively to their order.‡

Rupture between Lennox and Arran.

Lennox and Arran had hitherto enjoyed the royal favour apparently without any feeling of rivalry; but at length Arran, in the pride of his newly acquired honours, and urged on by the extravagant ambition of his wife, could no longer bear to see the precedence universally accorded to Lennox, and accordingly took every opportunity of slighting or affronting him. This alienation was soon followed by an open rupture. At the opening of the parliament, Lennox, as chamberlain and captain of the guard, claimed the honour of carrying the crown before the king,§ which he insisted was part of the duties and privileges of his office; and Arran in consequence was so mortified that he withdrew, and absented himself from the meeting. This circumstance so irritated the king that he next day retired to Dalkeith, taking Lennox along with him, and prohibited Arran from coming near the court.‖ Arran having in vain attempted to raise a party in the council against Lennox, was at last fain to purchase a reconciliation with his rival by most abject and humiliating submissions. The odium with which Arran was generally regarded was rather increased than diminished by his attempts during this rupture to ingratiate himself with the people. He feigned an extraordinary zeal for the reformed religion, paid court to the clergy, and strove to confirm the suspicion that Lennox was an emissary of the house of Guise and an agent of the Pope. As he was believed, in consequence of his former intimacy with the duke, to be well acquainted with such secrets, these insinuations naturally found credence with many.* While these dissensions continued, Arran and his countess were observed to attend sermons and prayers with great regularity, and pretended that they were excluded from court merely on account of their attachment to the Protestant faith.†

The reconciliation of the two favourites was a source of great disappointment to the nobility, who had hoped, in consequence of the rupture that had taken place, to regain their ascendancy in the king's council; but Lennox and Arran, forgetting their mutual differences, now combined to keep the king entirely in their own hands; and James, who was more devoted to amusement than to public business, willingly gave himself up to their guidance. Under such management, the manners of the court became shamefully licentious: it consisted almost entirely of persons of the most corrupted morals, who openly outraged the common decencies of life, and whose conversation consisted mostly of obscene jests and disgusting buffoonery. In such companionship, it is not to be wondered at that the king's morals became sadly debased—that the salutary lessons he had received from his sage tutors in early life were in great measure forgotten or disregarded—and even the language of his ordinary conversation acquired a taint from which it was never afterwards wholly free. At this time also, being estranged from his best counsellors, who had either retired in disgust, or were studiously kept at a distance, and adopting the maxims of inexperienced young men, who knew little of the real condition of the country, and who maintained themselves in favour by flattering his vanity, he imbibed those exalted notions of the royal prerogative which, being utterly inconsistent with the genius of a free people, ultimately proved ruinous to the house of Stewart.

Profligacy of the court.

At this period the civil history of Scotland began to assume a new phase; a contest, which continued to agitate and distract the country, more or less, during several succeeding reigns, having now commenced between the Church and the court. The Presbyterian form of church government has ever been adverse to the encroachments of despotic power, both on the jurisdiction of the Church itself and on the political rights and liberties of the people; and at this time especially the freedom of speech permitted from the pulpit, and of which many of the ministers now availed themselves in denouncing all manner of public grievances, in some measure answered the same purposes which are at the present day served by the freedom of the press. Lennox and Arran were not slow in per-

Contest between the church and the court.

* MS. Letter, State Paper Office, Bowes to Burghley, 18th October, 1581.

† MS. Letter, State Paper Office, B C, Thomas Selby to Mr. Thomas Foster, 29th November, 1581; Tytler, vol. viii. p. 87.

‡ Ibid., p. 88.

§ Calderwood, vol. iii. p. 592.

‖ Spottiswood, p. 315.

* Robertson, vol. ii. p. 84.

† Aikman's Buchanan, vol. iii. p. 54.

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ceiving this, and accordingly were ready to embrace any scheme by which the mouths of these troublesome advocates of popular rights, who had so often dragged their own misdeeds before the bar of public opinion, were most likely in their judgment to be effectually closed. For this purpose no plan appeared to them so feasible as that of bringing the ministers, by means of patronage, into subserviency to the state. Hence the preference given to episcopacy by the court at the period of which we write, and which has ever since been given by the abettors of despotic government. At this time indeed the bishops were so obsequious to the court, to which they owed their promotion, that their office was deemed by the people to be dangerous to civil liberty. Nor were they in greater favour with many among the nobility, who regarded with jealousy a class of men elevated from among the common people to a rank at least equal to their own, privileged like them to sit in parliament, and enjoying like them titular honours. The two favourites, however, in accordance with the known bias, if not in obedience to the express command of the king, determined to make an effort to revive episcopacy as it had been originally established at the Reformation; while the great body of the people, and the ministers, in their provincial synods and general assemblies, were resolved to resist it to the utmost of their power, and at all hazards, as indeed it had already, either expressly or by implication, been condemned as antiscriptural by several assemblies.

Subserviency of the bishops.

The attempt to revive and extend the system of prelacy brought the government into direct collision both with the clergy and the people. The church-courts directed the thunders of excommunication against all who should accept the office of a bishop; but these sentences were annulled by the royal authority, one of the leading ministers was imprisoned, and another was banished from the capital.

Attempts to revive episcopacy.

These encroachments upon the liberty and independent action of the Church, were accompanied and followed by a series of arbitrary and violent proceedings in civil matters, on the part of the two odious favourites into whose reckless hands the management of public affairs had been committed. Intoxicated by the possession of power, and grown wanton in its exercise, they had become obnoxious to all ranks of the community. In almost every county of the kingdom courts were held, which would appear to have been rather instruments of extortion than courts of justice. Before these the proprietors of land were summoned, and, on the least neglect or accidental omission of any of the numerous forms peculiar to feudal tenures, were fined with unprecedented and intolerable severity. The jurisdiction of the lord-chamberlain over the boroughs, which, as these had advanced in wealth and influence, had gradually become obsolete, was now revived, and "Chamberlain Ayres" were held, that—in the exercise of a power over which the highest courts in the kingdom had no control*—subjected the municipalities to unjust and grievous exactions. In addition to all these causes of discontent, the public mind was haunted by suspicions and anxieties respecting a design said to be on foot for dissolving the alliance with England, and agitated by rumours of the intrigues and progress of "the Association."

Oppressive measures of Lennox and Arran.

These accumulated evils were all traced to the machinations and wicked counsels of Lennox and Arran, as their source; and all who wished well to their country, and especially to the Protestant cause, earnestly desired the downfall of these odious ministers. That event was now at hand, although, secure in the possession of royal favour and support, they were the last to discover their own danger. A conspiracy was already formed to force the king to part with his favourites. The Scottish nobility had witnessed with increasing impatience and indignation the arrogance and presumption of two upstarts, who took precedence of them on all occasions, and so completely monopolised the king's confidence that his best friends and wisest counsellors were thrust aside, and no longer possessed the influence due to their rank and their former services. Elizabeth, also, who had been alarmed by the intrigues of Lennox and the house of Guise for the liberation of Mary and the restoration of popery, and had viewed with mortification the decline of English influence in Scotland, was ready to lend her countenance and aid to any scheme likely to effect the rescue of the king from these reckless and inexperienced advisers. The leaders of the conspiracy, according to the custom of the times in such secret and dangerous enterprises, had drawn up a written "band," or agreement, declaring the object of their confederation, and binding themselves to stand or fall by each other in attempting its accomplishment. This contract was entitled "Form of the Band made among the noblemen that is enterprised against Dobany."† It set forth in strong terms the circumstances which had led to their association. These were declared to be "the dangers incurred by the professors of God's true religion; the intended overthrow of the Gospel by godless men, who had crept into credit with the king's majesty; the perversion of the laws; the wreck of the ancient nobility and the ministers of religion; the interruption of the amity with England; and the imminent peril of the king's person, unless some remedy were speedily adopted. Wherefore," it continued, "we have sworn in God's presence, and engaged by this 'band,' to punish and remove the authors of these intended evils, and to re-establish justice and good order, as we shall answer to the eternal

Conspiracy against Lennox and Arran.

* Calderwood, vol. iii. p. 635. "Sundry of the brethren of Glasgow were summoned to this Ayre, for whom no relief under surety could be had, notwithstanding of suspension given by the Lords of Session."

† Caligula, c. vii., fol. 14, British Museum, a copy. By Dobany is meant D'Aubigny, *i. e.* Lennox. Tytler, vol. viii. p. 104.

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God, and upon our honour, faith, and truth."* The names of the subscribers can be only imperfectly gleaned from contemporary letters and other scattered documents, as the original "band" has been lost, and the names are not given in the copy. There seems little doubt, however, that the Association comprised the Earls of Mar, Glencairn, Gowrie, Argyle, Montrose, Eglinton, and Rothes; the Lords Lindsay and Boyd; the Masters of Glammis and Oliphant; the titular Abbots of Dunfermline, Paisley, Dryburgh, and Cambuskenneth; and various other persons of distinction.† Among the clergy, the principal adversaries of Lennox were Lawson, Lindsay, Hay, Smeton, Polwart, and Andrew Melvil;‡ who, though they might not have been parties to the "band," seem to have been cognizant of it, and to have given it their approbation.§ The conspirators had not yet determined in what way their object was to be effected; but circumstances having transpired which led to the belief that some intimation of the conspiracy had reached the ears of the court, they were compelled, from a regard to their own safety, to proceed energetically with their enterprise, which it would thus have become doubly hazardous as well as disgraceful to abandon.

From a letter addressed by Bowes to Walsingham, and communicated to the associated lords, they learned with dismay that Lennox was fully cognizant of the plot formed against him and Arran, and had resolved on adopting bold and decisive measures to frustrate the designs of the conspirators.‖ "I am informed," he says, "the duke intendeth to persuade the king's majesty to commit to ward the Earls of Glencairn and Mar, the Lords Lindsay and Boyd, and sundry other best affected in religion; * * * and also afterwards to hasten the death of the principals of them; whom I hear that he will not pursue for the death of David, the Italian (as from France ye have been advertised), but rather to charge them with late matter and conspiracy intended, and to have been put in execution by them and their complices in the last month of July, against the king and himself. And in case the information given me be true, then there is a secret intention and practice in device,—that after the execution of such principal persons in Scotland as would be most ready to defend religion, and the apprehension and safe custody of others known to be chiefly devoted that way, the alteration of that state in Scotland should be attempted; and the matter to reach into England so far and with such speed as the [confederates] who practise can perform." This information, which had been communicated by Bowes to the associated lords with a view to stimulate them to active and immediate exertion, had the effect desired.* They felt themselves placed in a position of the utmost peril, with scarce a moment to deliberate on their course of action. To stand still was certain destruction, to proceed was full of danger. But they were men equal to the occasion, and at once resolved to embrace an apparently favourable opportunity which now occurred of entering on their daring enterprise.

The Raid of Ruthven.

The king had been at Athole, enjoying his favourite pastime of the chase, and intended to stop at Dunfermline on his way to Edinburgh. Here the associated lords had at first purposed to meet him, and present a supplication, setting forth the danger to which his majesty and the kingdom were exposed through the illegal and oppressive conduct of Lennox and Arran, and demanding their dismissal from the king's council; but, as the two favourites were not with the king, and he was attended by a slender train, it was feared that they might have arranged to meet him there with a retinue, and that thus the object of the conspiracy might be frustrated. But Gowrie, Glammis, and Lindsay, who had numerous retainers and friends in the neighbourhood of Perth, were desirous, if possible, to draw the king thither. Accordingly he was invited to stop at Gowrie's seat of Ruthven Castle, and as he had no suspicion that the invitation covered any secret design, he frankly accepted it. He had not been long there before Gowrie, Mar, Lindsay, and Glammis, had assembled a thousand men and surrounded the castle. The king, seeing an unusual concourse, and observing that he was surrounded by many faces he had not been accustomed to see, began to feel some alarm for his safety, or at least for his liberty. He had the tact, however, to conceal his uneasiness; and flattered himself with the belief that if any restraint were really intended, he should find an opportunity of liberating himself from it while engaged in the sports of the field. Next morning, however, as he was preparing to set out, a party of the nobles entered his bedchamber, and having removed his guards, presented their supplication, setting forth in bold and energetic language the grievances of which they complained, and concluding in these emphatic terms: "Sir, beholding these dangers to be imminent and at hand, without speedy help, and seeing your most noble person is in such hazard, the preservation whereof is more precious to us than our own lives; seeing also no appearance that your majesty was forewarned thereof, but like to perish before ye could perceive peril, we thought we could not be answerable to God, neither be faithful subjects to your highness, if, after our ability, we prevented not this pitiful disaster, and preserved your majesty from the same. For this effect, with all dutiful humility and obedience, we, your majesty's true subjects,

* Caligula, c. vii., fol. 14, British Museum, a copy; also MS. Calderwood, p. 1210; Tytler, vol. viii. p. 105.

† Tytler, vol. viii. p. 105; Aikman's Buchanan, vol. iii. p. 59; Robertson, vol. ii. p. 89.

‡ MS. Calderwood, fol. 1201.

§ Tytler, vol. viii. p. 108.

‖ Bowes to Walsingham, 16th August, 1582; Tytler, vol. viii. p. 384.

* Original draft, Sir Robert Bowes to Walsingham, 25th August, 1582, Bowes' Letter-book; see also Woddrington to Walsingham, 19th July, 1582, Caligula, c. vii.; Tytler, vol. viii. p. 108.

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are here convened; desiring your majesty, in the name of the eternal God, and for the love ye bear to his true religion, your country, and subjects, that, as ye would the tranquillity of your own estate, to retire yourself to such a part of your country, where your majesty's person may be most surely preserved and your nobility; where, under peril of our lands, lives, and heritages, your majesty shall see the disloyalties, falsehoods, and treasons of the persons foresaids,* with their complices, evidently proven and declared in their faces; to the glory of God, advancement of his true religion, your majesty's preservation, honour, and deliverance, pacifying of your perturbed commonweal and country, and to their perpetual ignominy, infamy, and shame." † Though James treated the noblemen present with great courtesy, and appeared graciously to listen to their remonstrance, he nevertheless could not conceal his anxiety to be gone; and, stepping towards the door of the apartment, he was intercepted by Glammis, who informed him that the lords then present considered it safer for his majesty to remain where he was. James insisted on instantly departing, but Glammis, placing his leg before him to prevent his egress, sternly commanded him to remain. James expostulated and entreated, and finally burst into tears. Some of the lords, moved by the distress of the young monarch, remonstrated with Glammis, but he answered firmly, "No matter of his tears, better bairns weep than bearded men." This speech made such an impression on the mind of James that, it is said, it was never afterwards forgotten or forgiven. ‡

Captivity of the king.

Meanwhile, intelligence of the king's captivity had reached Arran in his retreat at Kinneil, about eighteen miles from Edinburgh; § and, without a moment's delay, he and his brother, Colonel Stewart, attended by a party of horse, hastened towards Ruthven. The latter, however, was intercepted by Mar and Lochleven, who attacked, defeated, and made him prisoner, after he had been severely wounded; ‖ while Arran, who in his eager anxiety had, nearly unattended, hastened to the spot by a nearer way, was made prisoner and placed under a guard the moment he reached the castle; and had it not been for the humane interference of Gowrie, with whom he had formerly been connected in ties of friendship, his life would have fallen an immediate sacrifice to the fury of the conspirators, who were with difficulty restrained from ridding their country of a man whom they considered its greatest enemy. Without being permitted to see the king, he was afterwards sent a prisoner to Stirling Castle.

Imprisonment of Arran.

Lennox was surprised at Dalkeith, where he was then residing, ¶ by the news of these astounding events; but instead of hastening, like Arran, to the rescue of his master, he endeavoured to provide for his own safety by taking refuge in the capital, where he imagined he would be more secure. He found the city in a state of great excitement. The Protestant clergy, elated by the success of the associated lords, inveighed from the pulpit against the duke and Arran, and laboured to induce the people to make common cause with the leaders of the "*Raid of Ruthven.*" The magistrates, on the other hand, anxious to allay the popular ferment, discountenanced the zeal of the clergy, and sent messengers to Ruthven to ascertain from the king's own mouth the truth or falsehood of his reported captivity.

As soon as Elizabeth had received intelligence of this revolution, she dispatched Sir George Carey to Scotland with orders to co-operate with Bowes in promoting the object of the associated lords, who had already received, both from Bowes and Walsingham, repeated assurances of the sympathy, and, if necessary, the active support of the English queen.

During this period of captivity, James affected a degree of calmness and submission which were far from his heart. He even laboured under the apprehension, which there is no reason to believe was well founded, that his life was in danger, and pondered over many schemes for effecting his escape and taking vengeance on the conspirators. He was however closely watched, and cut off from all communication with his favourites and their adherents.

Lennox, on this occasion, betrayed the feebleness and indecision of his character. He hesitated and procrastinated until the time for action was passed, and at length, after an unsuccessful attempt to rouse the inhabitants of Edinburgh to take up arms in defence of their sovereign, he sent Lord Herries and the Abbot of Newbottle to propose certain terms of accommodation, which however were scornfully rejected.* On the arrival of Herries and his companion at Stirling Castle, whither the king had been conveyed, and where he was still detained a prisoner † by Gowrie and his associates, they were not permitted to see the king except in presence of those who now acted as his council. Being introduced, "The Duke of Lennox," they said, "had sent them to inquire into the truth of a rumour, that his sovereign lord was forcibly detained in the hands of his enemies; for, if it were so, it was his duty to set him free, and with the assistance of his good subjects he would instantly make the attempt." Before Gowrie and his friends had time to reply, James, starting up, passionately exclaimed, "I am a captive! which I wish all my subjects to know, and earnestly desire the duke to use all his endeavours to procure me my liberty." The associated lords, though somewhat perplexed by this declaration, soon recovered their presence of mind, and, addressing his majesty with much apparent humility, besought him not to imagine

* Lennox and Arran.
† Calderwood, vol. iii. pp. 369, 640.
‡ MS. Calderwood, Ayscough, 4737, fol. 682, 683; Spottiswood, p. 320.
§ Tytler, vol. viii. p. 108.
‖ Ibid.
¶ Ibid., p. 111.

* MS. Letter, State Paper Office; Tytler, vol. viii. p. 113.
† Mignet, vol. ii. p. 222.

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himself under any restraint, for he was at liberty to go wherever he pleased; they declared that his majesty had not more faithful subjects than themselves, and, as a proof of their affection, they had resolved not to permit the Duke of Lennox and the Earl of Arran any longer to mislead him, to his own hurt, the oppression of the Church, and the detriment of the kingdom. In conclusion, they counselled his majesty, if he valued the life of the duke, to advise him without delay to retire quietly to France, otherwise they would call him to account for his conduct, and enforce against him the utmost penalty of the law.* To this threatening message, which they committed to Herries, they added a peremptory command to Lennox to deliver up Dunbarton Castle, to quit the kingdom within twelve days, and in the meantime to confine himself with a few attendants to his residence at Aberdour or Dalkeith. These orders Lennox was extremely reluctant to obey; and though he durst not make an open show of resistance, he continued for some time to linger about Edinburgh, undecided as to the course he should pursue. At length, by the advice of some of his friends, he retired to the Castle of Dunbarton, where he purposed to remain and watch the course of events, in the expectation that some change might occur in his favour. The lords, however, remained firm to their purpose, and insisted so urgently on his quitting the country, that it was with much difficulty, at the earnest request of the king, that he obtained a respite of only a few days.

Lennox ordered to leave the kingdom.

In the meantime, taking counsel with some of his adherents, he was strongly urged not to yield without a struggle. They exhorted him boldly to attack his enemies without delay, and promised to assist him with a force sufficient to overwhelm Gowrie and his faction, and to free the king from their control. Gaining courage from the countenance of his advisers, Lennox was induced to lend himself to an enterprise which served to confirm as well as hasten his downfall. It was determined, on one of the dark nights of December, suddenly to surprise the palace at Edinburgh, whither the court had removed,† put to death the Ruthven lords, and liberate the king. This plot was discovered and thwarted by the ministers and the ever-vigilant Bowes, the English ambassador; and notwithstanding that parties of horse had assembled for the attack, the enterprise was abandoned, and the king still remained in captivity.‡

Attempt to assassinate the Ruthven lords.

As might have been expected, this unsuccessful attempt served to strengthen the hands of the Gowrie faction, and to render the position of the duke more hopeless than ever. A letter was immediately sent to him, which the king was forced to subscribe, accusing him of disturbing the government, and thereby endangering his majesty's safety; and, at the same time, a herald was dispatched to him, under the authority of the council, commanding him instantly to quit the kingdom, under pain of treason.* Under some evasive pretext, however, he still continued to delay his journey; but on the 14th December he was again charged by the council immediately to depart, and the messenger sent with this mandate had instructions to put him to the horn in case of disobedience. At the same time a sharp letter was sent him from the king, showing him that "his wilful ignorance was like to bring him and the country into great danger, and himself to destruction."† Further delay was now impossible; but before his departure Lennox wrote a pathetic letter to his royal master, complaining grievously of the treatment he had received, and styling himself "the most miserable man in the world."‡ Having obtained permission to pass through England into France, he set out on his journey from Dalkeith on the 21st December,§ to the deep regret of the king, but to the joy of the great body of the people.

Departure of Lennox.

From the period of his first detention in Ruthven Castle up to the present time James had never ceased to be a prisoner, while the whole acts of his government were dictated or supervised by the Ruthven lords, who had violently installed themselves in office as his council. That their usurpation, however, might have at least the semblance of loyalty, they had extorted from the king a declaration, stating "that it was his own free and voluntary choice to remain at Perth, that his person was under no restriction, and that the noblemen who at present attended him had only done their duty, and performed a good service to himself and the commonwealth; and prohibiting any attempt to disturb the public peace, under pretence of rescuing him from restraint." This declaration, which was proclaimed in Edinburgh,‖ of course imposed on nobody; but, founding on it as a confirmation of their authority, the council boldly proceeded in the exercise of all the functions of a regular government. They subjected Arran to more rigorous confinement, under the custody of the Earl of Gowrie,¶ and they summoned a convention of the nobility, before whom they desired the attendance of commissioners of the Church, promising to hear their complaints and redress all grievances. About the same time, Sir Robert Bowes and Sir George Carey, having arrived as ambassadors from the Queen of England, were received by the council with a cordial welcome, and admitted to an audi-

* Spottiswood, pp. 320, 321.
† Tytler, vol. viii. p. 124.
‡ MS. Calderwood, fols. 1244, 1245; also MS. Letter, Sir George Bowes to Walsingham, 6th December, 1582.

* MS. Letter, Sir George Bowes to Walsingham, 9th December, 1582, Bowes' Letter-book; Tytler, vol. viii. p. 125.
† Calderwood, vol. iii. p. 692.
‡ MS. Letter, State Paper Office, endorsed by Cecil, "From the Duke of Lennox to the Scottish King, from Dunbarton, 16th December, 1582;" Tytler, vol. viii. pp. 125, 386.
§ Calderwood, vol. iii. p. 693.
‖ Ibid., p. 646.
¶ Ibid., p. 648.

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ence with the king.* The real object of their embassy, as we have already seen, was to strengthen the hands of Gowrie and his faction; but this, which of course was a secret mission, was concealed under the specious pretence of a friendly inquiry after the king's safety, and an endeavour to effect a reconciliation between him and his nobles.

At the interview which took place, the ambassadors presented a gracious message from their sovereign; but, as it contained some reflections on the conduct of Lennox, and in particular charged him with contemplating an alteration in religion and the subversion of his majesty's government, the king became greatly excited, and beginning to suspect that Elizabeth was cognizant of the whole conspiracy, he defended his favourite with great warmth, affirming that Lennox had done nothing without the advice of the council, and declaring that he did not believe it possible to prove him guilty of any treasonable designs.† To the other parts of the message James gave a general answer; but, though he publicly declared himself satisfied with the conduct of the lords, he privately whispered something of his real sentiments and condition to Carey, and entreated him to represent to his mistress the true state of affairs.‡ At the request of the ambassadors, he consented to the return of Angus, who had been living in exile in England ever since the death of his uncle, the Earl of Morton.‡

The associated lords, although thus far successful in their bold enterprise, still felt some misgivings as to the irregularity of their proceedings; and, not satisfied with a proclamation in their favour, which they had extorted from the king, they were desirous of still further justifying their conduct in the eyes of the nation. With this view they drew up and published a "Declaration," explaining the motives that had induced them to adopt the course which they had taken. The general purport of this document, which extends to a great length, may be partly gathered from its title, which runs thus: "A Declaration of the just and necessary causes moving us of the Nobility of Scotland, and others the King's Majesty's faithful subjects, to repair to his highness' presence, and to remain with him, for resisting of the present dangers appearing to God's true religion and professors thereof, and to his highness' own person, estate, and crown, and his faithful subjects, that have constantly continued in his obedience; and to seek redress and reformation of the abuse and confusion of the commonwealth, removing from his Majesty the chief authors thereof, while the truth of the same may be made manifest to his highness' Estates, that with common consent, redress and remedy may be provided. Directed from Stirling, with special command and licence to be printed. Anno, 1582."* In this manifesto the misdeeds of Lennox and Arran, particularly with reference to the Church, are largely insisted on and unsparingly denounced. Reference is also made to their negotiations with the king's mother, their overawing the courts of law, and annulling forfeitures without the authority of parliament. It concludes in these words: "And, finally, that the said corruptions, abuses, and disorders, entered within these late years in the commonwealth, either in the corruption and misusing of justice, or the King's own person, house, rent, officers, order of council, and government of the public affairs, oppressing and extorsing of subjects under colour of justice or otherwise, being particularly considered, may be so amended and reformed, as God may be thereby pleased, the King's Majesty honoured and loved, and that the nobility and subjects may live in justice, peace, and tranquillity, relieved of the cruelties, dangers, and calamities, intended against them in time coming."†

"Declaration" of the Ruthven lords.

At this period died George Buchanan, one of the most remarkable men that Scotland ever produced, and who, though occupying no prominent official station, exercised a mighty influence over public affairs, and left the impress of his great and highly cultivated mind on the age in which he lived. Mr. Thomas Smeton, a clergyman and a contemporary, sums up an estimate of his character in this brief but comprehensive sentence: "The ornament of our age, the sampler of ancient virtue and piety; a miracle of profound erudition, the father and prince, or chief of all the learned, and of all kind of learning."‡ He expired at Edinburgh on the 28th September, 1582, in the seventy-sixth year of his age, and in such poverty that he did not leave means sufficient to defray his funeral charges. He was interred at the public expense in the church-yard of the Grey Friars. No tombstone was erected to his memory, and even tradition has failed to record the spot where his ashes repose.§

Death of George Buchanan.

The General Assembly met in the New Kirk at Edinburgh, on the 9th October;‖ and the Ruthven lords, who were extremely anxious to obtain some legal approval of their irregular proceedings, eagerly embraced the opportunity of endeavouring to strengthen themselves through the authority of the Church. With this view they appointed the Abbot of Paisley to submit to the assembly the grounds on which they vindicated the course they had adopted, and which were nearly the same as those set forth in their published "Declaration." The assembly unanimously concurred in recog-

Meeting of the General Assembly.

* Calderwood, vol. iii. p. 673. Carey had audience on the 12th September, MS. Letter, State Paper Office, 14th September, 1582, Carey to Elizabeth. Endorsed by himself, "Copy of my letter to the Queen's Majesty." Bowes was at Berwick on the 10th, and at Stirling on the 14th September. Bowes' Letter-book; Tytler, vol. viii. p. 117.
† Calderwood, MS., fol. 1213.
‡ Aikman, vol. iii. p. 66. § Ibid.

* Calderwood, vol. iii. p. 651.
† Ibid., p. 665. ‡ Ibid., p. 674.
§ Irving's Life of Buchanan, p. 309.
‖ Calderwood, vol. iii. p. 675.

nizing the dangers to the Church and to the commonwealth, as specified in the name of the lords, but, before pronouncing an opinion on the "Action," as it was termed, they deputed two of their members, Mr. James Lawson and Mr. David Lindsay, to confer with the king respecting these dangers, "to open the same at length to his majesty, and to report his answer thereanent." The king's answer was highly satisfactory. He confessed that previously to the late enterprise of the nobility, religion, as professed within the realm, was in peril; and his own safety, which he considered to be intimately united with that of the true religion, was also endangered. He acknowledged also that sundry abuses had crept into the administration of civil affairs, and that all good men were in duty bound to concur in averting these dangers to the Church, as well as to his person and estate, and "for reformation of the common weal." On receiving this answer, the assembly proceeded to pass an act embodying his majesty's acknowledgment, and solemnly approving of the late enterprise. They farther declared, "that their honours employing themselves to the averting of all these dangers, have done good and acceptable service to God, their natural and bounden duty to their sovereign, and showed their careful affection to their country; and that the prosecution and following out of the said good and godly cause, all particulars laid aside, is, and shall be, most acceptable to all that fear the majesty of God aright, tender the preservation of the king's majesty's most noble person and estate, and love the prosperous and happy success of the troubled nation."* This act, dated 13th October, 1582, was ordered to be published from the pulpits of all the churches; and all who should maliciously or violently oppose themselves to the "good cause," were ordered to be placed under the censure of the Church, and, in case of continued obstinacy, to be reported to the king's majesty and his council "to be punished civilly."†

Act approving of the enterprise of the Ruthven lords.

This approbation of the public "Action" of the associated lords did not prevent the ministers from sharply rebuking the open profligacy that prevailed among them, and censuring them for their appropriation of the ecclesiastical revenues. Mr. Davidson, the minister of Liberton, who had been sent to confer with them, called on them to begin the work of reforming the commonwealth with a reformation in their own lives, and to evince their sincerity by delivering up the teinds to their rightful owners.‡

During the agitations of this unsettled period, the celebrated casket containing Mary's letters and sonnets to Bothwell had, by some accident, fallen into the hands of the Earl of Gowrie; and Sir Robert Bowes, the English ambassador, having with his usual vigilance, discovered this circumstance, forthwith reported it to Elizabeth. By her urgent instructions he endeavoured to obtain possession of it; but Gowrie, to whom he applied, answered him at first evasively, and would not admit the fact. On being further urged by Bowes, who convinced him that he had undeniable evidence that the casket was in his hands, he declared that he would not be justified in delivering up such important documents to the Queen of England without the authority of the king. Of the insincerity of this answer there can be no doubt, as the king was at that time a mere puppet in the hands of the faction, but it convinced Bowes that it would be vain to persist in his application. The casket and its curious contents have long since been lost, and their existence cannot be traced with certainty beyond this period. It is more than probable that they were, at the time, retained by Gowrie with the view, if opportunity should offer, of one day turning them to his own advantage.*

The intelligence that James was a prisoner in the hands of a faction excited considerable sensation throughout the continent, particularly at the court of France; and Henry III., dreading the ascendancy of the English influence in Scotland, sent La Motte Fénélon as his ambassador to Edinburgh, with instructions to employ his utmost endeavours towards extricating the king out of the hands of a party devoted to the interests of England. Elizabeth, with a view to counteract the influence of the French ambassador, dispatched Davison as her envoy along with him, under pretence of assisting him in his negotiations. La Motte was extremely desirous of reaching Scotland before the departure of Lennox, while, on the other hand, Elizabeth was at least equally anxious that no communication should take place between these two parties, as she had received secret information that La Motte had instructions to promote the scheme of the "Association," for uniting the queen and her son in the government, to propose a marriage between the young king and a princess of France, and to encourage the Romish party by promises of support. Accordingly, Walsingham so artfully contrived to throw one obstacle after another in the way of La Motte's departure, that before he set out Lennox was far on his way to London. They, however, met upon the road near York, but Davison, who was present during their interview,† managed to render it extremely short.‡

La Motte Fénélon sent as ambassador from France.

La Motte was received by the king with many tokens of respect; but the nobles by whom he was surrounded were jealous of the interposition of France, and not without apprehension of some attempt being made to revive French influence in

* Calderwood, vol. iii. pp. 677, 678.
† Ibid.
‡ MS. Calderwood, fol. 1227.

* Bowes' Letter-book; Tytler, vol. viii. p. 123.
† Calderwood, vol. iii. p. 693.
‡ MS. Letter, State Paper Office, Davison to Burghley, 3rd January, 1582; also MS. Letter, State Paper Office, Sir W. Mildmay to Walsingham, 29th December, 1582; also MS. Letter, State Paper Office, Burghley or Walsingham to Mr. Bowes, 4th January, 1582-3; Tytler, vol. viii. p. 126.

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the affairs of Scotland. The clergy did not fail to sound the alarm. They inveighed with great vehemence against the court of France and the ambassador, and protested against any alliance being formed with such wicked persecutors of the Church. Having such opposition to contend with, and being at every step closely watched by Davison, La Motte could make no progress in his mission, but prepared to take his leave without being able to effect any change in the king's condition, or even to obtain an answer to his proposal for associating the queen in the government with her son.

Embassy of Mons. De Menainville.

On the 20th January, Mons. De Menainville, another French ambassador, with instructions to join La Motte Fénélon, landed at Leith with a great train of attendants,* and demanded an immediate audience of the king. Renewed denunciations from the pulpit followed; and, not satisfied with these, the clergy appointed a deputation to wait on the king, and solemnly to admonish him to beware of the French ambassador.† The deputation consisted of Pont, Lawson, Lindsay, and Davidson; and on being ushered into the royal presence, having delivered their message, the king thanked them for their advice, and said he "would use common courtesy, but no great familiarity;"‡ observing that he was bound by the law of nations to be courteous to all ambassadors, and was obliged to receive them, even from the Pope or the Grand Turk. This proposition Lawson confidently denied, but James maintained it with great firmness, and took occasion to censure Lawson for the manner in which he had spoken of the French ambassador. "As for that," replied the ministers, "the priests speak worse of your grace in France than we of the King of France in Scotland."—"And must ye imitate them in evil?" inquired the king.—"Not in evil," they answered, "but in liberty. It is as fair for us to speak the truth boldly, as they boldly speak lies;§ and if we were silent, the 'chronicles' would speak and reprove it."—"Chronicles," replied James, "ye write not histories when ye preach." This conversation, in which the venerable committee met with rather sharp handling from the precocious acuteness of the young king, was abruptly terminated by Gowrie, who observed that he "thought it best they (the ambassadors) should be dispatched as soon as could be possible."‖ The ministers now retired; but Davidson, lingering behind the others, craved a word in the king's ear. "Sir," he said, "I thought good to advertise you, but not before the rest, that ye swore and took God's name in vain too often in your speeches." The king, so far from being displeased, thanked him for his admonition, praised him for the manner in which it was given, and, placing his hand affectionately on his shoulder, accompanied him to the door of the apartment.*

But the zeal of the clergy was not the less ardent against the popish ambassadors; and, in anticipation of their practising during their stay some of the peculiar rites of their Church, a question had arisen and been discussed whether it would be right in any case to tolerate the celebration of the mass even in private. De Menainville, who had become aware of this circumstance, took occasion, at his first public audience with the king, boldly to claim what he considered to be his privilege as an ambassador. Having risen from kissing the king's hand, he replaced his cap upon his head, and, with great firmness and dignity, said, "I am come from the most Christian King of France, my sovereign, to offer all aid to the establishment of quietness; and, being an ambassador and not a subject, I crave to be treated as such; and as I have food allotted for my body, so do I require to be allowed the food of my soul, I mean the mass, which, if it is denied me, I may not stay and suffer a Christian prince's authority and embassy to be violated in my person."† This was followed by still more vehement and pointed denunciations from the pulpits of the Protestant clergy. Mr. James Lawson "pointed out the French ambassage" as the mission of the King of Babylon, and characterised Menainville as the counterpart of the blaspheming Rabshakeh.‡

Banquet of La Motte Fénélon at Edinburgh.

At the request of some of the merchants of Edinburgh, who traded with France, the king addressed a letter to the Town-council, directing that a public banquet should be given to La Motte Fénélon, who was now about to take his departure.§ This message the magistrates communicated to the ministers, and requested their advice. As might in consistency have been expected, the ministers were unanimously opposed to showing such a mark of respect to one whom they were in the habit of denouncing as an idolater and an emissary of Antichrist. "Banqueting," said they, "is a sign of love; if, therefore, ye be sincere, ye seal by this feast your fellowship and true love with the murderers of the people of God; if you dissemble, it is hypocrisy." This logic, though it might convince the magistrates, did not influence their decision. Contrary to the advice which they had solicited, and despite the repeated and solemn admonitions of the clergy, and the opposition of many of the citizens, they resolved to proceed with the entertainment. The ministers, seeing their counsel thus despised, and what they no doubt considered a great national sin about to be perpetrated, had recourse to a measure at once extraordinary and characteristic. At a meeting of the Kirk session, held on Sabbath the 3rd of February, being the day

Opposition of the clergy.

* Calderwood, vol. iii. p. 697.
† Ibid.
‡ Ibid.
‖ MS. Calderwood, pp. 1247—1251, inclusive, British Museum; Tytler, vol. viii. p. 131.
§ Calderwood, vol. iii. p. 698.

* MS. Calderwood, fols. 1250—1252.
† Ibid., fol. 1253.
‡ Tytler, vol. viii. p. 133.
§ Calderwood, vol. iii. p. 699.

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immediately preceding that of the banquet, it was resolved that the congregation should meet next day for fasting and prayer. Intimation of this resolution having been made to the people, they assembled next morning between nine and ten o'clock, and did not separate until the termination of the banquet, about two in the afternoon.*

In the meantime, Lennox had arrived in London, bringing with him from James a letter and a message for the English queen. Elizabeth had at first refused to see him on any consideration, but she subsequently admitted him to a private interview, during which she rated him severely and at great length on his misgovernment. Lennox bore all with apparent meekness and humility, and answered with so much courtliness and good sense, that Elizabeth at last softened down and dismissed him courteously.†

Convention of the Estates.

Shortly after the meeting of the General Assembly, a convention of the Estates was held; and the Ruthven lords, who had, as we have seen, obtained for their enterprise the extorted approbation of the king and the voluntary approval of the assembly, eagerly embraced the opportunity of obtaining the sanction of the only remaining authority now requisite to give validity to their proceedings. The convention was opened by the king in person with a short speech, in which he expressed regret at the prevailing dissensions, and desired the advice of the Estates. On this, one of the lords present rose, and addressing the king told him, "That the dissensions were caused by those who, having possession of his majesty's ear, abused his favour, ruled the state as they chose, and disdained the advice of their fellow-councillors,—particularly Lennox and Arran, whose misrule was such that unless some noblemen had procured a remedy by repairing to his majesty, both Church and state must in a short time have been subverted." The Earls of Mar, Gowrie, and Glencairn then rose, and acknowledged that they were the chief authors of the enterprise, and having stated their motives retired. The convention then passed an act approving of their proceedings, and declaring it incompetent to institute any action civil or criminal against the associated lords, collectively or individually, for what they had done.‡ They refused, however, to make any special mention of the grounds and motives of their enterprise, as set forth in their printed "Declaration," which the convention, therefore, would neither ratify nor condemn.§

They approve of the proceedings of the associated lords.

Meanwhile, the struggle for ascendancy between the French and English interests in Scotland was carried on with increased zeal by both parties. On the one hand, De Menainville, with the secret concurrence of the king, was anxiously engaged in organizing a party for the overthrow of Gowrie and his associates, and the consequent liberation of the sovereign from the thraldom in which they had so long held him. For this purpose the French ambassador was liberal both in money and promises. On the other hand, Bowes and Davison, if not so actively, were as usefully employed, and, with a vigilance which no artifices of their adversary could elude, followed his movements and detected all his intrigues; and if they had, like him, had "the sinews of war" at their disposal, the English interest would speedily have become triumphant, and might have been established on a basis beyond the power of French machinations to shake. Such, however, was the niggardly parsimony of their mistress, that almost every advantage had to be foregone which it required the aid of money to secure. All the efforts of her ambassadors to counteract the growth of French influence at court were consequently frustrated. The king, indeed, listened to their remonstrances with apparent respect, and even with expressions of gratitude, but so strong was his desire to regain his freedom, that he continued nevertheless to countenance the efforts of De Menainville to strengthen his party. At the same time, he had the prudence to caution his friends against any premature movement which might endanger the success of their enterprise.

To have stirred at the present moment would have been madness, for the Gowrie faction, though somewhat on the decline, yet, backed as it was by the great influence of the Church, was still far too formidable to be openly attacked. On the 18th of April they held a convention at Edinburgh, and passed a resolution to assemble parliament; but James, who had the penetration to see that this measure, by exposing his designs, would subject them to certain defeat, as well as endanger the safety of his friends, strongly remonstrated against it, adding even tears to his entreaties. The lords, though inflexibly adhering to their purpose, had the weakness to yield so far as to postpone the meeting till October—a concession which ultimately contributed to the overthrow of their power.

Colonel Stewart and Mr. John Colville sent as ambassadors to England.

In the meantime, Colonel Stewart, brother of the Earl of Arran, and Mr. John Colville, were sent as ambassadors to the court of England. These two persons in reality represented the two great contending parties in the state. The former was in the confidence of the king, and bribed by De Menainville;* the latter was attached to Gowrie and his faction. In imitation of the double policy of Elizabeth, a double mission was confided to them. First, they were instructed to represent in a friendly manner to the English queen the measures adopted by James at this critical period for the security of his government and the peace of the kingdom, and to

* Calderwood, vol. iii. p. 699.

† MS. Letter, State Paper Office, (supposed to be from Fowler) to Walsingham, January, 1582-3; Tytler, vol. viii. p. 127.

‡ Aikman, vol. iii. p. 66; Calderwood, vol. iii. p. 689.

§ Original minute, State Paper Office, Walsingham to Bowes, 2nd March, 1582-3; also State Paper Office, same to same, 27th February, 1582-3; Tytler, vol. viii. p. 134.

* Tytler, vol. viii. pp. 135, 136.

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solicit her advice and assistance; to induce her to restore the English estates which had formerly belonged to the king's grandfather and grandmother, the Earl and Countess of Lennox; and to consult with her majesty on the subject of the king's marriage:* and, secondly, they had it in commission to make diligent investigation, with a view, if possible, to discover the great secret of Elizabeth's views and intentions regarding the succession to the English throne.†

By means of spies and other agents on the continent, Walsingham had fully penetrated the depth of French intrigue with reference to Scottish affairs, and was well aware that James maintained a close correspondence with the queen his mother, and that the English refugees, as well as foreign Roman Catholics, were in constant communication with their friends in England on the same matters.‡ Nor was he less acquainted with the secret machinations of De Menainville, whom James still retained at court, although he had completed his mission and obtained his passports. Walsingham's information in this case was derived from La Motte Fénélon himself, through the medium of a spy named Fowler; who, under pretence of a devoted attachment to French interests and to the cause of the captive queen, had insinuated himself into the confidence of several of the leading men of that party, and, having thus become acquainted with their proceedings and designs, revealed the whole to the secretary.§ From his disclosures it appeared that La Motte had in his possession, for the information of the French king, a list of the noblemen who had united in a bond for the liberation of the king. These were the Earls of Huntley, Arran, Atholl, Montrose, Rothes, Morton, Eglinton, Bothwell, Glencairn, and Crawford, with the Lords Home and Seton. Besides organising this powerful coalition, De Menainville had the tact so successfully to sow discord among the opposite party, that even their leader, Gowrie, alarmed for his personal safety, began to waver.‖

Another and very unexpected source of information with regard to the views and intentions of James and his secret advisers now opened to Walsingham, through the treachery of a confidential servant of De Menainville. He had been entrusted by his master with the conveyance of despatches to Mauvissière, the French ambassador in London; but, from what motive does not very clearly appear, he opened them, and gave copies of them to Bowes, by whom they were transmitted to Walsingham. From these it appeared that the king's party, impatient of delay, were still urging him to immediate action, and by one sudden and vigorous effort to surprise and overwhelm the Gowrie faction, and effect his emancipation. James, however, with a sagacity and caution unusual at his years, still repressed the imprudent zeal of his friends, which he saw was likely to lead to the ruin of their enterprise, and bring upon himself a still more hopeless thraldom. Besides, though (as he had secretly, and probably with truth, assured La Motte Fénélon) "his heart was French,"* yet he was unwilling to forfeit the favour of Elizabeth, and thereby endanger his succession. He desired, therefore, in the meantime, to keep up the game of dissimulation until the return of his ambassadors from the English court, an event still at some distance, as they had not yet taken their departure. Meanwhile Elizabeth wrote to Bowes, commanding him to urge the immediate departure of De Menainville; and Burghley and Walsingham, with a view to counteract the French influence in Scotland, recommended the immediate advance of ten thousand pounds, one half to be given to the king, and the other distributed amongst the nobility. But greatly as Elizabeth dreaded the increasing influence of France in Scottish affairs, her parsimony prevailed. She would not part with a single farthing. "She did utterly mislike such a point, because it cast her into charges."†

Departure of De Menainville.

De Menainville having fully matured his scheme for the king's liberation, and, as he hoped, for the return of Lennox, took his departure by sea from Leith in the beginning of May; and at the same time Stewart and Colville, the two ambassadors, accompanied at the special request of the king by Mr. David Lindsay, one of the ministers of Edinburgh, set out for London. On their arrival they were hospitably entertained by Leicester, and in a short time admitted to an audience by the queen. She received them with great courtesy, and with many expressions of regard and affection for her young cousin; and, as she had been requested, did not fail to give him numerous advices. As to "assistance," she was less liberal. Though Colville strongly represented the absolute necessity of having a strong body-guard of hired soldiers to secure the king's person against any sudden attempt of the opposite party to liberate him from his present necessary restraint, the utmost she could be prevailed on to advance was three hundred pounds; and even this pitiful sum she insisted that Bowes should pay upon his own credit. Walsingham, in communicating his instructions to Bowes on this point, considerately added, "if her majesty should happen to lay the burden upon you, I will not fail to see you myself discharged of the same."‡ With regard to the subject of the king's marriage, Elizabeth promised to write her-

* MS. Calderwood, fol. 1257; State Paper Office, April, 1583. Instructions to Colonel Stewart.

† Instructions to Colonel Stewart, *ut supra*.

‡ MS. Calderwood, fol. 1254.

§ State Paper Office, Fowler to Walsingham, 28th March, 1583; Tytler, vol. viii. p. 136.

‖ State Paper Office, *copie de la première lettre*, endorsed, "Menainville to La Motte, 28th March, 1583."

* Tytler, vol. viii. p. 137; State Paper Office, Walsingham to Davison and Bowes, 9th March, 1582-3, original minute; Tytler, *ut supra*.

† MS. Letter, State Paper Office, Walsingham to Bowes, 2nd March, 1582-3; also Fowler to Walsingham, State Paper Office, April, 1583; Tytler, vol. viii. p. 139.

‡ MS. Letter, State Paper Office, minute, Walsingham to Bowes, 9th May, 1583; Tytler, vol. viii. p. 146.

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self; but briefly referred all other points to her ministers.

Two days after the Scottish ambassadors had left London on their return homewards, Bowes wrote from Edinburgh to Walsingham, informing him that a meeting had taken place in Falkirk between the Earls of Huntley, Atholl, Montrose, and others of the nobility, their "purpose" being, as he expressed it, "to welter* the court and state;" and the two ambassadors who had just left the English court, joined him in declaring their belief that without immediate assistance in men and money, such as had been promised by the queen to the Ruthven lords at the commencement of their enterprise, a change of government, and the total subversion of the English party in Scotland, would certainly ensue.† All these representations could not relax the sordid grasp of Elizabeth; and even the three hundred pounds which Bowes had advanced out of his own funds, Walsingham declared would turn out a dead loss to the ambassador, if he depended on her majesty for repayment. "Thus, you see," he said, "notwithstanding it importeth us greatly to yield all contentment to that nation [Scotland], how we stick at trifles. I pray God we perform the rest of the things promised."‡

The Ruthven coalition was now on the verge of ruin; and even Gowrie himself, who had lost large sums of money which he had expended in the enterprise—the expenses of which should have been borne equally by all concerned—resolved to desert his party, and take the first opportunity of making his peace with the king.

Death of Lennox.

At this critical juncture, James was plunged into great grief by the unexpected intelligence of the death of his favourite, the Duke of Lennox, to whose speedy return, on his own expected liberation, he was looking forward with fond and lively hope. Shortly after the arrival of Lennox in France, the distress of his mind consequent on the separation from his master, to whom he was evidently much attached, is supposed to have brought on a fever, which terminated his life. In his last moments he professed a firm adherence to the Protestant faith; and on the day of his death he addressed a letter to the king, informing him that no hope remained of his recovery, and exhorting him to confide no longer to such as were devoted to the English interests, but rather to take counsel with those of his own party. A blank had been left for the insertion of the names of certain parties he had in view, but death had arrested his hand before he could fill it up.§ James's grief was excessive; and he evinced the strength of his attachment to his earliest favourite by many acts of kindness towards his posterity,‖ and the respect with which he desired his memory to be cherished. Shortly after the death of Lennox, the king published a declaration, setting forth that his late dear cousin, the Duke of Lennox, had died in the true Christian faith, as established in Scotland, and threatening with severe penalties all who should dare to contradict this by speech or writing, either in prose or rhyme.* There can be little doubt that this proclamation was, partly at least, levelled against some of the ministers of the Church, who had taken occasion in their discourses to speak reproachfully of the character of the duke, and one of whom in particular had declared that, as he had thirsted for blood, so he died in blood—alluding to the disease of which it was reported he had died.†

Elizabeth at this time instructed Bowes, her ambassador, to endeavour to discover the views and sentiments of the king and his council respecting the negotiations which had for some time been carried on with the captive Queen of Scots, with a view to restoring her to liberty, and associating her with her son in the government. Both the king and his council expressed a decided aversion to any such arrangement. The former remarked, that although, as a dutiful son, he would willingly co-operate in the restoration of his mother to liberty, he had not consented, and never would consent, to the project of an association—at least, in the form she had proposed. The councillors were strongly repugnant, not merely to the scheme of an association, but even to the release of Mary from imprisonment. In regard to the former, they observed that it had already been proposed and rejected during the regency of Moray; and as to the latter, they dreaded the increased influence she would thus acquire, as the head of a party that might endanger the peace, if not the safety of the state. If, they asked, she can maintain so formidable a faction while a captive in England, what would she not do when she regained her freedom?‡

James had now been for nearly ten months virtually a prisoner in the custody of the Gowrie faction; and though impatient beyond measure of the restraint imposed on him, and incessantly planning some means of escape, yet, with a dissimulation and self-control extremely rare at his period of life, he appeared so contented, and even cheerful, that the associated lords imagined him quite resigned to his condition; and as Lennox was dead, and Arran was kept at a distance from court, they were lulled into a false security, they relaxed in their vigilance, and many of them retired to their estates. James, taking advantage of these circumstances, consulted with Colonel William Stewart, who had the command of his body-guard, and whom he had gained over to his interest, as to the

* Set in commotion.

† MS. Letter, State Paper Office, Colville and Stewart to Walsingham, 18th May, 1583.

‡ MS. Letter, State Paper Office, Walsingham to Bowes, 29th May, 1583; Tytler, vol. viii. p. 147.

§ MS. Calderwood, fols. 1268, 1269.

‖ Robertson, vol. ii. p. 95.

* State Paper Office, copy of the Proclamation for Lennox, 27th July, 1583; also MS. Letter, Bowes' Letter-book, 31st July, 1583, Bowes to Walsingham; Tytler, vol. viii. pp. 150, 151.

† Calderwood (vol. iii. p. 715) expressly affirms that he died of dysentery.

‡ MS. Letter, State Paper Office, Bowes to Walsingham, 29th June, 1583, Edinburgh; Tytler, vol. viii. p. 148.

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best method of effecting his escape. Whether the merit of devising the scheme ultimately adopted belongs to Stewart, as asserted by Robertson,* or to James, or both, does not appear, and is of no great importance. Certain it is, it was not planned by the party organised by De Menainville. The first step was to summon a convention of the Estates to meet at St. Andrew's, on pretence of deliberating on some points respecting the relations with England,—care being taken to call none but such as were supposed to be favourable to the king's design. Before the day of meeting, Stewart recommended the king to unfold the scheme to some of his councillors in whose judgment and fidelity he could confide, and to advise with them, before committing himself to so hazardous an enterprise. The king, in consequence, sent for Sir James Melvil, to whom the undertaking appeared so full of danger, that he laboured to dissuade him from attempting it. Finding however that James remained firm to his purpose, he wisely advised him, in the event of success, to proclaim a general amnesty, without conditions or reservations of any description, to accede to the demands of the Church, and to be careful to select as his counsellors men of acknowledged wisdom and probity—advices which James readily promised to follow.†

Under the pretext of paying a visit to his grand-uncle, the Earl of March, James was allowed to proceed from Falkland, where he then held his court, to St. Andrew's, accompanied by Colonel Stewart and a few others, whose attendance was, no doubt, esteemed a guarantee for his safe custody. To avoid exciting suspicion, he at first took up his abode in an inn within the town; but some of the lords, when they heard of his sudden departure from Falkland, becoming alarmed, rode immediately to St. Andrew's with a band of armed followers, and the king, perceiving his danger, withdrew to the castle. He had no sooner entered than Colonel Stewart commanded the gates to be shut, admitting only a few persons whom he could trust, and excluding all the rest of the attendants.

Release of the king.

Argyle, Huntley, Crawford, Montrose, Rothes, and others, who were privy to the enterprise,‡ arrived next morning, and were admitted into the castle; and, as they came unarmed, the other lords did not at first despair of recovering possession of the king's person; but, weakened as they were by the desertion of Gowrie, their leader, the attempt was ultimately abandoned as hopeless. In the meantime, Mar sent a messenger in urgent haste to Angus, to inform him of what had occurred; and he in turn instantly dispatched a courier to Bothwell, entreating him to join him with all his followers without delay. The summons was obeyed; but when Angus and Bothwell, with their armed attendants, came within six miles of St. Andrew's, they were met by a herald, who charged them in the king's name, under pain of treason, to dismiss their forces, and proceed unattended. This order they did not dare to disobey: they rode on singly to the castle and presenting themselves before the king, he commanded them to return to their residences, and remain there till he should call them.*

Submission of Gowrie.

Gowrie, who now trembled for his safety, having obtained permission from the king, repaired privately to St. Andrew's, and, falling on his knees before his majesty, in the presence of Argyle, Atholl, Rothes, and other noblemen, professed penitence for what he had done, and implored and received forgiveness. At the same time, anxious to extenuate, if not to justify his offence, while he admitted there was "a fault in the form," he argued that the deed itself was not evil, "in respect of the great danger that both religion and the commonwealth did stand into at that time."†

The revolution was now complete, and, happily, had been effected without the effusion of blood. James, with the excess of joy natural in one so young, felt himself once more his own master, with the freedom of choosing his own counsellors. In conformity with the salutary advice of Sir James Melvil, he assembled all the lords of both parties, the neighbouring gentry, the chief magistrates of the adjacent towns, the ministers, and the heads of colleges, and in their presence declared that, although he had for some time been forcibly deprived of his proper freedom of action, he would not impute this to any person as a crime; that he now intended to bury in oblivion all the irregularities that had taken place during his minority, to accede to the demands of the Church, and to govern all his subjects with indiscriminating impartiality and affection. As a proof of his sincerity, he paid a visit to the Earl of Gowrie at Ruthven Castle, and, in the very place where the offence had been committed, confirmed to Gowrie the pardon he had already accorded to him.‡ As an evidence of his impartiality, he commanded two of each faction—Angus and Bothwell on the one side, and Huntley and Crawford on the other—to withdraw for a short time from court; and appointed as his permanent council the Earls of March, Argyle, Gowrie, Montrose, Marischal, and Rothes.§

But this conciliatory policy, which greatly enhanced the young king's popularity, and which might have gone far to heal the unhappy divisions that had so long prevailed, was but of short continuance. Arran, who had been permitted to reside for some time on his estate of Kinneil, was very desirous of being admitted to an interview with the king; and James, who had never ceased to cherish an affection for him, was not less anxious to see his profligate favourite. His re-appearance at court was vehemently opposed by the council,

* Vol. iii. p. 98.
† Aikman, vol. iii. pp. 69, 70.
‡ Calderwood, vol. iii. p. 715.

* Calderwood, vol. iii. p. 715; also MS. Letter, Bowes to Walsingham, 29th June, 1583, Bowes' Letter-book.
† Calderwood, vol. iii. pp. 715, 716.
‡ Melvil, p. 272.
§ Aikman, vol. iii. p. 70.

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as well as by Sir James Melvil, who warned the king of the danger of again receiving into his confidence a person obnoxious to the nobility, and detested for his crimes by the great body of the people. James promised that he would not admit him again to his confidence, and that he should not remain at court above a single day; and, at last, yielding to the king's importunity, the lords consented to the interview. James flew to embrace him; he immediately regained his ascendancy in the royal confidence and favour, and began to manifest that overbearing arrogance which had formerly rendered him so odious to men of all parties.* The king now cast aside his moderation, and, regardless of his own solemn declaration, so recently and publicly made, he issued a proclamation, in which the Ruthven enterprise was denominated treason, and the exercise of the royal clemency declared to be limited to such as should acknowledge their offence and sue for pardon within a specified time.† The Ruthven lords were not less astonished than alarmed by this act of royal perfidy; and, seeing they could no longer trust to the word and honour of their sovereign while he continued to be guided by the treacherous and vindictive counsels of the restored favourite, began to concert measures for their own security.

Return of Arran to court. Perfidy of the king.

When intelligence reached Elizabeth of the return of Arran to power, and of the disreputable policy to which James, at his instigation, had resorted, she wrote to the king, reproaching him in severe terms for his breach of faith to the Ruthven lords, and his strange inconsistency in again putting himself under the guidance of Arran, after having written to her respecting the dangerous course which he was pursuing; "And yet," she added, "you would make them guilty who delivered you therefrom! I hope you more esteem your honour than to give it such a stain; since you have so oft protested that you was resolved to notice these lords as your most affectionate subjects, in the full persuasion that all they had done was by them intended for your advantage." In conclusion, she requests him to suspend further proceedings until the arrival of a trusty messenger, whom she should send to advise with him. James, suppressing his resentment at this sharp rebuke, perhaps the more keenly felt because it was deserved, professed to receive it "at this time as proceeding from a sisterly love," thanked her for her kind offices in attempting to procure his liberation, and excused his conduct on the plea that "the time" was "unfit to dispute too precisely upon circumstances that were determined by those who were masters of him and the state." He then concludes—"When you desire that I proceed no further until a trusty messenger may come from you, I intend to stay from doing anything, till then, that you may be justly offended with."*

It is remarkable that Elizabeth should have attached so much importance to this embassy as to feel a difficulty in determining who should be entrusted with it, and still more remarkable that, notwithstanding the urgency of the case, she should have taken not less than two months in coming to a decision; while, during this long interval, proceedings, so far from being stayed, were carried on with unusual vigour and activity. Angus, now the head of the house of Douglas, was banished beyond the Spey; Mar and Glammis were ordered to leave the kingdom;† the Laird of Lochleven, besides being imprisoned, was stripped of his property; such officers of the king's household as were suspected of a bias in favour of England were dismissed; while, on the other hand, those who were known to be favourable to the French interest were retained and promoted. Even Gowrie, though he had twice received the royal forgiveness, and notwithstanding all that had occurred had been taken into the king's confidence, was treated with such indignity by Arran that he was forced to retire from court; and, though invited by the king to return, such were the presumption and insolence of the upstart, that he felt compelled not only to withdraw a second time, but, apprehensive of still more violent proceedings, he at length formed a resolution to quit the kingdom. At the same time, Arran, who was evidently desirous of getting the king entirely into his own power, procured the appointment of Governor of Stirling Castle, and induced the king to take up his residence there, so that no one could, without his permission, be admitted into the presence of the sovereign. The choice of Elizabeth seemed to lie between Walsingham and her cousin, Lord Hunsdon; the more extended experience, greater prudence, and superior sagacity of the former being in some degree counterbalanced by the infirmities of his advanced age. Walsingham was at length preferred to this delicate and responsible trust. Owing to his age and consequent infirmities, he was obliged to travel in a coach by easy stages; nevertheless, he came with a degree of state rather befitting a prince than an ambassador, being attended by a retinue of six score horsemen.

Walsingham sent to Scotland.

The ambassador reached Edinburgh on the 1st September, and was received by Sir James Melvil, who gave him a cordial welcome in the king's name; and on the 7th he was conducted by Sir James to Stirling, and thence to Perth, where the king had appointed his reception to take place.‡ After some unnecessary delay, he was admitted to an interview, and, though received by James with much apparent courtesy, yet, as he refused to hold any intercourse with Arran, he was subjected to

* MS. Letter, State Paper Office, Bowes to Walsingham, 5th August, 1583.

† MS. State Paper Office, copy of the Proclamation, 30th July, 1583; also Bowes to Walsingham, 31st July, 1583; Tytler, vol. viii. p. 150.

* Melvil, pp. 279, 283.

† Spottiswood, p. 326.

‡ MS. Letter, State Paper Office, Bowes to Walsingham, 19th September, 1583; Calderwood, vol. iii. p. 724.

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sundry indignities from that courtier and his minions. So keenly did Arran feel the neglect with which he was treated, and so far did he carry his resentment, that he took every opportunity of insulting the venerable ambassador. He even refused to admit into the king's presence the Captain of Berwick, and other persons of note who formed part of Walsingham's retinue.* The ambassador's instructions were to remonstrate with the king on the late changes, made without any previous intimation to her majesty, contrary to his promises to her by letter and through her ambassadors, as well as his own; on his harsh dealing with sundry noblemen and other well-affected persons, in constraining some of them to accept remission for actions approved by an instrument on the word of a prince, as well as by an act of council, the convention of the Estates, and the General Assembly of the Church; and on the recall of Arran, contrary to his frequent promises and assurances given to her majesty.† James's replies were more remarkable for ingenious duplicity and palpable misstatements than for candour and truth. With respect to his approval of the Ruthven enterprise, he pleaded that it was given under restraint. Regarding his dealing with the noblemen implicated in that affair, he declared that he had only proceeded according to the laws of the realm, and had offered mercy to such as should acknowledge their offence, and crave pardon; and as to others, having still some danger to apprehend from their practices, it was necessary to bring them to trial, and to inflict on them the punishment which their offences deserved. As to the removal of such of his councillors as were best affected to the English queen, he remarked that he was a free prince, and could best judge who were meetest for his own service; and that he thought her majesty should not examine more curiously into the affections of his council than he did with hers. Walsingham's rejoinder to this pert reply was—"You are but a young prince yet, and of no great judgment in matters of government; and many an elder one would think himself fortunate to meet an adviser like my mistress. But, be assured, she is quite ready to leave you to your own guidance. I have not come down to seek an alliance for England, which can live well enough without Scotland, but to charge your majesty with unkind dealing to her highness, and to seek redress for past errors."‡ Lastly, respecting the recall of Arran, James remarked, that as the imprisonment of that nobleman had ensued on his own restraint, so his liberation could not be effectually known until he had been called into his majesty's presence and company.§ At the conclusion of the interview, the ambassador complained of certain depredations committed by the Scots upon the Borders; and James having promised that the matter should be investigated, Walsingham took his leave, the king having first requested to see him next day in private. As this private conference, however, does not seem to have taken place, it is probable that Arran had interfered to prevent it.

On the eve of his departure, Walsingham addressed a letter to Burghley, in which he remarks—"You will easily find that there is no hope of the recovery of this young prince, who, I doubt (having many reasons to lead me so to judge), if his power may agree to his will, will become a dangerous enemy. There is no one thing will serve better to bridle him, than for her majesty to use the Hamiltons in such sort as they may be at her devotion."*

This politic suggestion was not long in setting Bowes to work in a new direction; and such was his activity, that before the ambassador had left the country, he had originated a counter-revolution for the removal of Arran, and the complete restoration of the English interest in Scotland. His machinations, however, were soon discovered and defeated, through the vigilance of Arran; and the queen, dissatisfied with the result of this project, as well as with that of Walsingham's mission, resolved to suspend her judgment on Scottish affairs for the present, and to recall Bowes.†

As no very important results to either country followed, or could well have been expected to follow from Walsingham's embassy, it has been conjectured that his principal errand was to endeavour to ascertain the capacity and disposition of the king, who had now reached that period of life when the character is usually so far developed as to authorise an experienced and penetrating observer, like Walsingham, to pronounce judgment upon it with tolerable accuracy; and as James, though not very remarkable for depth or breadth of intellect, had an excursive imagination and ready utterance, his conversation was showy and specious, and so far impressed the sagacious ambassador, that he gave Elizabeth a very flattering report of the abilities of her young cousin, whom she accordingly ever afterwards treated with more becoming respect.‡

The apparent indifference of Elizabeth, while it damped the ardour of those who were opposed to the now dominant faction, strengthened the hands of the king and his ambitious favourite, so that they speedily triumphed over all their enemies; and the latter, who seemed desirous to concentrate in his own hands the whole power of the state, induced the king to confer on him the offices of Lord High Chancellor and Governor of the Castle of Edinburgh. Meanwhile, Angus, Mar, and Glammis; the Lairds of Lochleven and Cleish; the Abbots of Dunfermline and Cambuskenneth, with others who had been concerned in the Ruthven

* Melvil, p. 296.
† Calderwood, vol. iii. p. 725.
‡ MS. Letter, draft, State Paper Office, Walsingham to Elizabeth, 11th September, 1583, St. Johnston.
§ Calderwood, vol. iii. p. 728.

* MS. Letter, State Paper Office, Walsingham to Burghley, 11th September, 1583.
† MS. Letter, State Paper Office, Elizabeth to Bowes, 22nd September, 1583; also ibid., Bowes to Walsingham, 15th October, 1583; also ibid., Walsingham to Bowes, 30th September, 1583, York; Tytler, vol. viii. p. 158.
‡ Melvil, p. 293.

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enterprise, found it necessary for their own safety to acknowledge their offences, and crave forgiveness. Great exertions were made to bring all the offenders to follow this example; but, as many still kept aloof, a convention of the Estates was summoned, which, through the detestable perfidy of Arran, was so managed as to consummate the ruin of the Gowrie party. He treacherously represented to the noblemen, as they arrived in the capital to be present at the meeting, that the king graciously intended to grant to each of them individually, after being subjected to some merely nominal punishment, for the sake of appearance, a full pardon for his participation in the offence, provided they would all concur in a vote of the convention declaring the Ruthven enterprise to be treason; but certifying to such as would not consent, that they should be considered as impeaching the king's honour by suspecting his promise.

Meeting of the Estates. The Raid of Ruthven declared to be treason.

Under the impression that Arran had been specially commissioned by the king to make this communication, they considered it prudent to follow the course prescribed; and accordingly, at their first meeting, the Estates unanimously passed an act declaring "the surprise and restraint of the royal person," in August last, "a crime of high treason of pernicious example, and meriting severe punishment," and recommending a rigorous prosecution of all those who had been engaged in it, and had not within the prescribed time embraced the king's offer of pardon. They, at the same time, ordered the act of council approving of the enterprise to be erased from the council books, as having been passed while the king was under restraint. Thus fortified, the king now declared his determination to punish with the utmost severity all who refused to acknowledge their offence and sue for forgiveness.

The principal leaders of the Gowrie faction, who had hitherto kept aloof, now justly alarmed, submitted to the king's mercy. Angus retired beyond the Spey, Mar and Glammis and the Abbots of Cambuskenneth and Dryburgh withdrew to Ireland, Lord Boyd and the Lairds of Lochleven and Easter Wemyss repaired to France; while others were committed to prison, or confined within certain bounds. Mr. John Colville alone refused submission, and sought refuge in Berwick;* whilst Gowrie, renewing his promises of obedience, was permitted to remain at court.†

The most formidable opponents of Arran, however, were the ministers of the Church; and, difficult as the task was, he began to adopt vigorous measures to silence them and reduce them to obedience. Mr. John Dury, one of the ministers of Edinburgh, and Mr. Andrew Melvil, Principal of the College of St. Andrew's, were the first to be attacked. The former, having denounced from the pulpit the recent proceedings, was forced, under the threat of having his head stuck on the West Port, to explain and partially to modify some of his expressions; while the latter, who had given a similar offence, having been called before the council, firmly declined their jurisdiction, declaring that to the Presbytery only was he accountable for any thing contained in his discourses from the pulpit; and when the king endeavoured to convince him of the contrary, he sternly replied, that his majesty "perverted the laws both of God and man." It was not likely that the determined bearing and bold words of the venerable principal would be tolerated by the vindictive and haughty spirit of Arran, especially at a crisis like the present. Notwithstanding Melvil's declinature, which they vainly endeavoured by threatenings to induce him to withdraw, William Stewart was brought forward as his accuser, and several witnesses were examined; but, being unable to prove any thing criminal against him, he was arraigned on the extraordinary and almost ludicrous charge of declining the authority of the court; and being of course found guilty, he was sentenced to be imprisoned in the Castle of Edinburgh, and to be still further punished in person and property at the king's discretion. Having learned, however, that his place of confinement was to be changed to a damp and noisome dungeon in the Castle of Blackness, without waiting the appointed time for the execution of his sentence, he sought safety in a precipitate flight to Berwick.* The expatriation of Melvil, who, from his great learning, zeal, and intrepidity, was considered the head and champion of his party, so far from intimidating or silencing his brethren, was followed by vehement denunciations from the pulpit, in which the king was accused of having extinguished the lamp of learning, and deprived the Church of the ablest and most faithful guardian of its liberties.† Several of the most distinguished among the ministers were next summoned before the council, and interrogated as to their sentiments regarding the Ruthven enterprise, and the measures subsequently pursued, which they were urged explicitly either to approve or condemn. In this embarrassing position, afraid lest by any unguarded expression they might be subjected to a criminal prosecution, they prudently requested permission to give their answers in writing. This being conceded, written answers were accordingly returned, in which they declared that they adhered to the judgment formerly pronounced by the General Assembly respecting the Raid of Ruthven; that, as individuals, they considered it lay beyond their province to pronounce opinions on matters political; and that, if his majesty were desirous of obtaining the sentiments of the Church respecting that transaction, they recommended him to apply to the General Assembly.

In the meantime, without waiting for any command from the king, the assembly met, and, avoiding any direct statement of their opinion, drew up

* MS. Letter, State Paper Office, Bowes to Walsingham, 29th December, 1583.
† Ibid.

* Spottiswood, p. 330.
† Ibid.

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and presented a list of grievances, from which it was no difficult matter to infer what their opinion really was concerning the Raid of Ruthven, as well as many of the proceedings that had taken place since the king had been freed from restraint. To this memorial, however, no satisfactory answer was obtained.

The government of Arran became now every day more tyrannical and arbitrary; and the Privy Council, acting under his direction, proceeded to exercise an authority which, even in those times, when the powers of the executive were not very strictly defined, was felt to be altogether unwarrantable. After the escape of Melvil, they passed an act ordaining that such ministers as should hereafter fall under the displeasure of the king should be apprehended without the formality of a legal charge; and that all who should hold communication with those who had left the kingdom, should be treated as guilty of treason.

Arrival of the young Duke of Lennox.

At this time the young Duke of Lennox, then only thirteen years of age, arrived in Scotland from the French court, accompanied by the Master of Gray, whom James had sent to France for this express purpose. He landed at Leith, where he was met by Arran and Huntley, who conveyed him to Kinneil, where the court then was. The king testified his respect for the memory of his departed favourite by the affectionate reception he now gave to his son, and the substantial benefits he conferred on him. He welcomed him with heartfelt joy, invested him with his father's honours, confirmed him in possession of the family estates, and placed him under the guardianship of the Earl of Montrose.*

The banishment of the Ruthven lords, and the partial restraint imposed on the preachers, were succeeded by a short period, not indeed of contentment, but of outward tranquillity, during which Arran ruled with despotic and almost undivided authority. But the lords, though in exile, still continued to wield a great influence over a numerous and powerful, though now disorganised party; and as they did not consider the Church, the civil interests of the country, its foreign relations, or even their own persons to be in safety, so long as the king continued to be guided by the violent and pernicious counsels of Arran, they were already

Conspiracy against Arran.

busily engaged in concerting a plot for his destruction. The principal conspirators were Angus, Mar, the Master of Glammis, the Earl of Bothwell, and Lord Lindsay. Their object was to liberate their country from the galling yoke of Arran, by forcibly removing him from the king's council. With a view to the prosecution of their enterprise, Angus had secretly quitted his retreat beyond the Spey, and Mar and Glammis had come over from Ireland. At the same time, Lord Claud and Lord John Hamilton, who were also parties to the conspiracy, were sent from England to the Borders by Elizabeth, that they might be ready to co-operate when the plot was ripe for execution. Meanwhile, Gowrie, mortified by the studied neglect of the king, and the haughty and insolent bearing of Arran, and probably also influenced by some indefinite apprehension of danger, asked and obtained from the king permission to retire to France. Intending to embark at Dundee, he had proceeded thither; and, while waiting for the departure of the vessel in which he was to set sail, he received information of the conspiracy, and was urged to engage in it. He hesitated for some time, but at length consented; and although an order had been issued commanding all such as had obtained permission to leave the kingdom to depart without delay, he contrived, under various pretexts, to put off his voyage; and having assisted in arranging the plan of the enterprise,* held himself in readiness to join his fellow-conspirators in arms, when the time for action should arrive. That the conspiracy was secretly encouraged by Elizabeth and her ministers is beyond a doubt. Mr. John Colville, who was the principal agent of the plot in London, was in constant communication with Bowes and Walsingham on the subject; and some difficulty having occurred in consequence of the opposition of a certain bishop, whose name does not transpire, Colville held a secret consultation with Walsingham on the point, as appears from a letter he subsequently addressed to him, in which he says—"Concerning the bishop, the more I think of the matter, the more necessity I think it that he, and all other strangers of his opinion, were removed; for it is a common proverb—*Hostes si intus sint, frustra clauduntur fores: neque antiquam expellantur tuto cubandum est.*"† But Arran had in the meantime, through the treachery of Glencairn and Atholl, become acquainted with the whole secrets of the conspiracy, and kept a watchful eye over all the movements of its leaders. Anxious, however, that they should proceed, until by some overt act they should incur the penalties of treason, he contented himself with making such preparations that he could proceed against them at a moment's notice; and did not stir until the plot was matured, and the first movements towards putting it in execution had actually been begun. The time for action at length arrived. The scheme had embraced as one of its leading features the surprisal of the Castle of Stirling, where the conspirators intended to fortify themselves, and issue a proclamation declaring their object to be the delivery of the king from his present evil counsellors; and Angus, Mar, and the Master of Glammis, were already on their march to that place, while Gowrie remained at Dundee, ready to join them at an appointed signal. Arran accordingly

* MS. Letter, State Paper Office, Bowes to Walsingham, 16th November, 1583; ibid., same to same, 20th November, 1583; Tytler, vol. viii. pp. 160, 161; Spottiswood, p. 328.

* MS. Letter, State Paper Office, Bowes to Walsingham, 20th January, 1583-4; Tytler, vol. viii. p. 163.

† MS. Letter, State Paper Office, Colville to Bowes, 23rd March, 1583-4; Tytler, vol. viii. p. 163.

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dispatched Colonel William Stewart, with a body of a hundred soldiers, who, arriving at Dundee before sunrise, surrounded the castle, where Gowrie then resided. He defended himself with great bravery for about twelve hours, and even endeavoured to rouse the inhabitants to his assistance; but at length, being compelled to surrender, he was apprehended, and conveyed a prisoner to Edinburgh.*

Arrest of Gowrie.

Meanwhile intelligence had reached the court that Mar, Angus, and the Master of Glammis, had entered Stirling with a body of five hundred horse, and taken possession of the castle. Not a moment was lost in making preparations to attack the insurgents. In two days an army amounting to twelve thousand men had mustered in the capital, and the young king, attended by many of the nobility, placed himself at their head, and took the road to Stirling. By this time, however, the news of Gowrie's capture had reached the insurgents, and this, together with the failure of that support which they had expected from their friends, and their disappointment at not receiving a sum of money which had been promised them by the English queen, completely disheartened them; and finding themselves in no condition to cope with the large force with which the king was advancing to attack them, they left a small garrison in the castle, with difficulty made their escape into England, and threw themselves on the protection of Elizabeth.† The castle surrendered on the first summons, and four of the garrison, including the captain, were hanged. The failure of this conspiracy naturally tended to strengthen the hands of Arran and his party, and emboldened them to pursue the most unpopular and violent measures.

Surprise of Stirling Castle.

As one of the professed objects of this insurrection was the maintenance of religion, it was strongly suspected that some of the ministers had been secretly concerned in it; but though attempts were made to implicate several of them, there was no evidence to prove their guilt. Three of those who had particularly fallen under suspicion were searched for at their houses by the king's guard; but they had found means, along with some others, to escape into England.‡

It was now resolved to bring Gowrie to trial; but though there could be no doubt whatever of his guilt, it would seem that there was not sufficient evidence to warrant a legal conviction. This, however, Arran had more than one motive for earnestly desiring to secure—the gratification of personal enmity on account of Gowrie's frequent opposition to him in the council, and a wish to obtain a share of the Gowrie estates, on which Arran's wife had long looked with a covetous eye.* In order to supply the deficiency of direct evidence against the unfortunate nobleman, Arran had recourse to an expedient so base as to be worthy of peculiar reprobation. Accompanied by Sir Robert Melvil and some other members of the Privy Council, Arran paid a visit to Gowrie in his prison, under the guise of an old friend who felt deeply concerned for his safety. Unsuspicious of treachery, Gowrie entreated his old associates to intercede with the king in his behalf; but they replied that the king was highly incensed against him for the share he had taken in the expulsion of the Duke of Lennox; and that therefore any such intercession would prove ruinous to themselves, without being beneficial to him. "What then," said Gowrie, "is to be done?"—"Our advice," they replied, "is, that you write a general letter to the king, confessing your knowledge of a design against his majesty's person, and offering to reveal the particulars if admitted to an audience. This will procure you an interview, which otherwise you have no chance of obtaining. You may then vindicate your innocence, and explain the whole to the king." Gowrie hesitated to adopt this insidious advice. "It is a perilous expedient," said he; "I never entertained a thought against the king; but this is to frame my own dittay,† and may involve me in utter ruin."—"How so?" said his treacherous counsellors. "Your life is safe, if you follow our counsel; your death is determined on, if you make no confession."—"Goes it so hard with me?" replied Gowrie. "If there be no remedy, in case I had an assured promise of my life, I would not stick to try the device of the letter."—"I will willingly pledge my honour," said Arran, "that your life shall be in no danger, and that no advantage shall be taken of your pretended confession."‡ Gowrie, trusting to this assurance, wrote a letter as he had been directed, and sent it to the king; but instead of receiving an answer, as he had been led to expect, he was immediately placed upon his trial. No evidence having been produced sufficient to satisfy the jury of his guilt, they were about to pronounce a verdict of acquittal, when Arran, who, in shameless violation of common decency, sat as one of their number, taking the letter from his pocket, demanded of the unfortunate Gowrie whether he could deny his own handwriting. "It is mine assuredly," he replied, "nor can I deny it; but, my lords, this letter was written, these revelations were made, on a solemn promise of my life. You must remember it all," said he, looking at Arran and the others at whose instigation the letter had been written; "how at first I refused; how earnestly I asserted my innocence; how you swore to me, upon your honour and faith, that the king should grant me my life if I made this confession."

Trial of Gowrie.

* MS. Letter, Caligula, c. viii., fol. 9, Bowes to Walsingham, 19th April, 1584, Berwick.

† MS. Calderwood, Ayscough, 4736, fol. 1321; Home's History of the house of Douglas, p. 376; Spottiswood, p. 330.

‡ MS. Letter, State Paper Office, Moyse's Memoirs, p. 50; Tytler, vol. viii. p. 169; Historie of James the Sext, p. 103.

* Melvil, p. 210.

† Accusation.

‡ MS. State Paper Office, Form of certain devices used by Arran and Sir R. Melvil against Gowrie, endorsed by Davison, in a letter to Walsingham, dated 27th May, 1584, Berwick; Tytler, vol. viii. p. 170.

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To this simple but pointed appeal, which, in the circumstances under which it was uttered, carried in itself a strong presumption of his innocence, no answer was returned, and the detestable villainy which it exposed seems to have excited no horror in the minds of his judges. The lord-advocate replied that the lords had no power to make such a promise; and when Gowrie in despair appealed to the oaths of Arran and his companions, they solemnly denied that any such promise had been given.* The jury having retired to deliberate on their verdict, Gowrie, who now saw, when too late, the snare which had been laid for him, convinced that he had no mercy to expect, called with seeming indifference for a cup of wine, in which he drank to several of his friends around him. He also confided to one of them an affecting message to his wife, and requested him to conceal his unhappy fate from her for a short time, as she had just been delivered of a child, and consequently could not without danger of her life be startled by such appalling intelligence. The jury soon returned into court with a verdict of guilty, which he heard with unshrinking fortitude; and being about to address the court, he was interrupted by the judge, who informed him that his time was short, as the king had already sent the warrant for his execution. "Well, my lord," he replied, "since it is the king's contentment that I lose my life, I am as willing to part with it as I was before to spend it in his service; and the noblemen who have been upon my jury will know the matter better hereafter. And yet, in condemning me, they have hazarded their own souls, for I had their promise. God grant my blood be not on the king's head! And now, my lords," he added, "let me say a word for my poor sons. Let not my estates be forfeited. The matters are small for which I suffer. Failing my eldest boy, then let the second succeed him." Even this consolation was denied him. He was informed that the penalty of treason, of which crime he had been found guilty, necessarily included that of forfeiture. After retiring for a short space, attended by a minister, he proceeded to the scaffold, from which he briefly addressed the people who had assembled to witness his last moments. He strongly asserted his innocence of any designs against the person of the king, and described the treacherous device to which his life was now to fall a sacrifice. His neck having been bared to receive the fatal stroke, he with great composure, and even apparent cheerfulness, tied the handkerchief over his eyes with his own hands, then kneeling down and resting his neck on the block, his head was severed from his body by a single blow. The disgusting process of quartering the body having been dispensed with, the head was sewed on to the trunk, and the remains of the unfortunate nobleman were wrapped in a scarlet cloth, with which the scaffold had been covered, and conveyed by his friends to their last resting-place.*

Execution of Gowrie.

The character of Gowrie was marked by traits which are rarely combined in the same individual. He had been in early life an active accomplice in the murder of Riccio; and in his riper years he was factious, turbulent, intriguing, and revengeful.† Yet, it is said that, considering the period at which he lived, he was a person of cultivated mind and refined taste, no mean proficient in the scholarship common at that time, and a patron and amateur in music and the fine arts. That he had been deeply implicated in the late conspiracy to subvert the government there can be no doubt;‡ but, for this offence, the distressing condition of all the great public interests of the kingdom, consequent on the misgovernment of Arran, may be pleaded as an extenuation, if not an apology. This, however, was not the offence for which he suffered—he fell a victim to the malignity and infidelity of Arran, who, under the mask of friendship, pledged his word and honour to a lie, and thus induced the unfortunate man to accuse himself of a crime of which there is no reason to believe that he had been guilty.

His character.

* MS. British Museum, Caligula, c. viii., fol. 24, Form of examination and death of William Earl of Gowrie, 3rd May, 1584; Tytler, *ut supra*.

* MS. British Museum, Caligula, c. viii., fol. 29; Tytler, vol. viii. p. 172.

† MS. Letter, State Paper Office, Menainville to Mauvisière, 28th March, 1583.

‡ MS. Letter, State Paper Office, Colville to Walsingham, 12th May, 1584; Tytler, vol. viii. p. 173.

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CHAPTER XXXVI.

JAMES THE SIXTH.

A.D. 1581—1587.

THE failure of the late insurrection confirmed Arran in the possession of his ill-gotten power, and encouraged him to adopt the most violent and arbitrary measures for the purpose of completing his triumph, by effectually crushing all opposition. A parliament was summoned to be held at Edinburgh* on the 22nd of May, and never was parliament more obsequiously subservient to the will of a minister. An act was passed, in which Angus, Mar, and Glammis, were declared guilty of treason, and their estates forfeited to the crown. But the opposition of the Church was what, above all other things, Arran at once feared and detested. He felt that nothing had been gained while there existed a body of men claiming a jurisdiction distinct from that of the civil power; and so long as ecclesiastical functionaries were permitted, in the Church courts and from the pulpit, to inflame the minds of the people by exposing and denouncing the errors of the king and the government. James, moreover, though he professed an unwavering attachment to the Protestant faith, detested Presbyterianism,—on account of its supposed tendency to foster independence of thought and a love of liberty, more consonant to the genius of a republican than that of a monarchical and all but despotic government; he therefore determined, at all hazards, to re-introduce and fully establish episcopacy. A plan of attack on the Church was accordingly concocted, and made ready to be submitted to the consideration of parliament. The ministers, ever on the alert, had got notice that some measure affecting the Church was in contemplation, and of course were exceedingly anxious to know the nature of its provisions. This, however, the court being equally solicitous to conceal, the Lords of the Articles were sworn to secrecy; and when at length the matters were submitted to parliament, the deliberations were carried on with closed doors. The ministers now took the alarm, and deputed Mr. David Lindsay, one of their number, to represent their apprehensions to the king, and to entreat that no act affecting the Church should be passed without previously being submitted to the consideration of the General Assembly; but Arran, having got notice of his errand, caused Lindsay to be apprehended as he was crossing the palace-yard, and ordered him to be conveyed to the Castle of Blackness. Undiscouraged by this violent proceeding, the ministers next appointed a deputation to proceed to parliament, and solemnly protest against any act being passed tending to infringe the liberties of the Church; but the doors were shut against them, and they were compelled to depart without obtaining admission.

Meeting of parliament.

* MS. Letter, State Paper Office, Davison to Walsingham, 23rd May, 1584.

The parliament, thus left to the guidance of the court, proceeded to pass a series of laws totally subversive of the constitution and discipline of the Church. The authority of the king was declared to be supreme in all manner of causes, and to extend over all persons; while to decline his judgment, or that of his council, in any matter whatever, was pronounced to be treason. To pretend an exemption from the jurisdiction of the civil courts, and to attempt to diminish the power of any of the three Estates in parliament, were prohibited under the same penalty. The jurisdiction of all courts, civil and ecclesiastical, not previously authorised by the king and the Estates in parliament, was forbidden; and the holding of assemblies, general or provincial, without the king's permission or appointment, was also prohibited under severe penalties. The uttering—either privately or publicly, in sermons, declamations, or otherwise—of anything to the reproach of the king, his ancestors, or his ministers, and all intermeddling with the affairs of his majesty or his estate, past, present, or future, were declared to be capital crimes,* and the utmost penalties of the law were ordained to be inflicted even on those who heard such speeches without giving information. Finally, the whole spiritual jurisdiction was declared to be vested in the bishops, and such other persons as should be constituted king's commissioners in ecclesiastical causes. As a corollary to these infamous enactments, the sentence of excommunication, which had been pronounced by the General Assembly against Montgomery, was recalled; and a commission was entrusted to the Archbishop of St. Andrew's for the reformation of the university of that place, which was suspected of having been liberalised beyond endurance by the doctrine and example of Melvil, its indomitable principal.† This servile parliament, which seems to have met only to legalise the edicts of one of the most unprincipled minions that ever scrambled into power, wound up its infamous proceedings by ordaining that all persons having in their possession Buchanan's History of Scotland, or his treatise, entitled *De jure Regni*, should lodge them with the Secretary of State, to be by him "revised and reformed." ‡

Acts against the Church.

The decrees so deeply affecting the liberty and independence of the Church, though not yet officially promulgated, were already well known and excited universal indignation and alarm among the clergy and their flocks. Their rage against Arran, who was believed to be the author of these obnoxious measures, was openly expressed; and many suspected, and did not hesitate to affirm, that the king himself was at heart an enemy to the Reformed Church.§ In the meantime, to prevent as much as possible any ebullition of popular

* Spottiswood, fol. 333; MS. Letter, Davison to Walsingham, 23rd May, 1584; Tytler, vol. viii. p. 178.

† MS. Letter, State Paper Office, Davison to Walsingham, 27th May, 1584.

‡ Ibid.; Tytler, vol. viii. p. 178.

§ Spottiswood, p. 333.

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feeling, orders were sent to the magistrates to silence, or even forcibly drag from the pulpits, all preachers who should presume to criticise or impugn the enactments in question; but the civic rulers were in no haste to enter on this odious task, and on the very next day, being Sunday, the ministers declaimed with all their wonted freedom, and with more than their usual acrimony, against those laws by which they declared that both civil and religious liberty was utterly subverted; and when on the following day the acts, according to custom, were proclaimed at the Cross of Edinburgh, Robert Pont, one of the ministers of the capital, and also one of the lords of session, accompanied by two of his brethren, Lawson and Balcanquhall, solemnly and publicly protested against them in the name of the Church. This bold act enraged Arran to the highest pitch. He deprived Pont of his office as a lord of session, and gave orders for his apprehension, and that of the others who had concurred with him in the protest; but, unwilling to expose themselves to the ruthless vengeance of their enemy, they withdrew from the city during the night, and though hotly pursued by a party of the king's guard, they succeeded in reaching Berwick in safety by daybreak the next morning.* Their example was followed by all the ministers of Edinburgh, and nearly every clergyman of eminence throughout the kingdom; and the few that remained were speedily subjected to grievous hardships and indignities. They were required to subscribe a bond engaging to obey the late acts of parliament affecting the Church, and to acknowledge the authority of the bishops, under pain of being deprived of their livings. Many preferred the latter alternative, and sought safety in flight, while others were either intimidated or cajoled into compliance. In addition to these violent proceedings against the ministers of the Church, such of the professors of the universities as fell under the suspicion of the court were imprisoned or sent into exile, the students were dispersed, and the universities of Glasgow and Aberdeen were shut up.†

Flight of the ministers of the Church.

These violent measures at once appalled and enraged the whole community; and suspicions began to be entertained, which were speedily followed by reports openly circulated and eagerly believed, that the king was at heart a Papist, and was paving the way for the introduction of popery. At the same time, the public indignation against Arran, who was regarded as the author of all these national calamities, was roused to the highest pitch. Not content with having subverted the constitution of the Church, forced into exile many of its most eminent ministers, closed the seminaries of learning, and openly trampled on all law and justice in the multiplied oppressions which he practised on all whom he suspected of being inimical to his government, he instituted a system of espionage reaching even to the domestic hearth, and thus in a great measure destroyed that confidence between man and man, without which civil society can scarcely exist. His appetite for forfeitures, of which he generally contrived to appropriate the largest share, was no way inferior to that which had formerly distinguished the Regent Morton during the worst period of that tyrant's rule. Besides a multitude of informers whom he kept in pay, he publicly offered a bounty for the discovery of treason, by issuing a proclamation offering a reward, besides a full pardon, to all persons who should discover any treasonable conspiracy or correspondence. Under the influence of such a temptation, false accusations, supported by perjured witnesses, soon flowed in abundantly. Men of unimpeachable character, if known to be of independent and patriotic spirit, and more especially if possessed of property, were thus arraigned and convicted of imaginary and even impossible crimes. Some were put to death as felons, many were imprisoned or sent into banishment, the estates of such as were possessed of landed property were forfeited, and Arran with the barons who were his base accomplices in villainy divided the spoil. The seeds of distrust were thus sown broadcast over the face of society; the ordinary intercourse of friend with friend, and neighbour with neighbour, was interrupted or darkened by suspicion; and no man felt secure of liberty, property, or life. But the ambition of Arran was equal to his avarice, and he was not less distinguished by the love of power than by its abuse. He aimed at nothing less than engrossing in his own hands all the high offices of the state, as they became vacant. On the demise of Argyle he was appointed to the office of chancellor, which had been held by that nobleman.* He was already governor of the castles both of Stirling and Edinburgh. He even coveted and obtained the office of provost of the capital; and at length consummated his ambitious schemes by procuring himself to be nominated lieutenant-general of the whole kingdom.

Violent proceedings of Arran.

The revolution which had taken place in the affairs of Scotland, and the consequent decline of the English interest in that country, were a source of much solicitude and embarrassment to Elizabeth and her ministers. Arran was the greatest support of the French faction, but since the failure of the late conspiracy his power had become less assailable than ever; and yet Elizabeth saw clearly, that so long as he continued in authority she could not hope to manage Scottish affairs as she had formerly done. She had expected that the success of the conspiracy would have been followed by the restoration of the exiled lords, and that by their union with Angus, the head of the powerful house of Douglas, the ruin, or at least the displacement of Arran might easily have been effected; but that

* MS. Letter, State Paper Office, Davison to Walsingham, 27th May, 1584; Tytler, vol. viii. p. 179.

† Cotton. MS., quoted by McCrie, Life of Melvil, vol. i. p. 227.

* Spottiswood, p. 339.

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expectation was now at an end, and it was not easy to see how the banished lords, with any support or assistance she could in decency afford them, could now make head against so powerful an opponent. In these circumstances, she bethought her of the strange expedient of attempting, by attaching Arran to her interest, to exert through him the influence she was so desirous of exercising over the public policy of Scotland. She accordingly dispatched thither Davison, one of her principal secretaries, who, on sounding Arran, found him quite disposed to receive his advances, and to enter into the views of the English queen. Arran was well aware that detested as he was by the nobility and the great body of the people, he had no security except in the favour of the king, on whose fickle temper he could place little reliance; and he therefore eagerly embraced the opportunity of ingratiating himself with a princess, to whose protection he might look as the strongest bulwark of his own power.

Davison had afterwards an audience of the king, at Falkland, in the presence of the young Duke of Lennox, Arran, Huntley, Montrose, and others of the nobility. The interview was far from being amicable, and led to no specific result. James indeed received the ambassador's letters courteously, but he passionately complained of the protection afforded by Elizabeth to the rebellious lords, and her refusal to deliver them up. The ambassador endeavoured to vindicate the conduct of his mistress on the grounds of her ignorance of the circumstances of the late changes, and, in turn, complained of his majesty's refusal to deliver up Holt, the Jesuit, who was known to be intriguing against the government of Elizabeth. He added, however, that as for the exiled nobles, the queen would take care that they should give no disturbance to his majesty's government. James replied, with a spirit and promptitude that took the ambassador by surprise, that there was not much necessity for this assurance, as he hoped he could look well enough to the defence of his kingdom against such rebels as she had taken under her protection. In a short time James, dropping affairs of state, began to talk of the more congenial subjects of hunting and pastimes, and left the ambassador to confer with Montrose, with whom he dined.*

Davison remarked, with horror, the miserable condition to which the country was reduced by a system of misgovernment, which he seemed to attribute fully as much to the king himself as to his tyrannical minister. In a letter which he addressed to Walsingham at this time, he says, "The proceedings of this court are thought so extreme and intolerable as have not only bred a common hatred and mislike of the instruments, but also a decay of the love and devotion of the subjects to his majesty. * * * The want of their ministers exiled; the imprisonment of Mr. David Lindsay in the Blackness; and the warding of Mr. Andrew Hay in the north, who refused to subscribe their late acts of parliament, do not a little increase the murmur and grudging of the people; besides the lack of the ordinary ministry here, which is now only supplied by Mr. John Craig and Mr. John Brand, at such times as they may be spared from their own charges. The king is exceedingly offended with such of them as are fled, blaming them to have withdrawn themselves without cause, notwithstanding some of their friends were already in hands, and warrant given forth for their own charging and apprehending before their departure." * * * "Arran," he observed, "had been promoted to the high office of chancellor; Sir John Maitland, secretary; Sir Robert Melvil, treasurer-depute; and Lord Fleming, lord-chamberlain; whilst Adamson, the Archbishop of St. Andrew's, was in high favour, constantly at court, and busily occupied in his schemes for the total destruction of the Presbyterian form of church government, and in the persecution of its ministers and supporters."*

Whatever sentiments might be excited in the mind of Elizabeth by this very prosaic, but not the less distressing description, the account given by Davison of French influence in Scotland, the feelings of James towards his mother, the constant correspondence he kept up with her, and the progress of the scheme by which she was to resign the government to her son, called forth most lively feelings of alarm and indignation. After a long enumeration of portentous circumstances, the ambassador expressed his conviction, "that the Scottish queen, though elsewhere in person, sat at the stern of the government, and guided both king and nobles as she pleased."†

Throckmorton's treason.

At the very time when this alarming intelligence arrived from Scotland, a conspiracy against the life of Elizabeth was detected within her own kingdom; and from disclosures made by Francis Throckmorton, a Cheshire gentleman, who was afterwards executed on the charge of being implicated in these treasonable proceedings, it appeared that a design was on foot for the invasion of England. Among the papers of Throckmorton was found a list of the most eminent Romanists in England, and another of the principal harbours in the kingdom, with an exact account of their situations and the depth of water in each. The enterprise it was alleged was to have been conducted by the Duke of Guise, assisted by the Pope, the King of Spain, and the English exiles, and many of the Roman Catholics at home were ready to join the invaders on their landing. Though some doubt has been thrown over the truth of these revelations, which were elicited by torture, yet many collateral circumstances concur in imparting to their leading features, at least, a degree of probability amounting almost to certainty. The English exiles were loud in their denunciations of the barbarous treatment of the Scottish queen, and the persecution to which the

* MS. Letter, State Paper Office, 10th June, 1584, Davison to Walsingham; Tytler, vol. viii. p. 183.

* MS. Letter, State Paper Office, Davison to Walsingham, 10th June, 1584; Tytler, vol. viii. p. 185. † Ibid.

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Roman Catholics in England were subjected; and, at this time, by means of secret agents, they were engaged in dispersing throughout the kingdom publications exciting the hatred of their partizans against Elizabeth, and in attempting to persuade them that to take away her life would be not merely justifiable but meritorious. Her maids of honour in particular were invoked to the performance of this bloody office, and undisguisedly exhorted to treat their mistress as Judith did Holofernes, and thus render their names revered by the Church to the end of time.*

Troubles of Elizabeth.

Elizabeth was now reaping an abundant harvest of cares and disquietudes—the natural fruit of her own perfidy, injustice, and persevering cruelty towards her unfortunate sister; and while her present position demanded immediate and vigorous action, the crisis was as full of difficulty as it was of danger. In dread of the machinations of Mendoza, the Spanish ambassador, from which she considered her life to be in peril, she ordered him to quit the kingdom within fifteen days.† But the great difficulty of regaining her lost influence in Scotland, and thus defeating the projects in favour of Mary—the chief source of all her embarrassments—still remained. In this dilemma she had recourse to the opinion and counsel of Davison, who persuaded her that at present it would be in vain to intercede with the king in favour of the exiled lords, and that any attempt to interfere by force of arms to effect such a change in his councils as she desired would be too hazardous to merit consideration.‡ Ever fertile in resources, however, there still appeared to Elizabeth three methods by which she might hope to accomplish her object, but each of these was beset with difficulties, and two of them were directly opposed to each other. The first was to afford such assistance in money, arms, and troops to the banished lords—Angus, Mar, and Glammis—as would enable them to displace Arran, and take into their own hands the management of public affairs. But Elizabeth had one strong objection against this method, it would involve her in "charges," a thing which she "did utterly mislike;" besides, it would engage her in the support of the Presbyterian Church, whose polity she regarded as republican in its tendency, and therefore "misliked" as much as James himself or his obnoxious minister. A second method was to enter into a compact with Arran, and through him to govern the king, who was entirely guided by his counsels. This method appeared the more feasible, that Arran had already secretly offered to devote himself to her service, had evinced and expressed his predilection for the Episcopalian form of Church government, and declared himself in favour of the alliance with England. But to this plan the almost insuperable objection of "charges" was equally applicable. Arran and his coadjutors had already manifested such inordinately acquisitive propensities, that there was no hope of securing their co-operation without pensions, a matter in which she might have to compete with France. The amount of outlay that might thus be necessary defied conjecture. In addition to this, Elizabeth felt that it would be impossible for her to act in concert with Arran without withdrawing all countenance from the Douglases and Hamiltons, whom she would much rather employ as instruments for his destruction. The third scheme was to enter into a treaty with the captive queen, who it was supposed would accept almost any terms by which she was likely to be restored to liberty. Such proposals might accordingly be made to her as to alarm James into a compliance with the wishes of the English court. Besides, Mary had already signified her readiness, on condition of being set at liberty, to resign the government in favour of her son; to use her utmost influence to procure the restoration of the banished lords; to cement the amity with England; to discountenance the Romanists in their attempts to disturb the English government; and to acquaint Elizabeth with many secrets which would enable her to thwart the designs of her enemies. But to embrace this method would be to act in direct contradiction to the counsel of her sage and experienced ministers, Burghley and Walsingham, both of whom had repeatedly and strongly expressed their conviction, that if the Queen of Scots were set at liberty, the life of Elizabeth and the existence of the Protestant Church in England would be equally endangered. In this perplexity, Elizabeth called Burghley and Walsingham to her aid, and submitted these rival schemes to their consideration. With respect to an arrangement with Mary, the two ministers concurred in dissuading their mistress from adopting any measure of this description; but they differed in opinion on the other two schemes. Burghley advised her to attach Arran to her interest by sending a confidential minister to hold a secret conference with him on the Borders,* hoping through him to govern the king and re-establish the English influence in Scotland. To this policy Walsingham was strenuously opposed. He considered that no reliance could be placed on the promises or engagements of Arran, and that the relative position of the two kingdoms would never be satisfactorily adjusted so long as his present power continued. On these accounts Walsingham warmly advocated the only remaining expedient, that of supporting the banished lords and using them as instruments for Arran's overthrow. Such, he observed, was the odium in which the king and his tyrannical and haughty minister were held by the nation, that the exiled lords would be welcomed as deliverers, and, if properly assisted with men and money, would speedily drive Arran from the helm of affairs, and render English influence once more predominant.

* Camden, p. 497.

† MS. despatch of Bernardino de Mendoza to the Catholic King. Archives of Simancas, Inglaterra, fol. 839; Mignet.

‡ MS. Letter, State Paper Office, Davison to Burghley, 23d June, 1584; Tytler, vol. viii. p. 188.

* MS. State Paper Office, Instructions to Lord Hunsdon, 30th June, 1584; Tytler, vol. viii. p. 190.

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Elizabeth was in this instance more crafty than her ministers. She resolved not to embrace exclusively any one of the three plans which had been under consideration, but, strange as it may appear, to adopt them all, and in the first instance carry them on simultaneously. By this disingenuous policy she hoped to hold all the parties at her devotion, to play the one against the other, and in the sequel to gain her object by treacherously sacrificing such tools as might be found no longer adapted to her purpose.

She commenced this triple game of dissimulation by appointing Lord Hunsdon, the Governor of Berwick, to hold a meeting with Arran on the Borders.* The conference, however, was delayed for some weeks in consequence of the vanity of Arran, who, holding the high office of lieutenant-general of the kingdom, was ambitious to appear with such imposing pomp and magnificence as might dazzle the English envoy, and impress him with exalted ideas of the rank and power of the personage with whom he was about to treat. In the meantime, Davison, acting under the instructions of Walsingham, was busily employed in Scotland, in secretly plotting the downfall of Arran, and in organising a party in favour of the exiled noblemen. He was even labouring to seduce the Governor of Edinburgh Castle to betray his trust by delivering up that important stronghold to the Queen of England. At the same time, Colville was not less busy in London. In conjunction with Elizabeth, with whom he had frequent private interviews, he was concerting plans to secure the triumphant return of the banished lords, and endeavouring to induce the Hamiltons to join them in making a sudden irruption into Scotland, for the purpose of seizing Arran or putting him to death, compelling the king to renounce the French alliance, and thus paving the way for the restoration of English influence.

Conference between Hunsdon and Arran.

The arrangements for the conference having been at length completed, Hunsdon and Arran met on the 14th of August, at a place called Foulden, near Berwick. Arran made his appearance with a display of grandeur and pomp more befitting a sovereign prince than a minister. He was attended by a splendid retinue of five thousand horse, and accompanied by five privy councillors. The conference was held between Hunsdon and Arran alone, and lasted for five hours—the five councillors being left waiting without, like menials, during the whole of that time. The obsequious deference paid to the haughty upstart by these attendants, some of whom belonged to the highest rank of the ancient Scottish nobility, astonished Hunsdon, who, in a letter addressed to Burghley, remarked that their demeanour rather resembled that of servants than of fellow-councillors. Arran, at the commencement of the conference, solemnly renewed his professions, previously made to Davison, of inviolable attachment to the English interest, and assured Hunsdon that no step should be taken by the king which might tend to disturb the peaceful relations of the two kingdoms. But though Hunsdon, in return, courteously promised on behalf of Elizabeth that the exiled nobles should be removed into the interior of the country, to prevent their occasioning uneasiness to the king or his government by their intrigues, yet, in obedience to the command of his mistress, he complained that James had, contrary to his promises, been courting an alliance with France, had ceased to cultivate amicable relations with England, and treated with unkindness and ingratitude his royal relative, the English queen, to whom he had been so much indebted. In proof of this, he referred to his holding intercourse with the Pope, his tolerating the dark machinations of Jesuits within his dominions, his projected "association" with his mother, his banishment of the noblemen most favourable to the interests of England, and the want of due respect which had in several instances been manifested towards her majesty's ambassadors. He concluded by expressing on the part of his mistress a hope that Arran would now, agreeably to his own professions, counsel the king to adopt a course of policy tending to establish a close and lasting amity between the two kingdoms, and, in accordance with this, to restore the banished lords.

Arran, in reply, promised to employ his utmost influence in counteracting French intrigue and promoting amity with England. He denied that the king had held any secret intercourse with the Pope, or that he was aware of any Jesuits being within the kingdom; and affirmed that, if he had ever entertained, he now abandoned the intention of forming the "association" with his mother. He vindicated, however, the conduct of the king with respect to some of the English ambassadors, on the ground that they had been sowing sedition and encouraging—nay, actually plotting—rebellion. With regard to the restoration of the exiled lords—a subject on which Arran, for obvious reasons, felt painfully sensitive—he expressed his astonishment that the queen should intercede for such manifest traitors, and would give no assurance that he should employ any influence on their behalf.

The marriage of the king was known to be a matter regarding which Elizabeth, who naturally dreaded the consequence of an alliance with a French princess, felt not a little uneasiness; and Arran, anxious to prove his devotion to her service, adroitly availed himself of this circumstance, by promising to keep James from marrying for three years, under pretence that the queen had in view for him a partner of the royal blood, who would then be marriageable, and on his union with whom she would declare him heir to the throne of England.

The two ministers, having finished their long conference, returned to their companions out of doors, when Arran, who, as well as Hunsdon, appeared to be in uncommonly good humour and

* MS. Letter, State Paper Office, Walsingham to Davison, 2nd July, 1584; Tytler, vol. viii. p. 192.

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high spirits, turning to the Scottish lords, said—"Is it not strange to see two men accounted so violent and furious as we two are, agree so well together—I hope to the contentment of both crowns and their peace?" * The irritability of temper ascribed by Arran to himself and Hunsdon seems indeed to have formed a prominent feature in their characters, for at that time they had the unenviable reputation of being the proudest and most irascible noblemen in their respective countries. It would appear that their unusual complacency on this occasion had its source in private gratification rather than in the successful issue of their public mission. Hunsdon and Burghley had formed the project of bringing about, through the intervention of Arran, a marriage between the young king and a niece of Hunsdon, whose family, as he was cousin to Elizabeth, was consequently of royal blood.† This secret transaction gave great offence to Walsingham, who seems ever afterwards to have regarded his brother minister with more or less distrust. ‡

A short time previous to this, the Master of Gray, a young nobleman just returned from his travels, had been introduced to the notice of the king. He is described as a person of most prepossessing exterior, elegant manners, and insinuating address, but of a thoroughly base and treacherous disposition. He was moreover inordinately ambitious, and was already deeply versed in the mystery of court intrigue. During a residence in France he had been admitted to court, and had attracted the favourable notice of the Duke of Guise, by whom he had been employed as a confidential agent in his secret negotiations with the Queen of Scots, to whose cause he professed an ardent and devoted attachment. His external qualifications soon made a deep impression on the susceptible mind of the young king; and as he rose into favour, he began to excite the jealousy of Arran, who, in order to get rid of a person who might ultimately prove a rival, pointed him out to James as the most fitting person in the kingdom to be sent as ambassador to the court of England.

Gray, who formed part of the suite of Arran, was after the conference introduced to Hunsdon, to whom he presented a confidential letter from the king, relating to the intrigues and conspiracies by which the government of Elizabeth had been so frequently disturbed. In addition to this, Gray informed him that he had an important communication to make, but which he must solemnly pledge himself to conceal from every human being with the exception of the queen: this was, that the king intended shortly to dispatch him to Elizabeth with some ostensible message, to prevent suspicion, but in reality to disclose to her all the secret intrigues and machinations of Mary. Unfortunately, with these Gray was too well acquainted. The captive queen, confidently relying on his hypocritical professions of devotion to her interest, had been induced in the course of their secret correspondence to open too freely to him her own projects and those of her friends, and the means by which they hoped to carry them into effect. It is not easy to find language to characterise the base and unmanly perfidy of the wretch who laboured to gain the confidence of the unhappy queen only to abuse it, and who was now prepared for his own sordid ends to reveal all her secrets to her bitterest enemies. And what shall be said of the unnatural conduct of James, who so far forgot the duty of a son and the dignity of a king as to concur with this vile caitiff in betraying his mother? Hunsdon did not keep his promise, but the very next day communicated the whole matter in a private and confidential letter to Burghley, without which we should have had no information of this dark transaction. "Now, my lord," he says, "for the principal point of such conspiracies as are in hand against her majesty, I am only to make her majesty acquainted withal by what means she shall know it—yet will I acquaint your lordship with all. The king did send the Master of Gray at this meeting to me, with a letter of commendation, under the king's own hand, whom he means presently to send to her majesty, as though it were for some other matters; but it is he that must discover all these practices, as one better acquainted with them than either the king or the earl (but by him).* He is very young, but wise and secret, as Arran doth assure me. He is no doubt very inward with the Scottish queen and all her affairs, both in England and France—yea, and with the Pope, for he is accounted a papist; but, for his religion, your lordship will judge when ye see him; but her majesty must use him as Arran will prescribe unto her, and so shall she reap profit by him. * * * I have written to Mr. Secretary [Walsingham] for a safe-conduct to him; but nothing of the cause of his coming, but only to her majesty and to your lordship. If Mr. Secretary be slow for this safe-conduct, I pray your lordship further it, for the matter requires no delay." †

Return of Arran.

Elated with the successful issue to which he believed matters had been brought by the conference, Arran now returned in triumph to the capital, and again placed himself at the helm of the state. Shortly before his departure for Foulden, he had detected the intrigues of Davison with the captain of the Castle of Edinburgh, for the delivery of that important fortress into the hands of the English. To prevent such attempts in future, and at the same time to add to his already exorbitant power and influence, he now determined to become master

* MS. Letter, State Paper Office, Sir Edward Hoby to Dr. Parry, 15th August, 1584; Tytler, vol. viii. p. 196.

† MS. Letter, State Paper Office, Hunsdon to Burghley, 1st October, 1584; also MS. Letter, State Paper Office, Davison to Burghley, 27th July, 1584; Tytler, vol. viii. p. 197.

‡ MS. Letter, State Paper Office, Walsingham to Davison, 12th July, 1584; Tytler, *ut supra*.

* Sic in original.

† MS. Letter, State Paper Office, Hunsdon to Burghley, 14th August, 1584; Tytler, vol. viii. p. 199.

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of the castle himself.* Accordingly, dismissing the governor and his subordinate officers, he filled their places with his own dependents and followers, compelled Sir Robert Melvil, who had the custody of the crown-jewels and wardrobe, to surrender the keys to him, and taking possession of the royal apartments, appropriated them as a residence for himself and his household.† He had now under his command four of the strongest fortresses in the kingdom—Dunbarton, Stirling, Blackness, and Edinburgh; his wealth, acquired by forfeitures and otherwise, was enormous; he had monopolised in his own person nearly all the high offices of the state; the king was in a great measure a tool in his hands, and none could find access to his presence without Arran's permission. Such an extraordinary course of fortune inflamed the natural arrogance and presumption of the favourite to an intolerable degree. He assumed the consequence and state of a prince, and actually asserted a right to kingly dignity. Pretending that he was a lineal descendant of Murdoch, Duke of Albany, he even boasted that his title to the throne of Scotland was preferable to that of the king himself. Such was the eagerness with which he embraced every opportunity of gratifying his inordinate pride, that on his return from the conference, he caused himself to be saluted with a discharge of cannon from the batteries of the castle—a mark of distinction that had hitherto been reserved exclusively for the king or the regents, or for announcing the assembling of parliament. This audacious arrogance excited in the minds of men of all classes mingled emotions of disgust and indignation, while the recollection of Arran's previous abuse of power filled them with apprehension for the future. No protection from his intolerable tyranny and oppression was to be expected from the king, no redress of wrong and outrage from the administrators of the law. Even parliament, which ought to have defended the rights of the people whom it professed to represent, had become in the hands of Arran little more than a state engine for executing his nefarious projects. All was at his mercy—he, in fact, was the state. It is not surprising, therefore, that as summonses were now issued for the assembling of the Estates, consternation and alarm spread like an epidemic throughout the kingdom: proscriptions, forfeitures, imprisonments, exile, and the scaffold, and every imaginable form of lawless and violent misrule, were expected once more to afflict the nation. Nor were these fears chimerical. Overawed by Arran and his wife, who was as notorious as himself for ambition and overbearing arrogance, parliament obsequiously passed, without the formality of discussion, such acts as were dictated to them by the imperious minister.‡ In this parliament not fewer than sixty persons were subjected to the sentence of forfeiture, including the Earls of Angus and Mar; the Countesses of Mar, Gowrie, and Cassilis; the Master of Glammis, and others.* An act was also passed ordaining all ministers, readers, and masters of colleges, under pain of losing their stipends, within forty days to subscribe the act of parliament acknowledging the king's power over all estates, spiritual and temporal; and, further, to submit to the jurisdiction of their ordinary bishops; with certification to such as should not comply within the specified time that they should not afterwards, though willing, be allowed to do so.† An instance of unmanly cruelty on the part of Arran, which took place on this occasion, deserves to be recorded. As the king, attended by the lords, was walking in pompous procession to the Tolbooth, where the parliament was to assemble, the unfortunate Countess of Gowrie presented herself before him on her knees, and with tears entreated for grace to herself and her four children, who had never offended his majesty; but Arran, who walked beside the king, hastily drew him away, pushed aside and threw down the weeping lady, and actually trod upon her, leaving her, much injured, in a swoon on the street.‡

Meeting of parliament.

The parliament was no sooner dissolved than Arran and his accomplices, armed with the acts which had just been passed, proceeded to gratify their avarice in the work of confiscation, and their ambition in the ruin of their adversaries. But Arran was not satisfied with the simple administration of the laws, however oppressive these might be, and even though framed under his own direction. The forfeiture of the Earl of Angus had been decreed, but Arran thirsted for his blood; and, in conjunction with Montrose, now concocted a plot for the assassination of that nobleman. Of this scheme there is too much reason to believe that the king himself was at least cognisant, if not also participant. Angus, though an exile in England, still continued to exercise a great influence in Scottish affairs, and was particularly obnoxious to James, on account of his rigid adherence to the Presbyterian form of worship, and his determined opposition to the king's efforts for the introduction of episcopacy. It was accordingly resolved to employ means to get rid of this formidable opponent, and Arran and Montrose were not long in finding a willing instrument for the accomplishment of their dark design. John Graham of Peartree had long had a deadly feud with Angus, on account of the execution of Robert Graham, one of John's near kinsmen. This circumstance being known to Montrose, he communicated his purpose to the Laird of Cleugh, one of his dependents, who dispatched a boy named Monse to Graham, desiring him to come to Edinburgh. Graham obeyed, and on his arrival was entertained with much festivity by Montrose and Arran for several weeks, during

Plot for the assassination of Angus.

* MS. Letter, State Paper Office, Walsingham to Davison, 12th July, 1584; and ibid., same to same, 13th August, 1584.
† MS. Letter, State Paper Office, Davison to Walsingham, 16th August, 1584; Tytler, vol. viii. p. 203.
‡ MS. Letter, State Paper Office, Davison to Walsingham, 24th August, 1584.

* Calderwood, vol. iv. p. 198.
† Ibid. ‡ Ibid.

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which many jests passed between him and these noblemen regarding his feud with Angus. At length they had him conveyed to Falkland, where the king was then residing; and there, in an outer chamber of the palace, the two earls and the king urged him to avenge the blood of his kinsman by putting Angus to death, and proposed to him at the same time to assassinate the Earl of Mar and the Abbot of Cambuskenneth. So far as Angus was concerned Graham agreed to their proposal without hesitation, provided the king would reward him handsomely. James answered that he would presently give him sixty French crowns, and would afterwards bestow upon him and his heirs a considerable piece of land lying near Montrose. With regard to Mar and Cambuskenneth, Graham, having no feud with them, would not on any terms agree to become the instrument of their destruction. At the close of this interview, Montrose presented Graham with a gun, or "short riding-piece," as it is described by Calderwood, and promised to send him the crowns by the Laird of Cleugh.* That such an atrocious felony should have been planned by the sovereign, in conjunction with the first minister of the crown, seems to us, who happily live in a different age, almost incredible; but, besides that the fact is established by evidence too strong to admit of disbelief, it is quite in keeping with the low standard of morality and the reckless disregard of human life which prevailed among the Scottish nobility at this period. This dark project, however, was providentially frustrated. As Graham was observed lurking suspiciously about the neighbourhood of Newcastle, he was arrested; and, having been brought before Lord Scrope for examination, he not only confessed his wicked intention, but gave a minute and circumstantial account of his dealings with the king, Arran, and Montrose and his confederates. Scrope immediately transmitted information of this discovery to Walsingham,† who judged it prudent in the meantime to divulge it to none except Angus and Mar, to whom it might serve as a salutary warning.‡

Rapacity and violence of Arran.

In the meantime, Arran continued his career of lawless rapacity and revenge. Not contented with the revenues derived from the high offices of the state with which he was invested, and the vast territorial wealth which he had acquired, he imprisoned the Earl of Atholl because he refused to divorce his wife, a daughter of the Earl of Gowrie, and to entail his estates on him. He required Lord Maxwell to exchange part of his hereditary estate for the lands of Kinneil, which had come into his possession by the forfeiture of the Hamiltons, and which he consequently held, as he was aware, by no very certain tenure; and because Maxwell naturally refused compliance with such an unreasonable demand, Arran contrived to revive an ancient feud between him and his hereditary rival, the Laird of Johnston, and artfully to place them in such circumstances of antagonism, that, had it not been for an outbreak of the plague, which occurred at that time, the whole district would probably have been involved in civil war. In defiance not only of justice, but of common decency, Arran further committed to prison Lord Home and the Master of Cassilis—the former because he refused to give up the lands of Dirleton, which lay contiguous to part of Arran's property, and the latter because he would not lend him a sum of money.

These flagrant acts of injustice and oppression rendered Arran universally detested; but his bold defiance of public opinion was manifested by proceedings still more flagitious. David Home of Argaty and his brother Patrick were, at his instigation, or perhaps more properly by his express command, tried, condemned, and executed, on the charge of corresponding with rebels, simply because they had received letters from some of the banished lords, though these communications were proved to relate to matters of private business. About the same time, John Cunninghame of Drumwhassel and Malcolm Douglas of Mains, two gentlemen of fortune and respectability, having fallen under the suspicion of the tyrant, were arraigned on a charge of treason, in having conspired to seize the person of the king when on a hunting expedition, and to deliver him into the hands of the exiled lords, who were preparing to cross the Borders. Only one witness appeared against them; and, although in their defence they fully established their innocence, and even proved that, under the circumstances, the commission of the crime was impossible,* they were nevertheless found guilty, condemned, and put to death as traitors.

These iniquitous proceedings against his opponents amongst the laity, Arran now followed up by an attack on the ministers of the Church. He issued a proclamation commanding all ministers to deliver up the rentals of their benefices, and ordained that none should receive stipends except such as had signified their adherence to the acts for the abolition of Presbyterianism and the establishment of Episcopacy. Many of the clergy resisted this demand, and were ordered to quit the kingdom within twenty days; but, at the same time, were prohibited from seeking an asylum among their exiled brethren either in England or Ireland.† Notwithstanding this cruel order not a few of the recusant ministers, rather than abandon their flocks, chose to remain; and, though at the peril of their lives, denounced the late acts from the pulpit and avowed their resolution not to obey them.‡

* Calderwood, vol. iv. p. 240.

† MS. Letter, State Paper Office, B C, 22nd December, 1584, Scrope to Walsingham.

‡ Ibid., "For the matter of Peartree, I have kept the same secret, saving to the Earls of Angus and Mar, who, I trust, will use it as the same behoveth." Tytler, vol. viii. p. 206.

* Calderwood, vol. iv. p. 363.

† MS. Letter, State Paper Office, Davison to Walsingham, 16th August, 1584; Tytler, vol. viii. p. 267.

‡ Ibid., p. 208.

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Elizabeth, having now maturely considered and fully arranged her plans of double policy regarding the affairs of Scotland, was prepared to act, on the shortest notice, as circumstances might seem to warrant. She had maintained a close correspondence with the banished lords, she had professed an ardent interest in their cause, and encouraged them with promises of support when the time for action should arrive. Angus, Mar, Glammis, Lord Arbroath, the head of the house of Hamilton, and other noblemen, with their retainers, as well as the exiled ministers, were now at her command; and held themselves in readiness, the moment she should give the signal, to burst across the Borders, secure the person of the king, and overwhelm his obnoxious minister in merited ruin. She had, moreover, resumed her pretended negotiations with Mary; and, by holding out to her a delusive prospect of freedom, had induced her to make offer of such concessions and sacrifices that even Walsingham, with all his characteristic caution, advised that her offer should be accepted. Worn out with long confinement, and broken down by multiform cares and sorrows, she was now content to resign the government into the hands of her son, if she were only allowed her liberty and the undisturbed exercise of her religion.

In this position of affairs, Elizabeth now awaited with impatience the arrival of the Master of Gray as ambassador from Scotland, as upon the result of his mission her policy at this crisis would, she felt, in a great measure depend. She had in turn flattered and encouraged all parties, and she was now ready, without compunction, to sacrifice such as she should find unadapted to her purpose. Of the treachery of Gray, Mary had received some intimation from Fontenay, the French ambassador, and had in consequence expressed some suspicion of his fidelity. At this Gray, with impudent hypocrisy, pretended to take great offence; and, before proceeding on his embassy, wrote to her affecting the indignation of injured innocence, and protesting that he considered the course he was now following as the best for her interest. He thought it politic, in order to prevent suspicion, that the king should abandon "the association," and negotiate with Elizabeth solely for himself; and having thus gained the confidence of Elizabeth, he might be able successfully to use his influence to procure the liberation of his mother. Mary, however, was not thus to be deceived; she immediately and indignantly replied, that such a proposal could only emanate from one who was her enemy, and that as such she should in future regard him. On this Gray took occasion entirely to break with the poor captive queen, wrote to her in disrespectful and angry terms, and forthwith set off for England to consummate his villainy.* He halted at Berwick, where he held a conference with Hunsdon, and, contrary to the express injunctions of the king and Arran, who ordered him to communicate his secret instructions to Burghley alone, he insinuated himself into the confidence of Hunsdon by disclosing the whole to him. He informed him that he was commissioned to insist on the banished lords being either delivered up, or denied any longer an asylum in England, and that on the queen's complying, or promising to comply with this demand, he was ready in return to give her such information regarding all the plots recently concerted against her person and government, whether by France, Spain, the Queen of Scots, or the Pope, as should enable her to traverse all their machinations, and avert the intended mischief.*

Arrival of the Master of Gray at the English court.

Having arrived in London, he was very soon admitted to an audience with Elizabeth, to whom he communicated the objects of his mission as he had represented them to Hunsdon. That he was well acquainted with the secret machinations of the Scottish queen and her friends, both at home and abroad, the unbounded confidence reposed in him by Mary, and the active part he had taken in these machinations, leave no room to doubt; and that he was therefore in a position to render most important service to the English queen is certain.† To the surrender or expulsion of the banished lords, in return for which this service was offered, he annexed other two conditions—that Elizabeth should break off all treaty with Mary, and that she should make an annual grant to the king of a considerable sum of money. To induce compliance with these proposals, he represented to her that James entertained the most implacable hostility against the exiled nobles, whom he believed to be at that very time plotting against his person and government; that the liberation of the Queen of Scots would be attended with great danger both to her majesty and to the king his master; that the proposed "association" with her son was fraught with still greater peril to Elizabeth, who ought, therefore, to pursue such a line of policy as should tend to separate their interests; and, finally, that James was so wretchedly poor that he was likely to fall into the arms of France, unless her majesty should outbid that power in the largeness of her munificence. But in duplicity, selfishness, and perfidy, Gray was almost a match even for Elizabeth herself, who was the very impersonation of these base qualities. He had been commissioned to the English court in the interest of the king and Arran, his minister, but he was as ready to prove false to them as he had been to betray the unfortunate queen. He had two objects of his own in view—to procure the downfall of Arran, and to advance himself in the favour of Elizabeth; and for the attainment of these he was willing to sacrifice every object he had been sent to promote. He cordially hated Arran as a rival, even more than on account of the odious qualities of that minister, and artfully endeavoured to undermine his credit

* Papers of Master of Gray, Bannatyne Club, pp. 30—37.

* Hunsdon to Burghley, 19th October, 1584, Papers of Master of Gray, p. 13.

† Ibid.; Tytler, vol. viii. pp. 212, 214.

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with the English queen. He represented to her, that in order to counteract the dangerous influence of Mary and her friends, it would be wise policy to labour to secure the establishment of an administration in Scotland, under the guidance of a minister inimical to that princess, and hinted that Arran was so venal that his professions of hostility to Mary and of devotion to her majesty could not be relied on; but he added that he, the Master of Gray, already stood so high in the estimation of the king that, if backed by the powerful support of Elizabeth, he would undertake to supplant Arran in the royal favour, drive him from power, and so to manage the young king as to bring about an indissoluble league between the two countries, procure the recall of the banished lords, and effect a complete separation between Mary and her son.

While detesting the treachery, it is impossible not to admire the consummate art displayed by this ingenious villain in making this proposal. He was aware that Arran had never been trusted by Elizabeth, and that though for the present she flattered his vanity by her condescension, and cajoled him by a specious appearance of favour, she would rejoice at his downfall. He knew that she was anxious for the return of the banished lords, and that she would be glad of any pretext for breaking off her insincere negotiations with Mary; and he calculated that, if he could only persuade Elizabeth of the possibility of attaining these objects by his means, his exaltation to the place and power now possessed by Arran was certain. Elizabeth listened to these overtures with much pleasure, especially as by the plan proposed the odium of disappointing the hopes she had so cruelly excited in the mind of the Queen of Scots would then be transferred from herself to the young king; and as she was anxious for an alliance with Scotland, having for its basis the defence of both kingdoms against the hostile attempts of the Roman Catholics of the continent—an alliance consequently in which the captive queen could not be included.

The negotiations with Mary were still pending, when a circumstance occurred which fully opened the eyes of Elizabeth to the plots which the Romish party throughout Europe were concerting against her. Creighton, a Jesuit, and a Scottish priest named Abdy, being on their voyage from Flanders to Scotland, were captured by a Danish corsair, and delivered up to Walsingham. During the chase which preceded their capture they had hastily torn up their papers and cast them into the sea; but the wind having blown them back into the ship, the fragments were collected, and having been carefully put together again, were found to contain a plan for the invasion of England by Spain and the Duke of Guise. Under the influence of the torture, Creighton made such disclosures as excited universal alarm among the Protestants throughout the kingdom. It appeared that a formidable conspiracy, under the name of the "Holy League," had been entered into by the Pope, the King of Spain, and the Guises, for the purpose of extirpating Protestantism throughout Europe; and that England, which was considered its stronghold, had been selected as the first object of attack. To oppose this powerful confederacy, Elizabeth proposed a combination of all the Protestant princes in a league for their common defence, and with this view dispatched ambassadors to Denmark and Germany. At the same time, such was the excitement among the Protestant party at home, that an association was formed throughout the kingdom for the protection of the royal person and government; and the members pledged themselves to pursue to the death all who should make any attempt against the life of the queen, as well as the person on whose behalf such an attempt should be made.* This association, which was first projected by Leicester, was eagerly joined by persons of all ranks; and in a parliament which was now held, its objects and constitution were approved and legalized. An act was at the same time passed providing that, in the event of any enterprise against the life of the queen being attempted *by* or *for* any person claiming a title to the succession at her death, it shall be lawful for her majesty to constitute a court by a commission under the great seal for the trial of such offences, and with authority to pass sentence upon the parties implicated. And further, in the event of a sentence of "guilty" being pronounced, it was ordained that "*all persons*" against whom this sentence should be passed, should be excluded from all right of succession to the crown, and should be liable, together with their aiders and abettors, to be prosecuted to the death by her majesty's subjects.†

Popish league.

These measures greatly alarmed the captive queen, who at once saw that she was the person against whom they were principally aimed, and regarded them as designed to pave the way for at last depriving her of life, as she had been so long deprived of liberty. She had shortly before been transferred from Sheffield to Wingfield Castle, and from the custody of the Earl of Shrewsbury to that of Sir Ralph Sadler and Lord Somers. To testify her abhorrence of any attempt being made in her name, or on her account, on the life of Elizabeth, she proposed to sign the bond of the Association; but her signature being declined, she had a similar declaration drawn up, which she signed for herself alone. Learning that the Master of Gray had been employing means to separate her interests from those of her son, she wrote to him to be cautious lest he should injure the title which her son held from her, adding that she intended "to leave him all the government, only reserving to herself the authority due to a mother, as her misfortunes and cares had made her lose all taste for the rest."‡

While the country was agitated by the discovery

* Camden, vol. ii. p. 418; Lingard, vol. viii. p. 172.
† Carte, vol. iii. p. 587.
‡ Labanoff, vol. vi. p. 71.

of the great Catholic conspiracy, which seemed threatening to involve civil and religious liberty in one common ruin, to roll back the tide of time, and to re-introduce the darkness and despotism of former ages, the life of the queen was in imminent peril from another quarter. A Welshman named William Parry, a doctor of laws, and a member of the House of Commons, had formed the resolution of taking away the life of his sovereign, and had been for some time watching an opportunity of effecting his purpose, when his design was fortunately detected. Not a little mystery hangs over this affair, and the accounts given of it by historians are inconsistent and contradictory. It is said that he had acted as a secret agent of Walsingham, and in that capacity had visited Italy and France, and had mingled much with the English and Scotch refugees in those countries. While there he had become reconciled to the Church of Rome, and was desirous of evincing the sincerity of his new-born faith by perilling his life in this unhallowed enterprise. He was probably strengthened in his determination by a book which about this time was published by Cardinal Allen, with a view to prove that it was not only innocent but meritorious to put to death an excommunicated heretic; and, according to his own account, he was urged to the commission of the deed by the Nuncio Raggazoni, Cardinal di Como, the Roman Secretary of State, and the Pope himself, who encouraged him by the grant of a plenary indulgence. He was further instigated by the Jesuits, both at Venice and Paris, and animated by the approbation of the English exiles. He had frequent access to the queen, but had hesitated to embrace the opportunities thus afforded him. His design at last was divulged by another agent of Walsingham's, named Neville, the only man in England to whom he had confided the dreadful secret. He confessed his guilt, but pleaded his former services in mitigation of punishment. He was nevertheless put to death in a shocking and barbarous manner, having been disembowelled while still alive.*

It may be easily imagined that the discovery of this premeditated treason tended greatly to intensify the excitement of the public mind, as well as the apprehensions of Elizabeth, at this alarming crisis. She was consoled and gratified, however, by the affectionate loyalty of her subjects in forming the association for the protection of her person, and thus felt sufficiently secure to follow the counsel given her by the Master of Gray. She now determined to lend her aid towards undermining Arran, as a preliminary to the return of the banished lords; she suspended her negotiations with Mary, and had her removed from Wingfield to the fortress of Tutbury; and she appointed Sir Edward Wotton as ambassador to Scotland, in room of Davison, whom she had recalled.

The ostensible object of Wotton's embassy was to prevail on James to join the Protestant league. Its secret purposes were—first, the overthrow of Arran; and, secondly, the re-establishment of the English influence in Scotland on a firm and enduring basis. Great caution was to be employed in labouring to effect these objects. He was instructed to ingratiate himself with the noblemen opposed to Arran, to endeavour to gain their confidence, and to assist to the utmost of his power in promoting their designs. With regard to the second of these aims, the ambassador was instructed to make no direct or formal overture to the king, but artfully to endeavour to win his affection as an agreeable companion; to throw him off his guard by seeming to enter cordially into his amusements; to flatter him by appearing to share in his caprices; and then to seize every opportunity, indirectly, and as it were incidentally, to give his mind a bias in the required direction.

Perhaps no man in the kingdom was better adapted to such a mission than Wotton. He is described as a person of insinuating address and polished manners; he was affable, sprightly, and entertaining; and concealed a subtle and intriguing spirit under the mask of the easy and careless gaiety of a man of fashion. He had travelled much, and, being an acute observer of men and manners, his mind was furnished with a large store of humorous observations and amusing anecdotes. He excelled in all the sports of the field and other pastimes to which James gave up so large a portion of his time; and being furnished with the appropriate present to the young monarch of eight couples of the best trained and fleetest hounds, and some choice horses, it was expected that he would be welcomed as a most agreeable associate.

The Master of Gray now returned to Scotland, intent on the prosecution of the base project on which he had so successfully entered; and the king and Arran, unconscious of the perfidious manner in which he had betrayed his trust, thanked him for the success with which he had managed to carry through the object of his mission.* At the same time, Elizabeth did not fail to play her part in this drama of elaborate treachery. While actually occupied, in conjunction with Gray, in an attempt to compass the overthrow of Arran, and bring about the restoration of the exiled lords, she wrote to the former in flattering terms, and ordered the latter to withdraw from Newcastle into the interior of the country.† Meanwhile Gray laboured to alienate the mind of the king from his mother, and wrought so successfully on his fears and those of the council, that they unanimously resolved to abandon the project of an "association," as fraught with danger both to the youthful monarch and the country.‡ This result was of course highly

* Mignet, vol. ii. p. 249.

* MS. Letter, Master of Gray to Elizabeth, 24th January, 1584-5; ibid., Colville to Walsingham, 31st December, 1584; also Papers of Master of Gray, p. 41, Master of Gray to Walsingham, 24th January, 1584-5; Tytler, vol. viii. p. 218.

† MS. Letter, State Paper Office, Colville to Walsingham, 31st December, 1584.

‡ MS. Letter, State Paper Office, Gray (under the assumed title of Le Lievreau) to Elizabeth; Tytler, vol. viii. p. 218.

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grateful to Elizabeth, and so increased her confidence in Gray's management, that she seemed prepared to pursue any line of policy he should suggest. The more effectually to disarm all suspicion of these secret machinations, Gray now wrote to Elizabeth, entreating her for the present to appear to discountenance the designs of the banished lords, who were now anxiously awaiting her permission to cross the Borders. On becoming apprised of this apparent change of sentiment on the part of the queen, they addressed themselves in pathetic terms to Walsingham, representing that all things were in readiness for the enterprise, that their friends in Scotland were impatient for their arrival, and they now only waited for the signal from her majesty to march suddenly into Scotland, seize the king's person, and expel Arran ignominiously from his councils and from the country. To their dismay their proposal was received with coldness: they were informed that the queen, reflecting on the failure of their former attempt at Stirling, was apprehensive of a like result in the present instance, and therefore thought it better to adopt the more moderate course of mediation.*

Renewed attacks on the ministers of the Church.

The king and Arran, now relieved from all apprehensions of molestation on the part of these formidable exiles, felt themselves at liberty to renew their attacks on the Church. The ministers were everywhere compelled either to subscribe the acts of parliament establishing episcopacy, or to relinquish their charges; all communication with their exiled brethren was prohibited under heavy penalties; even to pray for them was held to be a crime, and visited with severe punishment.† In these trying circumstances the greater number seem to have submitted; among whom were John Durie, who had so long and strenuously resisted, John Brande, formerly the colleague, and John Craig, the coadjutor of Knox. Among the few who held out and braved the indignation of the court were Mr. Patrick Simpson, Mr. Robert Pont, and Mr. John Hall. The presbytery of Ayr were unanimous in their condemnation of certain parts of these obnoxious statutes, which they subscribed in this manner:—"The first act of Parliament, made in the year 1584, we approve; the third and fourth we deem as devilish, and express against God's Word." They then took instruments that they subscribed no otherwise, and were accordingly deprived of their stipends.‡ Such indeed was the distressing condition to which many of the recusant ministers were reduced, that David Hume, one of the exiles, writing from Berwick to Mr. James Carmichael, declares that his estates were forfeited, and his wife and children reduced to beggary; and yet, he added, "he might be grateful he was alive, though in exile, for at home terror occupied all hearts. No man," he concluded, "while he lieth down is sure of his life till day."*

Regardless of the odium to which these violent proceedings exposed him, and unconscious of the plot now concerted for his destruction, Arran continued to revel in his abuse of power with the most wanton license. He persecuted with relentless malignity all who were connected with the exiled lords; in gratification of his cupidity and of his revenge against all who dared to oppose him, law, justice, and humanity, were alike trampled under foot; while his insolent and haughty bearing to the ancient nobility, and his impatience of all rivalry in the favour of the king, rendered him at once feared and detested, and excited a universal desire for his overthrow.

Bellenden sent as ambassador to England.

Immediately after the return of Gray, James had dispatched another embassy to London, at the head of which was Sir Lewis Bellenden, the Justice-clerk. He was instructed to accuse the banished lords of participation in the conspiracy of Mains and Drumwhassel, and to demand their expulsion from England. On his arrival, the accused noblemen were brought to London, on pretence of hearing the charges brought against them; and in a conference with the ambassador, held in the presence of Elizabeth's council, they had no difficulty in completely establishing their innocence. Though sent with the concurrence, if not by the direct appointment of Arran, Bellenden was as reluctant as Gray to promote the views of that odious minister. On the contrary, he secretly consulted with Elizabeth and the banished lords as to the return of the latter to Scotland, and the means to be adopted for Arran's overthrow. It was still, however, deemed expedient to preserve appearances with Arran, until the time should arrive when the mask might be dropped with safety; and accordingly Bellenden, by desire of the queen, wrote to him in strong terms, assuring him of her continued regard. Elizabeth had little difficulty in inducing most of the Scottish courtiers to enter into her designs—a circumstance which can excite no surprise, as Arran, so far from taking pains to conciliate them, seemed to seize every opportunity to mortify, insult, and oppress them. Gray, Sir John Maitland, and Bellenden, were at this time the individuals in whom she chiefly confided. The last she had sent back to Scotland, along with Sir Edward Wotton, her ambassador.

Arrival of Wotton, the English ambassador.

Wotton having arrived in Edinburgh, was soon admitted to an audience with the king. In conformity with his open instructions, he congratulated James on his resolution to break off "the association" with his mother; thus delicately sounding him again on this important subject, and rendering it more difficult for him, if he should feel so inclined, to retract his determination. With regard to the formation of a firm league with England in

* MS. Letter, State Paper Office, Walsingham to Colville, 10th January, 1584-5.

† Spottiswood, p. 336.

‡ Calderwood, vol. iv. p. 351.

* MS. Letter, Calderwood, British Museum, Ayscough, 4736, fol. 1528.

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defence of the Protestant cause, he found the king, in common with the bulk of the nation, inclined to enter warmly into that measure. A convention of the Estates was accordingly held at St. Andrew's, which was opened by the king with a speech of considerable length and ability, in which he described the popish league as "the confederating together of all the bastard Christians in a league which they term holy, albeit it be most unholy in very truth, for the subversion of the true religion in all the realms throughout the world." He set forth in strong terms the necessity of uniting all princes professing the Protestant faith in a counter-league for their mutual defence; and concluded by laying before the convention "a form of act to be subscribed by them, wherein they promised to ratify and approve in parliament whatever he or any in his name should conclude with the Queen of England, or any in her name, for the making and effectuating of the aforesaid league." This act, which was unanimously adopted and signed by the convention, concludes in these words:—"Wherein we do fully consent the league be defensive and offensive; and do solemnly avow, in quarrel and maintenance thereof, neither to spare lands, lives, goods, nor gear, or whatsoever it hath pleased God to grant to us. In witness whereof, in presence of his highness, we have subscribed these presents with our hands. At St. Andrew's, the last of July, 1585." * The complete success of Wotton in this object of his mission has been in part ascribed by Robertson and other historians to the promise of a pension, which he was authorised to hold out as an encouragement to James, whose necessitous circumstances rendered any aid of this description peculiarly acceptable.† It does not, however, appear necessary to lay much stress on this motive, if we consider the alarm naturally produced by the rapid progress of the formidable confederacy of popish princes against Protestantism, and their "full intent to prosecute their ungodly resolution with all severity, not only in their own estate and dominion, but also in other kingdoms, where they [could] pretend no lawful power nor authority to deal."‡ The amount of the pension was five thousand pounds annually—a sum at that period far from inconsiderable; yet Wotton was instructed by Walsingham not rashly to name the exact amount, lest the smallness of the sum should do more harm than good.§ The donation, if considered small, was probably rendered more palatable by the fact, which Wotton took care to mention, that it was the same sum allowed to Elizabeth by her father before she ascended the throne. The ambassador was also entrusted with a commission of a more delicate nature. The subject of James's marriage, regarding which however nothing had been as yet definitely fixed, was a source of no little anxiety to Elizabeth. She was in dread lest he should form an alliance that would enable him to escape from her control, or to obtain a dowry which should render him independent; and having learned that an embassy was about to proceed from Scotland to Denmark, Wotton was instructed to ascertain its object, and, if that should turn out to be any matrimonial scheme, he was ordered to do his utmost to throw obstacles in the way. He was also to seize any favourable opportunity that might occur to sound the king himself on this matter, and endeavour to elicit his sentiments regarding the daughter of the King of Denmark, by alluding to her in his presence. With reference to the banished lords, he was instructed to inform the king that Elizabeth considered his resentment against them as excessive and indefensible; that Arran had accused them of a conspiracy against his life, and that, still more recently, a similar charge had been brought against them by Bellenden; but that, on investigation, both stories turned out to be so destitute of evidence and even probability, that she considered them as mere inventions contrived for some sinister purpose.*

But, besides these open instructions, the ambassador had as usual a secret commission, requiring for its management a rare combination of caution, cunning, and dexterity. This was no other than the ruin of Arran, who still continued to be cajoled into the belief that he stood high in the confidence and favour of the English queen. In reality, however, Elizabeth had ceased to expect any great advantage from his attachment to her interest, even if that attachment could be relied on; and she was now prepared, in conformity with her premeditated policy, to cast him off as a tool no longer fit for her purpose. The plot for his overthrow had been contrived by Gray while in London, with the help of Walsingham, and the full knowledge and concurrence of Elizabeth, who further had prevailed on Bellenden to become a party to its execution. On Wotton's arrival he found Gray and his coadjutors deeply occupied in maturing the plan of the conspiracy, which had already advanced so far, and was regarded with such confident anticipations of success, that they were anxiously deliberating in what manner they should dispose of their victim when he should fall into their hands—whether they should get rid of him once for all by assassination, or content themselves with driving him from the king's councils. This question was decided by Elizabeth herself, who wrote to Gray by Wotton, recommending that the life of Arran should be spared. This advice, however, was only adopted conditionally, as appears from a letter addressed next day by Wotton to Walsingham, in which he says—"By my letter that myself did deliver to the Master of Gray from her majesty, their purpose is altered, at her majesty's request, to deal with him by violence; not-

* Calderwood, vol. iv. pp. 373—377.
† Robertson, vol. ii. p. 115; Aikman, vol. iii. p. 94.
‡ Act subscribed by the convention.
§ MS. State Paper Office, minute, Walsingham to Wotton, 23rd May, 1585; Tytler, vol. viii. p. 221.

* MS. State Paper Office, Instructions to Sir Edward Wotton, April, 1585; Tytler, vol. viii. p. 221.

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withstanding, upon the least occasion that shall be offered, they mean to make short work with him." * A similar reservation was made by Gray, in a letter addressed also to Walsingham, on the same day, in which he signifies his willingness to act according to her majesty's recommendation, unless his own life should be in danger. "When life is gone," he significantly added, "all is gone to me." †

Arrival of an embassy from Denmark.

About this time three ambassadors, attended by a splendid retinue, arrived in Scotland from the Danish court. The ostensible object of their mission was to demand the restoration of Orkney and Shetland to the crown of Denmark; but their secret instructions were to endeavour to negotiate a marriage between a princess of that country and the young king. They were introduced to him at Dunfermline, and received with much courtesy; and, having presented their claim, they were directed by James to remove to St. Andrew's, and there await their answer. At the same time, anxious to show them the respectful attention due to their official rank, he informed them that they should be accommodated with the use of his own horses for their journey. Arran and Wotton, however, who seem to have discovered the real object of the embassy, resolved not only to employ every means in their power to thwart it, but to take every opportunity to insult and disgust the ambassadors. Accordingly, when they were about to take their departure for St. Andrew's, Arran maliciously interfered to prevent the horses promised by the king from being brought to them; and the ambassadors, who, trusting to the royal offer, had not otherwise provided for their journey, found themselves obliged to perform it on foot. Though naturally indignant at this treatment, they remained for some time at St. Andrew's, impatiently expecting the king's answer; but though he had repeatedly fixed a day for giving them a final audience, Wotton and Arran contrived to induce him to break every appointment. In the meantime, Arran employed certain of his emissaries to watch their motions, and to mock and insult them whenever they appeared in public; while Wotton, playing a deeper game, artfully ingratiated himself into their favour by his attentions, pretended to sympathise with them on the indignities to which they had been subjected, and informed them, under a pledge of secrecy, that their king and country were spoken of by James and his courtiers in the most disrespectful and contemptuous terms. At the same time, he strove to instil into the mind of the facile monarch something of that very contempt of which he accused him. He represented the Danish monarchs as a race of traitors—men of ignoble descent and barbarous manners, and utterly unworthy of being allied by marriage to the King of Scotland, the lineal descendant of the most ancient monarchs of Europe.

The ambassadors, at last—exasperated by insult, mortified by neglect, and wearied out with delay—threatened to take their departure without receiving the king's answer, when Sir James Melvil fortunately discovered the unworthy artifices of Wotton, and hastened to expose them to the justly offended ambassadors, who were thus induced to change their determination. In the meantime, with like intent, he sought a private audience with the king, and with some difficulty succeeded in disabusing his mind of the prejudices instilled into it by the English envoy, who had so recklessly endangered the amity between the two nations by his insidious interference. He represented to James that Denmark, so far from being a semi-barbarous state, had already formed amicable relations with many of the continental powers; that great honour had been done to him by the splendid embassy which he had undervalued and misused; and that the royal family of Denmark actually stood in near relationship to himself. The explanations of Melvil had the effect of undeceiving the mind of the king; he now clearly saw that he had been misled, commended Melvil's discretion in putting the matter in its proper light, and said he would not for his head but that the truth had been shown him. Having mollified the ambassadors by a somewhat more respectful treatment, and given them an agreeable, if not a satisfactory answer to their message, he courteously dismissed them.

Though Wotton's ostensible mission was now at end, he continued to prolong his stay at the Scottish court; and while apparently wholly immersed in festivity and amusement, he was intent on seizing every passing occasion of influencing the mind of the king, who took much pleasure in his society, and from whom he was seldom absent. At one time he would casually advert to the unhappy dissensions among the nobility, which he partly attributed to the king's protracted dislike to the banished lords; at another he would make some slight general allusion to the promised pension, and again gently drop a recommendation of an early conclusion of the league with England. On this point, indeed, James seemed inclined to go every length the ambassador could desire; and when at last the details of the treaty were submitted to him, they received his cordial and unreserved assent.*

At the same time the English envoy was eagerly, though secretly, labouring to secure the other objects of his embassy. He was in constant communication with Gray, Bellenden, and the other conspirators; and as suspicions had arisen that Arran, notwithstanding all his professions of zeal for the adjustment of the league with England,

* MS. Letter, State Paper Office, Wotton to Walsingham, 31st May, 1585; Tytler, vol. viii. p. 222.

† MS. Letter, State Paper Office, Master of Gray to Walsingham, 31st May, 1585; Tytler, vol. viii. p. 222.

* MS. Letter, State Paper Office, Wotton to Walsingham, 5th June, 1585; ibid., 7th June, 1585, Heads of the League; ibid., Walsingham to Wotton, 27th June, 1585; also ibid., Thomas Miller to Archibald Douglas, 8th July, 1585; Tytler, vol. viii. p. 223.

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was actually intriguing with France to counteract it, the question began to be entertained whether they ought not to avert the danger by at once cutting short his career. It is melancholy to be obliged to add that the assassination of Arran was at length resolved on; that Elizabeth and Walsingham were cognizant of the intended murder; and that, almost incredible as it may seem, Bellenden, the Lord Justice-clerk, and the second criminal judge in the kingdom, offered to Wotton to find a person who would perpetrate the crime, if the ambassador would assure him that Elizabeth would take the assassin under her protection. The indefatigable researches of Mr. Tytler, to which we have so often had occasion to refer, have brought to light incontestable proofs of the existence of this dark design, and of the implication in the guilt of premeditated murder of the personages we have named. This evidence is to be found in letters addressed by Wotton to Walsingham and Elizabeth, containing minute and circumstantial details respecting the proceedings and deliberations of the conspirators; "and although the letters are in many places written in cipher, and wherever the intended murder is directly mentioned the words have been partially scored out, still, fortunately for the truth, we have a key to the cipher, and the erasure is often legible."*

Plot for the assassination of Arran.

Wotton was not a little perplexed by Bellenden's proposal, for though quite willing that Arran should be put to death, and persuaded that such an event would be highly satisfactory to his mistress, he was reluctant to share either in the danger or the odium; and Elizabeth, in the exercise of a like selfish caution, had given special instructions to her ambassador not to implicate her in the transaction. It may be interesting to give some extracts from Wotton's letter to Walsingham regarding the intended murder. It will be observed that the ambassador employed certain numbers to designate the individuals whose names he was anxious to keep under a double seal of secrecy, a key to these numbers having no doubt previously been furnished. The letter describes an interview between Wotton and Douglas, Provost of Lincluden, who turned out to be the assassin provided by Bellenden, and is distinguished in this secret correspondence by the number 38.† "The Tuesday, in the morning," says the ambassador, "38 came likewise to me, that used, in effect, the same discourse that . . . . had done before, all tending to a necessity of . . . . which, for the weal of the realms, should be done, so that the doers of it have thanks for their labour. I propounded to him, whether he might not be better *discourted*‡ by way of justice. 'Yea,' quoth he, 'worthily for twenty offences; but the king will not admit such proceedings.' Then I asked if 20 [Morton] might not attempt it, seeing he was already engaged; but that, for want of secrecy, he said, and distance, was full of danger. At last, I perceived, by his speech, that himself was to do it. * * * The thing he requires, as he saith, is to have thanks for his labours, and for his good affection he bears to her majesty: and if he fortune to despatch it, that he be relieved with some money, to support him in the estate of a gentleman till he were able to recover the king's favour again; and this, I trust, quoth he, 14 [the Earl of Leicester] and 15 [Mr. Secretary] will not deny. In general speeches, I told him that your honours were personages that had him in special recommendation. * * * I told him I would make relation of this matter to your honours: and he said he would write himself to Mr. Secretary; and so praying me, if I did write aught, to commit his name to cipher, we departed."* This atrocious conspiracy was happily frustrated; but it leaves an indelible stain on the memory of all concerned.

James, who had from the first manifested a strong inclination to the proposed league with England, had now finally resolved on that important measure, and was impatient for its conclusion, when an event occurred which, though by no means uncommon in those unsettled times, threatened at first to be followed by an open rupture between the two kingdoms. At a meeting, or "day of truce," as it was then called, held on the Borders in Teviotdale, between the wardens of the Middle Marches, Sir John Foster on the one side, and Kerr of Fernyhirst on the other, a quarrel happened to arise amongst them and their armed attendants, in which Lord Russell, the eldest son of the Earl of Bedford, was slain. This broil would appear to have been purely accidental, and though it was declared to be so by Foster, the English warden,† yet Elizabeth, her secretary, and Wotton, her ambassador, feigned to consider it as a premeditated design on the part of Fernyhirst, at the instigation of Arran—whose niece he had married—for the purpose of involving the two kingdoms in war. In reality, however, the occurrence was merely laid hold of as affording a favourable opportunity of bringing Arran into discredit with the king;‡ and Foster, notwithstanding his previous declaration to the contrary, was ordered to draw up a memorandum tending to show that the attack had been preconcerted.§ On the strength of this document, Wotton accused Fernyhirst to the king of being accessory to the murder at the instigation of Arran, and demanded that both should be committed to ward.‖ James was greatly distressed at

* Tytler, vol. viii. p. 224.

† MS. Letter, Wotton to Walsingham, 9th June, 1585; Caligula, c. viii. fol. 109; Tytler, vol. viii. p. 225.

‡ Expelled from court or from the king's councils.

* MS. Letter, British Museum, Caligula, c. viii., fol. 195, Wotton to Walsingham, 1st June, 1585; also MS. Letter, State Paper Office, Wotton to Walsingham, 29th July, 1585; Tytler, vol. viii. p. 226.

† MS. Letter, State Paper Office, B C, Sir John Foster to Walsingham, 28th July, 1585.

‡ MS. Letter, State Paper Office, Wotton to Walsingham, 31st July, 1585.

§ MS. State Paper Office, B C, Sir John Foster's reasons to prove the murder of Lord Russell was intended; Tytler, vol. viii. p. 228. ‖ Calderwood, vol. iv. p. 379.

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the delay he apprehended this untoward event would occasion to the ratification of the league, which he had evidently sincerely at heart; and losing command of his feelings, he threw himself on his bed, and wept like a child, protesting his own innocence, and exclaiming that "it had not grieved him so much if ten thousand men had entered into the country and spoiled to Edinburgh."*

Wotton's demand having been warmly advocated by the Master of Gray, Arran was committed a prisoner to the Castle of St. Andrew's, while Fernyhirst, besides being placed in confinement in Dundee, was threatened with being sent to England to stand his trial. The ambassador and his associates did not fail to embrace the opportunity afforded by the absence of Arran from court, to push forward and mature their plans for his overthrow, and for the return of the exiled lords; but their progress was, in the meantime, interrupted by a new act of treachery on the part of Gray, who, in consideration of a bribe from Arran, procured his liberation from confinement at St. Andrew's, with permission to reside in his own mansion at Kinneil. The scheme devised for the overthrow of this much detested minister was thus threatened with defeat, and seemed likely to result rather in consolidating than subverting his power.†

Elizabeth was now once more immersed in a sea of troubles and perplexities. Arran it was certain had proved false, and was again intriguing with France; and her only remaining hope, the Master of Gray, could no longer be relied on, he having betrayed her by liberating Arran, after becoming acquainted with the whole of her complicated and crafty policy for the ruin of that minister. Conjoined with Gray, therefore, Arran was absolutely unassailable, no point seemed open for attack. Her crafty mind, so fertile in expedients, for once failed her; she was caught in her own net, and while she imagined herself the deceiver, she had the mortification of finding herself deceived. In this strait, relief came from a very unexpected quarter. The Master of Gray, though apparently on friendly terms with Arran, whose liberation he had so recently procured, knew well that the friendship was utterly hollow on both sides, or rather, that each was at heart the deadly enemy of the other; and now that Arran's position was strengthened by the failure of the late attempt, it was not without reason that Gray began to feel his own position far from secure. Distrusted however by all parties for his perfidy, he was scarcely less at a loss than Elizabeth what course to pursue. Under these circumstances, he thought it prudent to retrace his steps, and to fall back on an expedient which, while it seemed to offer her the only chance of safety, might be a means of restoring to him the lost favour of the English queen:—this was to unite himself with the party of the banished lords and exiled ministers, and, through their means, to effect a new revolution in Scotland. With this view he addressed a letter to Archibald Douglas, then an exile in England, who, notwithstanding the crimes by which his life had been stained, was on such terms of intimate friendship with Walsingham and the exiled lords and ministers, as to render him a fitting medium of communication with their party. To him, therefore, Gray unreservedly propounded his scheme. He proposed that Angus, Mar, and Glammis, should endeavour to adjust their differences with the Hamiltons, and unite with them in an invasion of Scotland; he assured them that if such an attempt were ever to be made, now was the time, and that there would be such a general diversion in their favour, that they would be able to muster two to one against their enemies. He promised also to lend all his influence towards the promotion of their enterprise; and hinted that he hoped to be able to find means to get rid of Arran, and that he would even make the attempt himself, if he could do it so secretly as to avoid being suspected. He affirmed that they would be joined by Bothwell and Lord Home, and he thought also by Cessford; and he concluded by assuring Douglas that if they would now come down, the king should either yield or leave Scotland.*

Proposal of the Master of Gray for the return of the banished lords.

In the meantime the king, accompanied by Wotton, had gone on a hunting expedition to Dunbarton, and thither Gray repaired, for the purpose of communicating his scheme to the ambassador. Wotton entered warmly into his views, and immediately wrote to Walsingham, giving him an account of the plot, and strongly recommending its adoption. It was, he said, the advice of Gray that her majesty, pretending to be deeply offended about the slaughter of Lord Russell, should refuse to conclude the league for the present, and should meanwhile give the exiles permission to cross the Borders; and he had the strongest confidence that with some reasonable grant of money they would, with the help of their friends in Scotland (many of whom were prepared to join them the moment they set foot on the Scottish soil), be able to seize the person of the king as well as that of his hated minister, and effect a salutary revolution in the government of the country. Gray himself, Wotton added, would give every assistance in his power; and if the project should be favourably regarded by the English court, he would dispatch a confidential friend of his and of the exiled lords to consult with Angus and the other lords about its execution; and as to the league, he would undertake to bring it to a satisfactory conclusion.†

The plot, which received the cautious approval

* Calderwood, vol. iv. p. 380.

† MS. Letters, State Paper Office, Wotton to Walsingham, 29th and 30th July, 6th, 7th, 13th, 19th, and 21st August, 1585; Tytler, vol. viii. p. 228.

* MS. Letter, British Museum, Caligula, c. viii., fol. 222, Master of Gray to Archibald Douglas, 14th August, 1585.

† State Paper Office, Wotton to Walsingham, Dunbarton, 25th August, 1585. Partly written in cipher; Tytler, vol. viii. p. 232.

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of Walsingham, was eagerly embraced by the expatriated lords and the ministers, their brethren in exile; and Lords Claud and John Hamilton, the mortal enemies of Arran, having become reconciled to Angus and his party, determined to unite with them against the common enemy. At the same time Gray, who was now energetically occupied in maturing his plot, secured a valuable accession to the party in Scotland in the person of the Earl of Morton, formerly Lord Maxwell, who held a most distinguished place among the nobility for his skill and experience in military affairs. This nobleman, who was warden of the Western Borders, had shortly before fallen under the displeasure of the king by slaying Captain Lammie, the commander of a party of the king's forces, which had been sent to the assistance of the Laird of Johnston, who had been attacked by Morton. By the advice of Arran, the king was preparing to bring a strong body of troops against Morton, whom he had determined to punish for this bold defiance of his authority,* when proposals were made to him by Gray to join the conspiracy. Influenced, perhaps, more by considerations of personal safety than any other motive, he at once embraced Gray's offer, mustered his forces, and encamped on the Borders, in readiness to join the expected invaders.† Information of this circumstance was immediately transmitted by Wotton to Walsingham, both of whom witnessed with much satisfaction the growing strength of Gray's party.‡

The final event was retarded by the apparent indifference or indecision of Elizabeth, and still more by the vigilance of Arran, and the power which, though nominally a prisoner in his house at Kinneil, he still possessed. He was in constant communication with the French government, from which he had recently received a large sum of money;§ and, in conjunction with three notorious Jesuits—Holt, Dury, and Bruce, whom he then harboured in Scotland,‖—he was intriguing to bring about the restoration of the queen and the re-establishment of popery.¶ Besides this, he was as busily engaged in forming designs against his enemies, as they were in pushing forward their plot for upsetting his government and devising schemes for taking away his life.

Of the conspiracy originated by Gray, as well as of Wotton's zeal and activity in promoting it, Arran was fully cognizant; and of this the ambassador was made painfully aware by Arran's brother, Colonel Stewart, who openly reproached him for his treachery in the presence of the king. He indignantly, and even scornfully repelled the charge, but he was not the less sensible of the dangerous ground on which he stood. He rightly considered, that with an enemy so powerful, and at the same time so vindictive and unscrupulous, as Arran, even the respect due to his official character as an ambassador would be no protection from assassination. Accordingly, he again and again wrote to Walsingham, representing that his life was in danger. "Though ye in England," he wrote from Stirling, "be slow in resolving, Arran and his faction sleep not out their time; for they are now gathering all the forces they can make, and within three or four days Arran meaneth to come to court, and to possess himself of the king, in despite of the queen of England, as he saith; which if he do, I mean to retire myself to the Borders for the safety of my life, whereof I am in great danger, as my friends which hear the Stewarts' threatenings do daily advertise me. Your honour knoweth what a barbarous nation this is, and how little they can skill of points of honour. Where every man carrieth a pistol at his girdle (as here they do), it is an easy matter to kill one out of a window or door, and no man able to discover who did it. Neither doth it go for payment with those men to say I am an ambassador, and therefore privileged, for even their regents and kings have been subject to their violence.

"This, notwithstanding, I would not be so resolute to depart, if by my tarrying I might do her majesty any service. But I find the king so enchanted by Arran, and myself so hated of him, as I cannot hope to negotiate to any purpose so long as Arran shall be in court. If the Queen of England would send down the lords, they will be able to work wonders here, and to remedy all inconvenients. If the Queen of England do it not, this country will be clean lost and all her friends wrecked. Other hope to England than in them, I see none, the king being young and easily carried, and most about him either papists or atheists."*

On the same day, in a second letter to Walsingham, the ambassador thus expressed himself: "The Master of Gray, through our English delay, findeth himself driven to a great strait; for the king presseth him greatly to meet with Arran, and threateneth that unless he do it, he shall have just cause to suspect him. But the Master assureth me he will by one means or other avoid it, and will hold good these fourteen days. Therefore what ye will do must be speedily done.

"I am not, for my own part, the greatest favourer of [violent courses], and therefore have hitherto rather related other men's speeches and opinions than given my advice. But now matters frame so overthwartly, as I must needs conclude, that no good can be done here, but by the way of . . . .;† which being used, you may bring even the

* State Paper Office, Wotton to Walsingham, 12th September, 1585.

† Historie of James the Sext, pp. 212, 213; State Paper Office, Wotton to Walsingham, 30th September, 1585, Stirling; Tytler, vol. viii. p. 233.

‡ State Paper Office, Wotton to Walsingham, 30th September, 1585, Stirling.

§ Original, State Paper Office, Wotton to Walsingham, 4th September, 1585, Stirling; also same to same, 21st August, 1585.

‖ Ibid.

¶ Original, State Paper Office, Wotton to Walsingham, Stirling, 18th September, 1585.

* State Paper Office, 22nd September, 1585, Stirling, Wotton to Walsingham.

† The word is in cipher.

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proudest of us to [cry] for *misericorde* on our knees."*

It is remarkable that, although the conspiracy was now fully organized and all the arrangements completed, and notwithstanding its existence was no secret, Gray and Wotton still continued at court, and were suffered, without molestation, to embrace the opportunities thus afforded them of penetrating the designs of the opposite faction, and holding daily communication with the other conspirators. On the 5th of October, Wotton wrote again to Walsingham, informing him that the king had determined to lead his forces in person against Morton, before the 20th of October, and that Arran was to be set at liberty and restored to court. If any attempt, therefore, he added, were to be made against Arran, there was not an instant to lose.†

Elizabeth was at length roused into action, and throwing off her assumed coldness and reserve, she ordered her ambassador to solicit an immediate audience of the king, and, in her name, to demand that Kerr of Fernyhirst, the murderer of Lord Russell, should forthwith be delivered into her hands. She of course neither wished nor expected that this demand should be complied with, but the refusal would afford a pretext for withdrawing Wotton from court, when the time should come for throwing off all disguise and proceeding to carry the plot into execution.

Return of the banished lords.

All things being now in readiness, Elizabeth at length gave the long-desired permission to the banished lords to set forward on their important enterprise. Angus, Mar, and Glammis, were then in London, attended by Mr. Andrew Melvil, Mr. Patrick Galloway, and Mr. Walter Balcanquel; but before setting out on their journey, they engaged in a solemn exercise of humiliation and prayer at Westminster, and implored, with many tears, that the Almighty would strengthen them for their undertaking, and grant them success.‡ Having reached the Borders, they were soon joined by the Hamiltons; and entering Scotland, they were met at Kelso by Bothwell, Home, Wedderburn, Cessford, and other barons and gentlemen.§ The news of their arrival spread rapidly throughout the country, and was everywhere received with exultation. The king himself was amongst the last to become aware of what was going forward. He was occupied near Hamilton, in company with Wotton, in his favourite pastime of the chase, when intelligence reached him that the banished lords had crossed the Borders, and had been joined by Morton with all the forces at his command. Not less alarmed than surprised by this information, he immediately sent for Arran, and returned with him to Stirling, both the town and castle of which had recently been strongly fortified for the protection of the king and court in perilous emergencies. In the meantime, Wotton had consummated his intrigues in Scotland by a plot for seizing the person of the king in the park at Stirling, and conveying him to England; but this design having been discovered, the king gave orders to arrest the ambassador in his house, intending to carry him along with the army, which was now on the point of proceeding against Morton, and to hold him as a hostage. The ambassador, however, being apprised of his danger, escaped during the night on a fleet horse to Berwick, whence he wrote to Walsingham and the queen, representing that having been informed of the king's order for his arrest, he had judged it better for her majesty's service to quit Scotland than by remaining to "bring ruin upon the common cause."* He at the same time wrote a letter to the king, alleging the return of Arran to court as an excuse for his abrupt departure.

They issue a proclamation.

On the 25th of October the lords advanced to Jedburgh, where they issued a proclamation setting forth the motives that had impelled them to take up arms and repair to the king. These were declared to be the delivery of his majesty from his present evil counsellors, the restoration of the privileges and independence of the Church, the rescue of the country from the grievous oppressions to which it had been so long subjected through the misgovernment of Arran, and the preservation of amicable relations with England. This proclamation, which was published everywhere throughout the kingdom, called on men of all ranks both in the towns and in the country to assist in the enterprise, under pain of being reputed "partakers and maintainers of all vice and iniquity, assisters of the traitorous conspirators aforesaid [Arran and his coadjutors], and enemies of true religion, his majesty's authority, and of the public quietness betwixt the two realms."†

Consternation of the court.

The court was now in great consternation and perplexity. Arran and Stewart accused Gray as the author of the conspiracy, and importuned the king to send for him without delay and put him to death.‡ Gray, who was then in Perthshire busily engaged in strengthening and organising his party, boldly obeyed the summons, and making his appearance before the king, repelled with feigned indignation the accusation of Arran and his brother, and defended himself with such courage and adroitness as evidently to impress the royal mind with a conviction of his innocence. Arran and his party were now exasperated to the highest degree, and resolved to assassinate both Gray and Bellenden at the first opportunity, should it even be in presence of the king.§

* State Paper Office, Wotton to Walsingham, 22nd of September, 1585, Stirling; Tytler, vol. viii. p. 237.

† State Paper Office, Wotton to Walsingham, 5th October, 1585, Stirling.

‡ Calderwood, vol. iv. p. 381; also MS. History, Ayscough, 4736, fol. 1545.

§ Calderwood, vol. iv. p. 382.

* State Paper Office, 15th October, 1585, Berwick, Wotton to Elizabeth; same to Walsingham.

† Calderwood, vol. iv. p. 388.

‡ Relation of the Master of Gray, by Bannatyne Club, p. 59.

§ Ibid.

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So sudden and unexpected had been the crisis, that no time was left for making preparation to defend the place. Only a few troops had been assembled, and these so heartless in the cause that they could not be relied on; the castle had not been provisioned for a siege, and so strong was the current of popular feeling against Arran and his faction, that the hurried and feeble efforts made for the defence were secretly thwarted or rendered ineffectual by those to whom the arrangements were entrusted. Meanwhile the lords, who were not unacquainted with the state of affairs at Stirling, pressed forward with alacrity towards that place, and, at the head of nine or ten thousand men,* reached Falkirk on the 31st of October. Next day they marched forward to a place called St. Ninian's, within one mile of Stirling, where they halted and made preparations to offer battle to their enemies. The king's party, however, were in no condition to accept the challenge to meet the invaders in the open field; but a considerable body of troops, under the command of Colonel William Stewart, were drawn up in the market-place within the town, prepared to make at least a show of resistance. The gates were shut, and Arran undertook to defend the bridge that led to the town. The lords found means, however, to enter during the night through a narrow lane, by which they could only pass one by one, and thus without resistance obtained possession of the town. Arran, seeing that all was over, and dreading the consequence of falling into the hands of his enemies, locked the gate, threw the keys into the river, and fled for his life, accompanied only by a single individual of his suite. Colonel Stewart made a desperate attempt to repel the invaders by firing upon them as they entered the market-place; but although the army of the lords was weakened by the insubordination of the Borderers, who broke their ranks and roamed over the town in search of plunder, yet the forces under Stewart, unsupported by the townspeople and lukewarm in the cause, were quickly routed, and Stewart himself, hotly pursued, was forced to take refuge in the castle.† Montrose, Crawford, and the other lords of Arran's faction then at Stirling, followed his example, so that the place was crowded to excess with persons of distinction, including many of both parties.‡

The lords gain possession of Stirling.

During these proceedings the moderation of the lords was conspicuous, and served not merely to increase their popularity, but even to mollify the resentment of the king himself. Every effort was made to spare the effusion of blood, so that the fatal casualties on both sides amounted to a very inconsiderable number.§ Having now become masters of the town, the lords next prepared to lay siege to the castle. They had proceeded so far as to plant their banners before the block-house or principal bastion, when the king, sensible of the impossibility of making a successful defence, felt it necessary to attempt an accommodation. He accordingly sent out the Master of Gray, under the protection of a flag of truce, to demand the object of their hostile approach. They replied in submissive and conciliatory terms, that they had come to offer their dutiful services to his majesty: they declared "that nothing was more dear to them than the king's honour and safety, but, banished their country, robbed of their estates, their friends cruelly prosecuted, and all access to his majesty denied, they were forced, in order to save themselves from ruin, to act as they had done; yet, if admitted into his majesty's presence, they would humbly solicit his forgiveness." James consented to an interview, which he was not in a position to refuse, on three conditions: first, that his life, honour, and estate should be preserved; secondly, that the lives of Montrose, Crawford, and Colonel Stewart should be spared; and thirdly, that all matters should be transacted peaceably.* To the first of these conditions the lords eagerly consented, protesting solemnly that they never had any other intention than to preserve his majesty's person, dignity, and estate, and to deliver his majesty out of the hands of such as, under pretext of his name and authority, had oppressed both the Church and the commonwealth, and exposed to danger both his life and his crown. As to the second, they replied that seeing the persons he had named had troubled and oppressed the whole nation, they felt bound in duty to his majesty, and from the love they bore to their country, to seek the means of delivering them up to public justice, to be dealt with as they had deserved. With respect to the third, they humbly supplicated his majesty that he himself should take order, and see all things conducted peaceably to the contentment of his subjects, and they promised him all aid and assistance.† In return they required of the king that he would consent to reform the corruptions and abuses that had crept into the Church and commonwealth, by the evil government of those who had abused his authority, and that he would subscribe a short declaration which they had drawn up to that effect. They further required that, for their own security, the castles and strengths of the realm, together with the persons of their enemies, by whom the king was then surrounded, should be delivered into their hands;‡ and, lastly, that the king's guard should be changed, and a captain appointed of their nomination. However unpalatable to James these demands might be, resistance was hopeless, and he reluctantly submitted. The gates of the castle were now opened, and the lords, having made prisoners of the Earls of Montrose, Crawford, and Rothes, together with Lord

Submission of the king.

* Calderwood, vol. iv. p. 389.
† Ibid., p. 390.
‡ Relation of the Master of Gray, by Bannatyne Club, p. 60.
§ Calderwood, vol. iv. pp. 390, 391.

* Calderwood, vol. iv. p. 391. † Ibid.
‡ Ibid.; also Relation of the Master of Gray; papers of the Master of Gray, printed by the Bannatyne Club, p. 69.

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Doune, Sir William Stewart, and others, were admitted into the presence of the king. The scene which now presented itself was very remarkable. Those bold barons who but a few hours before had threatened to lay siege to the royal residence, and had just, with arms in their hands, dictated terms to their sovereign, now fell on their knees before him and implored his forgiveness. Lord Arbroath, as first in rank, being nearly related to the sovereign, spoke for all. They were come, he said, to offer their duty to his majesty, and humbly to implore his forgiveness and favour. "My lord," answered the king, "I never saw you before, and I must confess that of all this company you have been most wronged. You were a faithful servant of the queen, my mother, and in my minority, when I was incapable of judging, you were indeed hardly used. As for the rest of you, did not your own conduct procure your sufferings? And as for you, Francis" (turning to Bothwell), "who has stirred up your unquiet spirit to come in arms against your prince? When did I ever wrong thee? Yet, as I believe, none of you meant any harm to my person, I give you all my hand and heart; I will remember nothing that is past, provided that for the future you behave as dutiful subjects.* A pardon was then granted them in the most ample form, and all their measures which had led to this pacification were declared to be loyal and acceptable service to their prince.† Next day this remission and declaration were publicly proclaimed; and the lords, availing themselves of the victory they had achieved, assumed at once the functions of government. By their order, and in the king's name, Arran was proclaimed a traitor in the market-place; the king's guard was changed, and the command of it taken from Colonel Stewart and conferred on the Master of Glammis; Lord Arbroath was appointed Governor of Dunbarton Castle, and the Earls of Crawford and Montrose were committed to his custody; the Castle of Edinburgh was delivered to the keeping of Sir James Home, of Coldingknowes, Tantallon to Angus, and Stirling to the Earl of Mar.

Arran proclaimed a traitor.

A parliament was now summoned to meet at Linlithgow, in which the royal pardon granted to the returned lords was ratified and confirmed, the decrees of forfeiture formerly passed against them were annulled, and they were fully reinstated in all their honours and possessions; while Arran was declared a public enemy, and stripped of his title, which reverted to the representative of its former owner. Under his original designation of Captain James Stewart, which he ever afterwards retained, he took refuge in some obscure corner of the western coast, and skulked abroad, unhonoured and unpitied, during the remainder of his ignominious existence. No attempt appears to have been made to apprehend and bring him to justice for the many enormous crimes of which he had been guilty during the dismal period of his iniquitous administration; and, indeed, it is but too evident that the king still cherished for him an undiminished affection, and was not without hope that some new turn in the wheel of fortune might once more restore him to power. This may be justly inferred from the fact that the office of chancellor, vacant by the expulsion of Arran, was not filled up; but the duties of that high functionary were devolved in the meantime on Maitland the secretary, under the title of *vice*-chancellor, without doubt in the expectation of Arran's speedy return.*

Meeting of parliament.

Contrary to the express stipulation made with the king by the lords on their return, nothing was done in this parliament towards redressing the grievances of the Church. James was as resolutely bent as ever on upholding the late arbitrary enactments; and the lords, apparently contented with their own restoration to their honours and estates, basely stooped to ingratiate themselves with the king, not merely by letting slip an opportunity so favourable for securing the liberties of the Church, but even by acquiescing in the continued enforcement, under the renewed authority of parliament, of the most tyrannical laws, by which so many of the distinguished ministers who had been their own companions in exile were persecuted and oppressed.

In the meantime, the Master of Gray had lost no time in conveying to Elizabeth, her Secretary Walsingham, and Archibald Douglas, the gratifying intelligence of the triumphant success of the conspiracy; and, in his letter to Walsingham, he assured him that if Elizabeth would now send an ambassador to Scotland, the league between the two kingdoms would, without further delay, be concluded to her entire satisfaction.† Sir William Knollis was selected for this important mission, and was forthwith accredited to the Scottish court. On the 23rd of November he had audience of the king at Linlithgow. James received him with much courtesy and many professions of devotion to the queen his mistress. He expressed himself entirely in favour of the proposed league, which he professed his readiness to conclude without delay; and declared that although the invasion of Angus and his friends had at first excited his displeasure, their demeanour had subsequently been such that he had become perfectly reconciled to them, and had cause rather to bless God that so great a revolution had been effected without bloodshed than to regret what had taken place. Knollis, in his official letter to Walsingham, declares that he saw no reason to doubt the sincerity of the king; that he and the lords appeared to be on friendly and confidential terms; that he was under no restraint, but was in the daily habit of hunting with a few attendants; and that as Arran was now

* Spottiswood, pp. 342, 343.
† Relation of the Master of Gray, p. 61; Tytler, vol. viii. p. 242.

* McCrie's Life of Melvil, p. 351.
† State Paper Office, Master of Gray to Walsingham, 6th November, 1585; Tytler, vol. viii. p. 242.

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out of the way, and Montrose, Crawford, and the rest of that party were in custody, no apprehension of any sudden change seemed to exist.*

Shortly afterwards, James dispatched Sir William Keith with a message to the English queen, requesting her to send an ambassador to Scotland with full powers to negotiate for the final adjustment of the treaty between the two kingdoms.† Randolph, who had already acted so conspicuous a part in Scottish affairs, was charged with this important commission, and in a few days once more made his appearance at the Scottish court. Short however as the interval was, he found on his arrival that he was likely to have difficulties to contend with which he had not anticipated. An ambassador from France had just arrived, bringing with him, as was reported, a cargo of French crowns, whose suspected destination could not fail to give considerable uneasiness to the English envoy. Popery was still struggling to regain a footing in the country; the emissaries of the imprisoned queen were carrying on their secret machinations in connection with their party in England; Holt and other Jesuits continued to lurk in the country, under the protection of Huntley, Montrose, Crawford, and other Roman Catholic noblemen; and Morton, emboldened by his late success, publicly testified his adherence to popery, and shocked the whole Protestant community by causing mass to be celebrated in the Provost Church of Lincluden.‡ All these circumstances contributed to shake the confidence of the ambassador in the king's sincerity; nor were his doubts altogether removed by the prompt arrest of Morton, and his imprisonment, by order of the king, in the Castle of Edinburgh.

Embassy of Randolph.

Randolph had been instructed to congratulate James, in the name of the queen his mistress, on the tranquillity which then prevailed in his dominions, to signify her desire to prosecute the negotiations for a permanent religious league between the two kingdoms, and to caution him to beware of French intrigue. He was further commanded to insist on the delivering up of Fernyhirst, as well as of Holt and the other Jesuits, who were still harboured in Scotland; to advise the rigorous prosecution of Morton for his late offence; and the adoption of the severest proceedings against Arran, who was still at large, though proclaimed a traitor. In return for the king's compliance with these demands, Elizabeth promised to bestow on him an annual pension, and solemnly to engage by a deed under her hand and seal to suffer no attempt to be made to prejudice or set aside his right of succession to the crown of England.§

On the third day after his arrival, the ambassador was admitted to an audience, and found the king full of professions of affection for his sister, whose advice he declared his readiness to follow, as the best that could be given; and although, as Randolph afterwards learned from Maitland, the secretary, and Bellenden, the justice-clerk, very tempting offers had been made by France, and the pecuniary necessities of the king were at that time unusually urgent, the ambassador succeeded in obtaining the signature of James to the league with England, and transmitted it to Elizabeth for her ratification.*

Thomas Milles, the ambassador's assistant and secretary, was employed as the bearer of this important document. He was at the same time instructed to communicate to Elizabeth information of a plot against her life, which was then being concocted both in Scotland and England, and to warn her to be upon her guard. Randolph wrote also to Burghley and Walsingham on the subject; but, apparently unwilling to commit to writing such particulars as had come to his knowledge, referred them to Milles for further information. That something very alarming was in agitation there can be no doubt. The matter is involved in mystery; but there is reason to believe that this conspiracy formed part of the plans of the popish league, whose ramifications extended over a great part of Europe. In Randolph's letter to Walsingham, he evinces his serious apprehensions of the threatened danger in these significant terms:—"The men, and perchance the women, are yet living, and their hearts and minds all one, that devised or procured the devilish mischiefs that hitherto, by God's providence, she hath escaped. You have heard, both out of Spain and France, what is to be doubted out of the Low Countries. I have seen what warning hath been given for her majesty to look unto herself; and, in the presence of God, I fear as much despite and devilishness from hence as from them all; though I judge the king as free as myself, and could himself be content that he were out of this country."† It is impossible not to believe that all these secret machinations, by which the mind of Elizabeth was kept in almost perpetual disquietude, were in part the fruit of her own persevering cruelty, perfidy, and injustice to the Queen of Scots; so surely does iniquity bring along with it its own punishment.

The inveterate insincerity and dissimulation of the English queen were on this occasion again displayed in her treatment of the young king, with whom we might suppose she was now on terms of strict and confidential friendship. Having obtained his signature to the league, which she had so much at heart, she now threw off the mask of affectionate regard which she had assumed with a view to flatter him into compliance, and meanly

* State Paper Office, Mr. William Knollis to Walsingham, Lithgow, 23rd November, 1585; Tytler, vol. viii. p. 243.

† MS. Letter, State Paper Office, Randolph to Walsingham, 24th February, 1585-6; Tytler, vol. viii. p. 244.

‡ Spottiswood, p. 344; copy, State Paper Office, Roger Ashton to Walsingham, 17th January, 1585-6; Tytler, vol. viii. p. 245.

§ Original draft, State Paper Office, principal points of Mr. Randolph's instructions; Tytler, vol. viii p. 246.

* MS. Letter, State Paper Office, 1st April, 1586, Randolph to Lord Burghley, by Thomas Milles; Tytler, vol. viii. p. 247.

† MS. Letter, State Paper Office, Randolph to Walsingham, 2nd April, 1586; Tytler, vol. viii. p. 248.

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violated the promise of pecuniary aid made by her ambassador as a counterpoise to the large offers made by France. On the return of Milles with the treaty of the league, to which Elizabeth had adhibited her signature, he brought with him an autograph letter from the queen to James, expressed in such harsh and contemptuous terms as excited his violent resentment;* while, to add to his chagrin and disappointment, he found that the pension, which, according to the promise of Wotton, should have been twenty thousand crowns, had now sunk to four thousand pounds. Such were the rage and disappointment of the young king, that he strongly expressed his regret at having subscribed the treaty, and was with difficulty prevailed on by the ambassador to abide by his engagements.

Conclusion of the league.

All obstacles, however, being at length surmounted, the ambassador took his departure, and shortly afterwards the negotiations were finally concluded by commissioners from both kingdoms, who met at Berwick on the 19th June.† By this treaty, which was declared to be offensive and defensive, the high contracting parties bound themselves to defend the evangelic religion, as professed in both countries, against all adversaries, notwithstanding any previous league to the contrary. In case of either country being invaded, it was stipulated that no assistance should be given by the other to the invader, notwithstanding any alliance that may have formerly existed between them. If England should be invaded in any part remote from Scotland, it was agreed that the King of Scots, at the request of the Queen of England, should send to her assistance, but at her expense, a body of forces not exceeding two thousand horse and five thousand foot; and if Scotland should be invaded, Elizabeth engaged to send to the assistance of James three thousand horse and six thousand foot. In the event of England being invaded at any point within sixty miles of the Scottish Borders, it was stipulated that James should assemble his whole forces, and take the field against the invader, in the same manner as he would do in the defence of his own country. If Ireland should be attacked, all Scottish subjects were to be prohibited, under pain of rebellion, from passing over into that country to assist the queen's enemies. It was further agreed that all rebels harboured within either country should either be delivered up or expelled from the kingdom; that no agreement should be contracted by either party with any foreign state in contravention of this treaty; that all former treaties of amity between the two kingdoms should continue in force; and that, on the king's attaining the age of twenty-five, this league should be confirmed by the parliaments of both kingdoms.‡

* MS. Letter, State Paper Office, Randolph to Walsingham, 13th May, 1586, Edinburgh; Tytler, vol. viii. p. 249.
† Calderwood, vol. iv. p. 587.
‡ MS. State Paper Office, principal points of the articles of the league, 5th July, 1586.

The conclusion of this important contract, which was proclaimed at Berwick on the 5th July, gave sincere satisfaction to the English queen; as it not only afforded her a great security against foreign invasion, and freed her from that perpetual source of inquietude—the dread of the ascendancy of French influence in Scotland, but completely separated James from his mother. James, at the same time, was gratified by the receipt of a letter from Elizabeth, written with her own hand, in which she assured him that she would suffer no step to be taken which might derogate in any degree from his right of succession to the English crown.*

Recall of Archibald Douglas.

At the intercession of Elizabeth, through Randolph, her ambassador, James, about this time, astonished and shocked the whole nation by the recall and pardon of Archibald Douglas, who had fled into England about six years before, on account of his participation in the murder of the king's father. That he had foreknown and concealed that crime he himself admitted; that he was actually present at its perpetration was asserted by his own servant, Binnie, when on the scaffold, who declared that his master returned home after the explosion covered with soil and dust. James had often required Elizabeth to deliver him up, but in vain. He had been for some time imprisoned by her, but ultimately acquired her favour and confidence by betraying the secrets of the Scottish queen, by whom he had been trusted and employed; and Elizabeth now interceded for his recall, that he might employ his influence at the Scottish court to counteract that of the captive queen and her partisans. Having obtained the king's permission to return, he brought to him a letter written by Elizabeth in his favour,† and was treated not merely with forbearance, but with courtesy and kindness. It is not easy to penetrate James's motives for his extraordinary and unnatural conduct in this affair; but the worst has yet to be told. After perusing Elizabeth's letter, James ordered all the courtiers present to retire, that he might hold a private conversation with Douglas on the subject of the murder. "At your departure," said the king, "I was your enemy, and now at your returning I am and shall be your friend. You are not ignorant what the laws of this realm are, and what best may agree with your honour to be done for your surety. I must confess her majesty's request in your favour to be honourable and favourable, and your desire to have come by assize‡ to be honest; and I myself do believe that you are innocent of my father's murder, except in foreknowledge and concealing—a fault so common in those days that no man of any dealing could misknau;§ and yet so perilous to be revealed, in respect of all the actors of that tragedy, that no

* Spottiswood, p. 351.
† MS. draft, State Paper Office, Elizabeth to James, Scottish Royal Letters, 6th April, 1586; Tytler, vol. viii. p. 252.
‡ To be tried by a jury.
§ To be ignorant.

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man, without extreme danger, could utter any speech thereof, because they did see it, and could not amend it; and therefore I will impute unto you neither foreknowledge nor concealing, and desire that you will advise with my secretary what may be most agreeable to my honour and your surety in trial, and it shall be performed." *

It is easy to see how this advising with the secretary, under such circumstances, was likely to terminate. Douglas was brought to a pretended trial, in which all the forms of justice were utterly disregarded. He was allowed to frame his own accusation, and to choose his own assize; he appears even to have been the only witness examined, and no questions were asked but such as had been previously agreed on with the accused himself.† He was of course acquitted, and was not only received into the king's confidence and friendship, but subsequently restored to his rank and estate, and sent back to the court of England in the quality of ambassador.

His trial and acquittal.

It is now time to return to the unfortunate Queen of Scots, whom we have so long left almost unnoticed in her cruel captivity. A victim to the mean jealousy, selfishness, and implacable malignity of Elizabeth, she had, contrary to every sentiment of humanity, and every principle of justice and international law, been now detained a close prisoner for nineteen years in various parts of England, not unfrequently under the most painful restrictions, and in mansions so inhospitable as scarcely to be fit for the residence of human beings. During that long period she had been subjected to mortifications, privations, and indignities without number, and incessantly tantalized by pretended negotiations, holding out hopes of liberty foredoomed to end in disappointment. She was now past the prime of life; her long confinement and continual anxieties had broken her health; the want of exercise and a chronic rheumatism, induced by the coldness of the apartments in which she was imprisoned, had so far deprived her of the use of her limbs that she could not walk without assistance;‡ and the energy of her mind, no longer supported by the buoyancy of youth, was rapidly giving way under the pressure of accumulated misfortunes, cares, and sorrows. That she was, throughout the whole period of her captivity, a source of anxiety and alarm to the English queen, was only what might naturally have been expected. An independent sovereign, unjustly detained a prisoner within the dominions of another, she obeyed one of the first instincts of human nature in endeavouring to effect her escape; rendered comparatively impotent by the restraint under which she was placed, it was natural and proper that her friends, and all whom the common sentiments of justice and humanity prompted to commiserate her condition, should exert themselves to procure her liberation; disgusted with fruitless attempts at treaty, weary of concessions which only deepened her humiliation, and hopeless of obtaining release by appeals to either the justice or the clemency of Elizabeth, she had a perfect right to ask the assistance of any foreign power at once able and willing to help her; nor can Mary reasonably be blamed if, in order to regain her freedom, she had encouraged or even solicited an invasion of the kingdom. The danger to which the government of the English queen was thus exposed, the consequent embarrassments in which she was involved, and the continual perturbation by which her life was embittered, though the natural fruits of her own flagitious conduct, intensified her hatred of the unhappy queen, and led her at an early period, as we have seen, to seek relief by depriving her of life. Such was the engrossing selfishness of Elizabeth's character, that it seems frequently to have extinguished within her all sense of justice, and to have blinded her to the plainest dictates of reason. In her eagerness to gratify her own desires, she forgot that others had rights as well as herself, and, as in the case of Mary, was guilty at once of the wickedness and the folly of first inflicting an unmerited injury, and then regarding with indignant astonishment, and punishing as a crime, the attempt to escape, or the natural impulse to resent it. Unfortunately for Mary, nearly every attempt made in her favour by foreign powers aimed also at the restoration of popery in England. This enlisted against her the whole of the Protestant party in the kingdom, and thus strengthened the hands of Elizabeth and her ministers, and encouraged them to adopt the most violent measures. Still more disastrous was it that the fanatical zeal of some of her supporters should have prompted them to embark in the criminal enterprise of attempting to assassinate the Queen of England, and raise Mary to the throne of that kingdom.

Melancholy condition of Mary.

Ever since the agitation of "the great matter," during the regency of Mar, the desire of getting rid of her prisoner by death had been cherished by Elizabeth, and numerous consultations on this dark subject had taken place between her and her ministers, who at length, with an ungenerous, forecasting policy, began to pave the way for bringing about the object which they had so much at heart. It is impossible to doubt that the league with Scotland was eagerly sought as a means to this end, inasmuch as it would effectually separate Mary from her son; that the same end was in view in the earnest intercession of Elizabeth for the recall and pardon of Archibald Douglas, who, having betrayed the secrets of the captive queen, now offered to consummate his villainy by promoting the design for her destruction; and, above all, the iniquitous measure recently passed by the parliament was unmistakeably intended to effect the final ruin of the unfortunate princess, by ren-

* MS. Letter, State Paper Office, Archibald Douglas to Walsingham, 6th May, 1586.

† Calderwood, vol. iv. p. 587.

‡ MS. British Museum, Caligula, c. ix., fol. 333; Tytler, vol. viii. p. 312.

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dering her responsible for the crimes of others, though perpetrated without her knowledge or consent.

By means of the abominable system of espionage, which in this age was reckoned a necessary appendage of government, Walsingham about this time detected the existence of two distinct though combined plots—one for the assassination of Elizabeth, the other for the invasion of the kingdom, the dethronement of Elizabeth, and the re-establishment of the Catholic religion in England; and the real or imputed implication of Mary in the guilt of both, at length ushered in the last scene in the long-protracted drama of her tragical sufferings.

It is no easy matter to give a clear view of the involved and complicated details of these plots, which, from the secrecy with which they were carried on, the number of persons engaged in them, some of whom were implicated in both, and the difficulty, or rather impossibility of separating truth from falsehood, amidst varying and sometimes conflicting statements, were not well understood even by contemporaries, and have been recorded with no little variety by historians. It is said that three priests—Dr. Gifford, Gilbert Gifford, and Hodgson—belonging to the English Jesuit seminary at Rheims, having adopted the blasphemous notion that the papal bull by which Elizabeth was excommunicated was dictated by the Holy Ghost, had instilled this impious doctrine into the mind of John Savage, an officer in the Spanish army, a furious bigot, and a man of reckless bravery; whom they induced to believe that the assassination of an excommunicated heretic was a most meritorious action in the sight of God, and would insure him who accomplished or even attempted it an eternal crown of glory. The distempered mind of Savage being wrought up to a high pitch of fanatical enthusiasm, he bound himself under a solemn oath to put the queen to death, and immediately prepared to return to England to execute his design.* It was arranged that he should station himself in a gallery through which the queen was in the habit of passing to chapel, and there either stab her with a poniard or shoot her with a pistol; or, if judged more convenient, he was to attack her when walking in her garden, or when taking the air attended only by her women.†

Project of Ballard for the invasion of England.

In the meantime, John Ballard, a priest of the same seminary, returned to France, after having travelled, under different disguises, for five or six years among the Catholics in various parts of England and Scotland, instructing them in the principles of their faith, and confirming them in their hatred of Elizabeth, whom they esteemed the most formidable heretic of their day. In these peregrinations he had observed that a general feeling of discontent with the institutions under which they lived prevailed amongst the Catholics, and he was led to conclude that they wanted only a competent leader, with a little aid and encouragement from their brethren abroad, to induce them to rise in open rebellion. Pondering over these impressions, and stimulated by an ardent zeal to crush Protestantism in what was regarded as its stronghold, he formed the project of invading England, overturning the government of Elizabeth, and re-establishing the Roman Catholic Church. Full of this scheme, he consulted with the Spanish ambassador, Mendoza, who was then in Paris, from whom he received ample encouragement, and some assurance of support from the King of Spain and the Duke of Guise. But Charles Paget, an Englishman and a zealous Catholic, to whom he also broached the enterprise, succeeded in persuading him that no attempt of the kind could be successful until Elizabeth should be removed and Mary set at liberty. Ballard, in consequence, returned to England under the assumed name of Captain Fortescue, to renew his intrigues, and, if possible, to pave the way for the great revolution which he had projected.

On his arrival in England, he imparted his design to Anthony Babington, a young gentleman descended from an ancient family in Derbyshire, possessed of a large fortune, imbued with an ardent zeal for the Catholic religion, and devoted to the cause of the captive queen. This gentleman, during a residence in France, had become acquainted with the Archbishop of Glasgow, Mary's ambassador at the court of that country, by whom he had been furnished with letters of recommendation to Mary, as a person in whom she might confide, and who was well qualified to be of service in her cause. He had also been recommended to her by Thomas Morgan, her agent on the continent, who was at this period suffering imprisonment in France, on account of his connection with Throckmorton's conspiracy. Mary, in consequence, wrote to him a confidential letter on his return to England, and for some time employed him to manage her foreign correspondence, and to supply her with secret intelligence.* The increasing vigilance of her keepers, however, had latterly compelled him, from a regard to his own safety, to desist from these offices, though he was still enthusiastically devoted to her interest. He cordially approved of Ballard's project, but strongly expressed the same opinion entertained by Paget—that it was essentially necessary to success first to get rid of Elizabeth. Ballard assured him that that important preliminary would soon be accomplished, and acquainted him with Savage's vow, who was then in London watching an opportunity to effect his purpose. Babington expressed lively satisfaction with this information, but suggested that such an enterprise was far too important to be left in the hands of one individual. He therefore proposed to associate five other gentlemen with Savage in this hazardous

Babington's conspiracy.

* Carte, vol. iii. p. 601; and MS. British Museum, Caligula, c. ix., fol. 290, Savage's Confession; Tytler, vol. viii. p. 262.

† Howell, vol. i. pp. 1130, 1131.

* Hardwicke's Papers, vol. i. p. 227.

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attempt, on which such momentous consequences appeared to hang; and Ballard having acquiesced in this proposal, they began to look around them for fit instruments to perpetrate their atrocious design. They were not long in finding five persons on whose secrecy and courage they could place reliance, and who were willing to unite with Savage in this daring and perilous adventure. These were Barnwell, of a noble family in Ireland; Abingdon, son of the late cofferer of the royal household; Charnock, a gentleman of Lancashire;* Charles Tilney, the heir of an ancient family, and one of the queen's band of gentleman pensioners; and Chidiock Titchbourne, a gentleman of Southampton. The conspirators held frequent secret deliberations, at which they maturely discussed their plans of procedure, and assigned to each his separate part in the tragic drama. Babington himself undertook to conduct the project for the liberation of Mary. In this he was to be assisted by Edward Windsor, brother to the lord of the same name, Thomas Salisbury, Robert Gage, John Travers, John Jones, and Henry Doune,—all of them gentlemen of rank, and united together by the ties of private friendship and coincident zeal in the cause of their common faith. It was arranged that, at the time fixed for the queen's assassination, Babington and his coadjutors should attempt the rescue of Mary, by attacking her guards with a party of a hundred horse when she should be taking an airing.

In the meantime, the great project for the invasion of England was resumed by Spain and France, in conjunction with Mary's friends both in England and Scotland; and though, from the rigid *surveillance* under which she was placed since she had passed into the custody of Sir Amias Paulet, Mary's facilities for corresponding with her friends abroad had been greatly restricted, she had never ceased to countenance and encourage that enterprise; and at this time she found means to address a letter to Charles Paget, giving minute details as to what she considered the most likely methods of attaining their object. As this letter furnishes the most faithful and graphic delineation which we possess of the features of this great plot, we shall give some extracts serving to throw light on the complications of this remarkable period. "I have been," she says, "since the departure from Wingfield, so wholly without all intelligence of foreign affairs, as not knowing the present state thereof, it is very difficult for me to establish any certain course for re-establishing the same on this side; and methinks I can see no other means to that end, except the King of Spain, now being pricked in his particular by the attempt made on Holland and the course of Drake, would take revenge against the Queen of England; whilst France, occupied as it is, cannot help her; wherefore I desire that you should essay, either by the Lord Paget, during his abode in Spain, or by the Spanish ambassador, to discover clearly if the said King of Spain hath intention to set on England. * * * In case that he deliberate to set on the Queen of England, esteeming it most necessary that he assure himself also of Scotland, either to serve with him in the said enterprise, or at the least to hold that country so bridled that it serve not his enemy, I have thought good that you enter with the ambassador of Spain in these overtures following: to wit—that I shall travel by all means to make my son enter in the said enterprise; and if he cannot be persuaded thereunto, that I shall dress a secret strait league among the principal Catholic lords of that country and their adherents, to be joined with the King of Spain, and to execute at his devotion what of their parts shall be thought meet for advancing of the said enterprise; so being they may have such succours of men and money as they will ask, which, I am sure, shall not be very chargeable, having men enough within the country, and little money stretching far and doing much there. Moreover, I shall dress the means to make my son be delivered in the hands of the said King of Spain, or in the Pope's, as best by them shall be thought good; but with paction and promise to set him at liberty whensoever I shall so desire, or that, after my death, being Catholic, he shall desire again to repair to this isle. * * * This is the best hostage that I and the said lords of Scotland can give to the King of Spain for performance of that which may depend on them in the said enterprise. But withal must there be a regent established in Scotland that [may] have commission and power of me and my son (whom it shall be easy to make pass the same, he being once in the hands of the said lords) to govern the country in his absence; for which office I find none so fit as the Lord Claud Hamilton, as well for the rank of his house as for his manhood and wisdom; and to shun all jealousy of the rest, and to strengthen him the more, he must have a council appointed him of the principal lords, without whom he shall be bound not to ordain anything of importance. I should think myself most obliged to the King of Spain, that it would please him to receive my son, to make him be instructed and reduced to the Catholic religion, which is the thing in the world I most desire, affecting a great deal rather the salvation of his soul than to see him monarch of all Europe; and I fear much that so long as he shall remain where he is (amongst those that found all his greatness on the maintenance of the religion which he professeth), it shall never be in my power to bring him in again to the right way; whereby there shall remain in my heart a thousand regrets and apprehensions, if I should die, to leave behind me a tyrant and persecutor of the Catholic Church.

"If you see and perceive the said ambassador to have *goust* in these overtures, and put you in hope of a good answer thereunto, which you shall insist to have with all diligence, I would then, in the meantime, you should write to the Lord Claud, letting him understand how that the King of Spain

* Camden, in Kennet, vol. ii. p. 516.

is to set on this country, and desireth to have the assistance of the Catholics of Scotland, for to stop, at least, that from thence the Queen of England have no succours; and to that effect you shall pray the said Lord Claud to sound and grope the minds hereunto of the principal of the Catholic nobility in Scotland. * * * And to the end they may be the more encouraged herein, you may write plainly to the Lord Claud that you have charge of me to treat with him of this matter. But, by your first letter, I am not of opinion that you discover yourself further to him, nor to other at all, until you have received answer of the King of Spain, which being conform to this designment, then may you open more to the Lord Claud; showing him that to assure himself of my son, and to the end (if it be possible) that things be passed and done under his name and authority, it shall be needful to seize his person, in case that willingly he cannot be brought to this enterprise; yea, and that the surest were to deliver him into the King of Spain's hands, or the Pope's, as shall be thought best; and that in his absence he depute the Lord Claud his lieutenant-general and regent in the government of Scotland; which, you are assured, I may be easily persuaded to confirm and approve. For, if it be possible, I will not, for divers respects, be named therein until the extremity. * * * I can write nothing presently to the Lord Claud himself, for want of an alphabet between me and him, which now I send you herewith enclosed, without any mark on the back, that you may send it unto him." *

These passages completely identify Mary with the projected invasion; and as the letter in which they occur was intercepted, the disclosure thus made must have greatly exasperated Elizabeth and her ministers against their unfortunate prisoner. If Mary ever had any knowledge of the intended assassination, it must have been subsequent to this period. Indeed, it would appear from a letter sent to her by her agent Morgan, more than a month afterwards, that the conspirators were particularly careful to avoid doing anything which might implicate her in this atrocious design. Alluding to Ballard, who, he informs her, was then in England, labouring in the common cause, Morgan says—"He followeth some matters of consequence, the issue whereof is uncertain; wherefore, as long as these labours of his and matters do continue, it is not for your majesty's service to hold any intelligence with him at all, lest he or his partners be discovered, and they, by pains or other accidents, discover your majesty afterwards to have had intelligence with them, which I would not should fall out for any good in the world. And I have specially warned the said Ballard not to deal at any hand with your majesty, as long as he followeth the affairs that he and others have in hand, which tend to do good, which I pray God may come to pass; and so shall your majesty be relieved by the power of God." *

The conspirators continued to hold frequent consultations, and were gradually ripening their dark project into action, in the full belief that their proceedings were shrouded in impenetrable secrecy; but all along every step they took was as fully known to Walsingham as to themselves. Maud, one of his spies, having insinuated himself into the confidence of Ballard, accompanied him to France, became acquainted with the plot at its very origin, and transmitted information of it to Walsingham. Another of his creatures, named Polly, pretending an enthusiastic zeal for the cause, had sought to join the conspirators only that he might betray them; and Gilbert Gifford, on his arrival in England, whither he had been sent to stimulate the conspirators, basely offered his services to Walsingham as a hired spy. Confiding implicitly in his integrity, the conspirators entrusted to him the conveyance of the letters and other papers passing between them and Mary relative to "the great enterprise" of the invasion—an office of great responsibility, difficulty, and danger. Finding his manœuvres obstructed, through the vigilance of Paulet, he applied to Walsingham, in the hope that through his interference all difficulties might be obviated. Walsingham proposed to Paulet the expedient of permitting the bribery of one of his servants, who might act as a medium between Gifford and his prisoner; but Paulet, who, though a harsh and somewhat unfeeling jailer, appears to have been a man of unbending integrity, refused to yield to the suggestion of the less scrupulous secretary. Gifford, however, found a fitting agent for his purpose in a brewer, by whom the household was supplied with ale, and who, in consideration of a bribe, agreed to convey letters to the captive queen, and to bring her answers to his employer. The letters were thrust into a crevice of the wall, and covered with a loose stone, and the answers were returned in the same manner. The whole correspondence of course found its way to Walsingham, under whose direction the letters were opened, deciphered, copied, and then forwarded to their destination.† In these operations he was assisted by two agents, whose skill and ingenuity were well adapted to his purpose. One of these, Thomas Phellipps, had a remarkable dexterity in detecting plots, and in discovering the meaning of documents written in cipher; the other, named Gregory, had, by long attention and practice, acquired the art of opening letters, however carefully sealed, and closing them again in such a manner as to render detection impossible. By means of these auxiliaries he became as well acquainted with the plots maturing for the invasion of the kingdom as he already was, through the medium of his spies, with the conspiracy for assassinating the queen. The egregious folly and vanity

* MS. State Paper Office, decipher by Phellipps, Queen of Scots to Charles Paget, 20th May, 1586, Chartley; Tytler, vol. viii. p. 268.

* Morgan to the Queen of Scots, Murdin, p. 527.

† MS. Letter, State Paper Office, Paulet to Walsingham, 11th April, 1586; Tytler, vol. viii. p. 270.

of Babington and his brother-conspirators, and their overweening confidence in the secrecy of their proceedings, were strikingly displayed in a piece of imprudence which furnished Walsingham at once with additional evidence of their guilt, and extraordinary facilities for their detection. They got a picture executed, consisting of their own portraits in a group, with that of Babington in the middle, and having a motto appended to it intimating that the parties were united in some dangerous enterprise. A copy of this painting found its way to Walsingham, who showed it to the queen; and so faithfully were the likenesses portrayed, that on one occasion, when walking abroad, she recognised the countenance of Barnwell, one of the assassins.

Conformably to the counsel of Morgan, Mary had hitherto abstained from all communication with Babington and his fellow-conspirators; and whatever interpretation she may have put on Morgan's obscure reference to the designs of Ballard, there is no reason to believe that up to this time she was at all cognizant of the plot against the life of Elizabeth; and so long as this state of matters continued, it is not easy to see how her arch-adversary, Walsingham, who was eagerly watching her motions, could have found any pretext for connecting her with that treasonable design. Unfortunately for Mary, she was induced, by the recommendation of Morgan, to renew her intercourse with Babington; and as all the letters that passed between them were conveyed by Gifford, they were of course carried first to Walsingham, deciphered by Phellipps, and copied. The originals were forwarded to their destination, and on the copies thus obtained the captive queen was subsequently arraigned as an accessory in the plot for putting Elizabeth to death. That such was actually the case seems to have been somewhat too hastily assumed by historians. There are many reasons why such an hypothesis should be received with caution, if not with distrust. Elizabeth and her ministers, Burghley and Walsingham, had already shown themselves not only extremely desirous of the death of Mary, but utterly unscrupulous as to the means of obtaining that object, provided only they could escape the odium of being implicated in the deed. The motives that gave birth to this savage wish were of no ordinary force. The machinations of Mary and her friends had for nearly nineteen years harassed the mind and disturbed the government of Elizabeth; conspiracy had succeeded conspiracy, treason had followed treason, and now a formidable coalition of foreign powers threatened the country with invasion, and a determined company of assassins had banded together to take away her life, and were only waiting an opportunity to strike the blow. That the death of Mary should have been contemplated by Burghley and Walsingham on their own account, as a very desirable event, was quite natural. The life of Elizabeth was the only barrier betwixt them and the accession to the crown of England of a woman whom they had been the willing instruments of oppressing, deceiving, and insulting, beyond hope of forgiveness. The utter extinction of their own power and influence was the least they had to expect at her hands; and they consequently could not look forward to her exchanging her prison for the throne without the most serious apprehensions. We have thus no security that the documents said to be copies of Mary's letters were not forged or falsified: they were disowned by Mary herself on her trial, and the originals have never been produced. That Walsingham had tampered with one of these letters is positively asserted by Camden, and his averment has been subsequently corroborated by a note discovered by Mr. Tytler in the State Paper Office. Camden's assertion is, that after opening one of Mary's letters to Babington, Walsingham and Phellipps cunningly inserted a postscript, desiring him to send the names of the six conspirators; and it is likely, he says, they added other things too.* The note found in the State Paper Office, and which is in the same cipher as Mary's letter to Babington, is endorsed in the hand-writing of Phellipps—"The postscript of the Scottish Queen's letter to Babington," and runs thus: "I would be glad to know the names and qualities of the six gentlemen which are to accompany the designment; for that it may be I shall be able, upon knowledge of the parties, to give you some further advice necessary to be followed therein [And even so do I wish to be made acquainted with the names of all such principal persons, as also who be already, as also who be];† as also from time to time, particularly how you proceed; and as soon as you may, for the same purpose, who be already, and how far every one privy hereunto."‡ After this disclosure, the uncorroborated evidence of Walsingham, and his not more base assistants and informers, can no longer be relied on. His object was at all hazards to secure the condemnation of Mary; and it is not more certain that Babington and his sanguinary associates had conspired for the destruction of Elizabeth, than that Walsingham and his ignominious accomplices had conspired for the destruction of the Scottish queen.

Babington, becoming anxious for the arrival of the foreign succours, at last determined to send Ballard into France to hasten their departure; and for this purpose furnished him with money to defray his charges; and, having procured an introduction to Walsingham, applied to him for two passports, one for himself and the other for Ballard, under a feigned name. To avoid incurring suspicion, he pretended to have an ardent zeal for the service of the queen; and offered to proceed to the continent, where he had insinuated himself, as he said, into the confidence of the Roman Catholics, and would, by means of his connexion with them,

* Camden, in Kennet, vol. ii. p. 517.

† The words within brackets are scored through in the original, but still legible.

‡ This note was deciphered and certified by Mr. Lemon of the State Paper Office, so that there is no doubt of its authenticity; Tytler, vol. viii. pp. 287, 288.

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obtain important information regarding their proceedings, and be able to detect and frustrate all their machinations. The wily secretary feigned to be highly pleased with this manifestation of loyalty, commended him for his zeal, promised him assistance and reward, treated him with much apparent confidence and sincerity, and assured him that the passports would speedily be furnished.

Anxious to obtain full proof of the guilt of Babington and his confederates, and if possible to implicate Mary in their design, Walsingham for some time delayed giving orders for their apprehension. It was necessary moreover to proceed with great caution, lest any of them, prematurely taking the alarm, should manage to escape. Meanwhile, he had communicated to Elizabeth a full account of the discoveries he had made; and that princess, becoming daily more alarmed at the continued danger to which her life was exposed, at last peremptorily insisted on his immediately taking measures to secure her safety by arresting the conspirators. A warrant was consequently issued for seizing Ballard, and this circumstance becoming known to the others, struck them with such terror, that they immediately held a consultation to determine what course they should adopt. Some were of opinion that they should not lose a moment in endeavouring to effect their escape, while others proposed that Savage and Charnock should without delay proceed in the execution of their fatal purpose. This counsel seems to have prevailed, for Babington instantly supplied Savage with money that he might purchase a court-dress to facilitate his access to the royal presence. On the second day, however, finding themselves still at liberty and unmolested, they became re-assured; and Babington had even the boldness to wait upon Walsingham, to endeavour to procure Ballard's liberation. The pear was not yet fully ripe, and the politic secretary once more dissembled. He received the conspirator with renewed tokens of courtesy and consideration, apologised for the arrest of Ballard, which he attributed to the strictness with which the law was enforced against seminary priests, and promised to exert himself to procure his release. So far was Babington thrown off his guard by the frankness and apparent cordiality of the minister, that he was prevailed on secretly to take up his residence in Walsingham's house, that they might have more frequent opportunities of conferring together before Babington's departure for France. Observing, however, that he was strictly watched, his suspicion was aroused, he made his escape, and hastened to warn his fellow-conspirators of their danger. They all took to flight in various disguises, and for some time eluded the officers who were sent in pursuit of them by concealing themselves in woods and barns; but at last, impelled by hunger, they quitted their hiding-place, and, being soon recognised, they were apprehended near Harrow-on-the-Hill, and conveyed to London. They were speedily brought to trial, along with eight others who had been concerned in the plot, and who had been seized in different parts of the kingdom: the evidence against them, which was ample and incontrovertible, was corroborated by their own confession; they were found guilty, and were executed on the 20th and 21st of September.

Arrest of Ballard.

Execution of Babington and his confederates.

It is painful to have to record of a woman and a queen that the doom of death, according to the ordinary sentence of the law, was not sufficient to satiate her desire of vengeance: she had the revolting cruelty to apply to her council for some "new device" to augment and prolong the sufferings of the criminals. The answer of Burghley was characteristic of that cold yet obsequious minister; he replied that the mode of execution prescribed by law would be fully as terrible as any new device, provided the executioner took care "to protract the action" to the extremity of endurance, and to the sight of the multitude.* Accordingly, on the first day, the executioner got special directions to that effect, and seven of the culprits were cut up alive after being partially strangled. The multitude, however, though they had been previously exasperated against the criminals, were so enraged and shocked at this savage spectacle, that on the following day the remaining seven, though subjected to the penalty of the law, were spared the infliction of these aggravated tortures.†

The death of the Queen of Scots, so long and earnestly desired, had for some time been predetermined by Elizabeth and her secretary; and the question how that event was to be brought about now engaged the anxious attention of the council. Elizabeth herself, and such of her ministers as shared her more intimate confidence, proposed that Mary should be brought to a public trial, in terms of the statute passed during the preceding year, evidently in anticipation of the occurrence of events such as those in which the unfortunate and deeply injured queen was now involved. Others were averse to this procedure: they considered that it would be derogatory to the blood-royal of England if one so nearly allied to the sovereign should be tried by subjects and condemned like a common malefactor, and that as the constitution of Mary was now broken down by long confinement, she should be suffered quietly to terminate a career which, in all human probability, could not be much prolonged. Leicester alone advised that she should be secretly put to death by poison; and even sent a theologian to endeavour to convince Walsingham that the deed would be justifiable. But Walsingham, who saw his way out of the difficulty without incurring the odium of concealed and cold-blooded murder, rejected the proposal with expressions of abhorrence, and, in common with the majority of the council, insisted on proceeding by open trial.

Great precaution had been employed to prevent

* Lingard, vol. viii., 8vo edition, pp. 215, 216.
† Camden, in Kennet, vol. ii. p. 518.

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all tidings of the detection of Babington's conspiracy from being conveyed to the Queen of Scots, lest she should destroy any letters or papers in her possession which might tend to prove her complicity in the plot for the destruction of Elizabeth; and such were the care and the success with which every avenue of information had been closed, that while all England resounded with the appalling intelligence, and the public mind was excited almost to frenzy, the individual most deeply concerned was still in total ignorance of the matter. The time at last arrived for proceeding with the development of the plot of which Mary was to be the victim. On the morning of the 8th of August, Paulet, her keeper, conformably to a previous arrangement made with Mr. Waad, one of the queen's privy council, invited her to a stag-hunt in the park of Tixall, in the neighbourhood of Chartley, where she then resided. She accepted the invitation, and, mounted on horseback, was proceeding to the field, accompanied by a small suite, including her two secretaries, Nau and Curle, when she was met by Sir Thomas Georges, who was sent down by order of Elizabeth, and who with cruel abruptness informed her of the discovery of the plot for the murder of Elizabeth, of the trial and execution of Babington and his confederates, and of the charge preferred against herself of being accessory to the conspiracy. Astonished and agitated by this announcement, she desired to return to her apartments, when she was informed by Georges that he had received orders not to permit her to return to Chartley, but to convey her to Tixall. Losing for a moment her self-command, she gave way to a violent invective, and loudly protesting against this indignity, called on her attendants to protect her; but, at once convinced that resistance was hopeless, she suffered Paulet to conduct her to Tixall without further remonstrance.* At the same time Nau and Curle were arrested, and sent off separately under a strong escort to London.

Seizure of Mary's papers.

During Mary's residence at Tixall she was by Elizabeth's special instructions closely confined, deprived of her own domestics and served by strangers, refused the attendance of her chaplain, denied the use of writing materials, and cut off from all intercourse with her friends. In the meantime, Waad had repaired to Chartley, where he broke open Mary's caskets, cabinets, and other private repositories, and seizing on all her letters and writings sent them up under seal to London. Among these were found many letters from foreign parts, as well as from sundry noblemen and gentlemen in England, expressing sentiments of respect and attachment; who now, to atone for what they had cause to fear might be imputed as a crime, signalised themselves by their enmity to the unfortunate princess.† Upwards of sixty different keys to ciphers were also discovered, and about two thousand pounds in money, all which were taken possession of. Great was the joy of Elizabeth at this fresh triumph over her defenceless victim. In the overflowing of her heart, she wrote to Paulet in extravagant terms of gratitude and affection; and, desirous of gloating over the distresses of the fallen queen, in a subsequent letter she entreats him to write her a full account of everything done to Mary; not, she said, that she had any doubt of his having performed his duty, but "simply that she might take pleasure in the reading thereof."*

On the 25th August, Mary was removed from Tixall to her former residence at Chartley, under the conduct of Sir Amias Paulet and a strong escort. As she issued from the gates of the castle, she was surrounded by a crowd of poor people, and, on some of them soliciting alms, she answered, weeping, that she had none to bestow. "All," she said, "has been taken from me; I am a beggar as well as you!" Then, addressing Sir Walter Ashton, the proprietor of Tixall, and other gentlemen of the neighbourhood composing her escort, she exclaimed with tears, "Good gentlemen, I am not witting of anything intended against the queen!" On reaching Chartley and entering her own apartment, finding her repositories had been broken open, and her papers, money, and jewels carried away, she was filled at once with anger and disgust; but, regaining her self-possession, she exclaimed, there were two things of which the Queen of England could not deprive her—her birth and her religion.† She added that some of them might live to repent of this outrage—words that evidently discomposed her stern keeper.‡

It was now fully resolved that Mary should be brought to a public trial, and, in order that this judicial inquiry might have the wished-for result, great efforts were made to find or to fabricate sufficient evidence to connect her with the plot against the life of Elizabeth. Nau and Curle had already undergone repeated examinations, but as yet nothing of this kind had been elicited from them. That she had been privy to the conspiracy for the invasion of the kingdom was capable of incontrovertible proof, and was in fact afterwards freely admitted by Mary herself; but this was not the point which Walsingham was most desirous to establish. For conduct so natural, if not justifiable, under the circumstances in which she had been involuntarily placed, he felt that it would be impossible to involve her in the penalties of a capital condemnation. This is evident from the extreme anxiety which he manifested to obtain from Mary's own papers some proofs of connexion with Babington's plot. Writing to Phellipps, who was then at Chartley, he laments that Nau and Curle could not be brought to confess that they had

* MS. Letter, State Paper Office, Sir Amias Paulet's postils to Mr. William Waad's Memorial; ibid., Esnevall to Courcelles, 7th October, 1586.

† Camden, p. 518.

* MS. Letter, State Paper Office, Mr. Necusius Yetswert to Sir Francis Walsingham, Windsor, 19th August, 1586; Tytler, vol. viii. p. 297.

† Stranguage, p. 176; Chalmers, vol. i. p. 427, *et seq.*

‡ MS. Letter, State Paper Office, Paulet to Walsingham, 27th August, 1586; Tytler, vol. viii. p. 302.

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any knowledge of the letters that had passed between Mary and Babington, and fretfully adds, "I would to God that these minutes could be found,"*—evidently alluding to the drafts of Mary's letters, which he expected would be found in her repositories. It is clear from this that up to the 3rd of September, when this letter was written, he did not consider the evidence against Mary as conclusive. It now occurred to Burghley that Nau and Curle would be more communicative if they were first assured of their own personal safety, as it was evident that they could not implicate their mistress without involving themselves in the charge of treason. He accordingly wrote to Sir Christopher Hatton, suggesting that an assurance of this kind should be given them; and adding, with coarse and unfeeling jocularity, "Surely then they will yield in writing somewhat to confirm their mistress' crime, if they were persuaded that themselves might scape, and the blow fall upon their mistress, betwixt her head and her shoulders."† In a letter from Walsingham to Phellipps, of the same date, he remarks that it was evident Mary's "minutes were not extant," and suggests to him, as he was then at court, to endeavour to obtain from Elizabeth the promise of some favour to Curle, in order to induce him to speak out more explicitly.‡ Encouraged by an assurance of safety, Nau gave a minute account of the manner in which Mary conducted her private correspondence, with the assistance of himself and Curle, but still made no disclosures which were deemed satisfactory. At last Burghley threatened to send him to the Tower—a measure which, as Nau well knew, involved the application of the torture. Under terror of this menace, he addressed a long declaration privately to Elizabeth, in which he admitted Mary's knowledge of the existence of Babington's plot, but denied her being in any way accessory to it. "She neither invented," he said, "nor desired, nor in any way meddled with it." This document was thrown aside by Burghley as of no importance;§ in the case of Mary, simple foreknowledge would not be sufficient for a capital conviction. On the second day, which sealed the terrible fate of Babington and his confederates, Nau and Curle, with that dreadful example before their eyes, were again examined before the lord-chancellor, Burghley, and Sir Christopher Hatton. It is a suspicious circumstance that no perfect official record of this examination has been preserved, and that for a knowledge of its result we are obliged to have recourse to an original minute drawn up by Phellipps. In this document it is stated that Nau confessed his having written to Mary's dictation a letter to Babington, in which, among other matters, she expressed a wish to know the means by which the six gentlemen intended to proceed, and in what manner she was to be liberated from her confinement.* This statement, which was corroborated by Curle, does not seem to add much to the declarations formerly extorted from the two secretaries; but no evidence more conclusive was likely to be obtained, and it was now determined that the trial should proceed.

Elizabeth and her advisers had two modes of procedure open to them. By the statute of 25 Edward III., it was declared high treason to conspire against the king, to excite war within the kingdom, or to hold communication with the king's enemies. But though this law seemed quite applicable to the case of a subject, it appeared impossible to bring under its operation an independent sovereign, who had entered the kingdom, not as an invader, but a fugitive; and who, having been forcibly detained there, could not be considered a subject of the queen, and consequently was not amenable to her jurisdiction. But the iniquitous statute passed the preceding year, by which power was given to prosecute and to condemn to death the person *for* whom, as well as the persons *by* whom any attempt was made to dethrone the reigning sovereign, had been framed expressly to meet this case, which in the very nature of things was likely to arise; and on that statute it was determined to try, to convict, and to put to death the Queen of Scots.

Commission for the trial of Mary.

In terms of this act, Elizabeth appointed a commission, consisting of the most distinguished officers of state, peers of the realm, and councillors of the crown, who, together with five judges, were constituted a high court of justice, to hear and decide this important cause. Some preliminary difficulties were started as to the designation of the royal prisoner; but it was finally agreed that she should be styled "Mary, daughter and heir of James V., late King of Scots, commonly called Queen of Scots, and Dowager of France."† The commission, over which Lord-Chancellor Bromley presided, and which consisted of forty-six individuals,‡ met on the 11th October, at Fotheringay Castle, in Northamptonshire, whither Mary had been removed on the 25th September, and where it had been arranged that the trial should take place. Next morning they sent to her Sir Walter Mildmay, Sir Amias Paulet, and Edward Barker, a notary, who delivered to her a letter from Elizabeth, in which, after much severe invective and many bitter reproaches, she accused her of having been concerned in a conspiracy against her person and government, informed her that a regard to her own safety had at last compelled her to institute an inquiry into her conduct, and therefore required

* MS. Letter, State Paper Office, Walsingham to Phellipps, 3rd September, 1586.

† MS. Letter, Burghley to Sir Christopher Hatton, 4th September, 1586; Lingard, vol. viii. p. 219.

‡ MS. Letter, State Paper Office, Walsingham to Phellipps, 4th September, 1586; Tytler, vol. viii. p. 303.

§ MS. State Paper Office, 10th September, 1586. Endorsed in Burghley's hand: "Nau's long declaration of things of no importance, sent privately to her majesty."

* MS. State Paper Office, 21st September, 1586; Tytler, vol. viii. p. 306.

† Strype, vol. iii. p. 362.

‡ Howell, vol. i. pp. 1166—1168.

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her to abide by the mode of trial prescribed by the laws under whose protection she lived, and submit to the judgment of the noblemen whom she had appointed by commission under the great seal to examine into and decide upon her cause.* Mary read the letter without betraying any emotion either of trepidation or astonishment. "I cannot but be sorry," she said, "that my sister is so ill-informed against me as to have treated every offer made by myself or my friends with neglect. I am her highness's nearest kinswoman, and have forewarned her of coming dangers, but have not been believed; and latterly 'the association,' for her majesty's preservation, and the act passed upon it, have given me ample warning of all that is intended against me. It was easy to be foreseen that every danger which might arise to my sister from foreign princes or private persons, or for matter of religion, would be laid to my charge. I know I have many enemies about the queen: witness my long captivity; the studied indignities I have received; and now this last association between my sister and my son, in which I was not consulted, and which has been concluded without my consent. As to my answer to the accusation now made," she continued, "her majesty's letter is indeed written after a strange sort. It seems to me to partake of the nature of a command; and it is perhaps expected that I am to reply as a subject. What!" she exclaimed, colouring with indignation, "does not your mistress know that I was born a queen? and thinks she that I will so far prejudice my rank and state—the blood whereof I am descended—the son who is to follow me, and the foreign kings and princes whose rights would be wounded through me, as to come and answer to such a letter as that? Never! Worn down as I may appear, my heart is great, and will not yield to any affliction. But why discuss these matters? Her majesty knows the protestation I have once before made to the lord-chancellor and Lord De La Ware; and by that I still abide. I am ignorant of the laws and statutes of this realm; I am destitute of counsel; I know not who can be my competent peers; my papers have been taken from me; and nobody dareth or will speak in my behalf, though I am innocent. I have not procured or encouraged any hurt against your mistress. Let her convict me by my works, or by my writings. Sure I am, neither the one nor the other can be produced against me. Albeit, I am free to confess that when my sister had rejected every offer which I made, I remitted myself and my cause to foreign princes.†

This reply was reported to Elizabeth, and a few days afterwards the commissioners sent a deputation of their number to wait upon Mary, and endeavour to overcome her resolution, but she still firmly declined their jurisdiction; and to this resolution she steadfastly adhered at three successive subsequent interviews. Bromley the chancellor, and Burghley the treasurer, employed much reasoning to induce her to submit; but she overpowered them with her arguments, and embarrassed them with her pointed and sarcastic interrogatories. On one of these occasions she requested Bromley to explain to her a passage in Elizabeth's letter declaring that she was subject to the laws of England, and lived under their protection. "I came," she said, "to England to request assistance, and I was instantly imprisoned. Is that protection?" The learned dignitary of the law, unable to make any reasonable reply, had recourse to an evasion destitute alike of adroitness and plausibility. "The meaning," he said, "of their royal mistress was plain; but, being subjects, it was not their part to interpret it." *

Finding themselves unable to shake Mary's determination, the commissioners resolved to hear evidence and pronounce sentence in the absence of the accused; but Elizabeth, when informed of this, wrote privately to Burghley, directing him and the other commissioners not to pronounce sentence until they had repaired to her presence, and fully reported their proceedings. † Elizabeth was secretly mortified by Mary's obstinacy and haughty replies; for, although the commissioners should follow up their resolution of pronouncing sentence in her absence, it would scarcely be possible to carry the sentence into effect. To shake this determination Elizabeth wrote her a letter, in which she artfully insinuates that in the event of her yielding some favour might be shown her.

"You have in various ways," she says, "attempted to deprive me of my life, and to bring ruin on my kingdom by shedding of blood. I have never proceeded so hardly against you; but, on the contrary, have cherished and preserved you as faithfully as if you were my own self. Your treasons will be proved and made manifest to you in that place where you now are. For this reason, it is our pleasure that you answer to the nobility and barons of my kingdom, as you would do to myself were I there in person; and, as my last injunction, I charge and command you to reply to them. I have heard of your arrogance; but act candidly, and you may meet with more favour. "ELIZABETH." ‡

The tone of stern menace assumed in this letter, and the doubtful hint at lenity with which it concludes, shook Mary's resolution, which was at last completely upset by the subtle insinuations of Sir Christopher Hatton, Elizabeth's vice-chamberlain, who represented to her that her refusal to plead, while it would be construed into an admission of her guilt, would be in other respects productive of no benefit to her, as the commission would un-

* MS. draft, State Paper Office, 5th October, 1586; Tytler, vol. viii. p. 307.

† MS. State Paper Office, 12th October, 1586, the Scottish Queen's first answers; Tytler, vol. viii. pp. 307, 308.

* Camden, in Kennet, vol. ii. p. 521.

† MS. Letter, copy, British Museum, Caligula, c. ix., fol. 332, the English Queen to Lord Burghley, 12th October; MS. State Paper Office, the Queen to the Lord Treasurer and the Commissioners, a draft, in Secretary Davison's hand; Tytler, vol. viii. p. 309.

‡ Lingard, vol. viii. p. 223.

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doubtedly proceed with the trial, and give judgment in her absence. "You are accused," he said, "but not condemned.* You are, it is true, a queen; but the royal dignity does not exempt its possessor from replying to the imputation of a crime such as neither the civil nor the canon law, nor the law of nations, nor the law of nature, could save from prosecution. If you are innocent, the queen's commissioners, who are just and prudent men, will rejoice with all their hearts at your making your innocence apparent. The queen herself will be no less pleased, I assure you. When I left her, she declared to me that nothing ever gave her greater pain than to see you accused of such a crime. Dispense then with that vain privilege of royal dignity which cannot avail you; appear in court, maintain your innocence, do not lay yourself open to suspicion by avoiding the trial, and do not risk sullying your reputation with an everlasting stain." To this Burghley, who was present, signified his assent, adding, that they would proceed next day with the trial, even should she be absent. Is it surprising that the poor captive queen, without a counsellor or friend with whom to consult, should, after a sleepless night, during which her mind vibrated between opposite decisions, at last yield, and consent to appear before the judges?

Next day, being the 14th of October, the commissioners assembled as a court of justice for the trial of this important cause in the great hall of Fotheringay Castle, which had been fitted up for the occasion. The upper half of the hall was railed off; and at one end of this section, under a canopy of state surmounted by the arms of England, was placed in an elevated position an arm-chair for the Queen of England, which in her absence remained unoccupied. On each side were ranged benches for the commissioners, who sat in the order of their respective dignities. On the right of the chair were seated the Lord-Chancellor Bromley, the Lord High-Treasurer Burghley, the Earls of Oxford, Kent, Derby, Worcester, Rutland, Cumberland, Warwick, Pembroke, Lincoln, and Viscount Montague; on the left were Lords Abergavenny, Zouch, Morley, Stafford, Gray, Lumley, and other peers, near to whom were the knights of the Privy Council—Crofts, Hatton, Walsingham, Sadler, Mildmay, and Paulet. More in the front were placed, on the right, the Chief-Justices of England and the Chief-Baron of the Exchequer; and on the left, the other judges and barons, and two doctors of civil law. Around a table in the centre were seated the queen's attorney-general, Popham; her solicitor, Egerton; her law-serjeant, Gawdy; and Thomas Powell, clerk of the crown, together with two clerks to take down the proceedings.† At the lower end of this table, with its back to the rail which divided the hall, was placed a chair, without any canopy, for the Queen of Scots; while the space behind the rail was allotted for such gentlemen of the neighbourhood and other persons as were allowed to be present.*

Mary descended to the great hall at nine o'clock in the morning, supported by the master of her household, Sir Andrew Melvil, and her physician, Burgoin, and escorted by a guard of halberdiers. One of her maids of honour carried her train, a second a chair covered with crimson velvet, and a third a footstool; and as she advanced it was observed that she was lame, and required to be supported. On entering the hall, she bowed to the lords with great dignity; and on being conducted to the chair intended for her, observing that it was not placed under the canopy, but in an inferior position, she seemed to feel the humiliation, and said, with a momentary appearance of resentment—"I am a queen; I was married to a King of France, and my seat ought to be there." Then looking mournfully round the assembled lords, statesmen, and lawyers—"Alas!" she said, "here are many counsellors, and yet there is not one for me!" The scene must have been to an indifferent spectator, if any such were present, at once highly interesting and deeply affecting; and, even at this distance of time, we cannot but blush for this assembly of able and experienced statesmen and politicians, erudite judges and subtle lawyers, all arrayed against a defenceless woman, without friend or counsellor, and denied even the use of her own papers. Yet the spirit of their unfortunate victim, as yet not altogether crushed by her protracted sufferings, rose superior to all these disadvantages, and her demeanour throughout the whole of these iniquitous proceedings was such as might well have put to shame those judges, who in very truth had assembled, not to try, but to condemn her.

Trial of Mary.

Mary being seated, the lord-chancellor stood up, and commenced the proceedings by informing her that she was accused of conspiring against the life of the queen, and of attempting to disturb the peace of the kingdom; and that her majesty had at last determined to bring her to trial, because, had she failed to do so, she would be guilty of neglecting the cause of God, and of bearing the sword of justice in vain.† Burghley then requested her to hear the commission under which they had been appointed, which would be read by the clerk of the crown. This ceremony being finished, Mary rose and protested that, although she had, from a regard to her own honour, appeared there to hear and answer the accusations brought against her, she did not acknowledge the jurisdiction of the court; that none had the power to commission them to try her, because she had no superior, but was a free princess, and subject to none but God; and she now called her servants to witness that she answered under this protestation. To this it was replied by Burghley, that they were acting under the authority of the law, to which all persons

* Howell, vol. i. pp. 1171, 1172.
† Ibid., pp. 1172, 1173.

* Tytler, vol. viii. p. 311.
† Howell, vol. i. 1173.

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resident within the realm were subject, and which recognised no distinctions of rank. The Crown-Serjeant Gawdy then proceeded to open the charges against the Queen of Scots. These were twofold—participation in a project for the invasion of the kingdom, and a conspiracy for the assassination of the queen. In support of these accusations, he produced alleged copies of correspondence with Morgan, Paget, Mendoza, the Archbishop of Glasgow, Babington, and others, together with certified copies of the confessions of Babington and the other conspirators, and the disclosures made by Nau and Curle. These being read and commented on with the specious subtilty common to men experienced in legal disputation, it was argued that the case was clearly proved, and that Mary Stewart must be held as convicted of the double crime laid to her charge. In this opinion the Attorney-General Puckering and the Lord-Treasurer Burghley expressed their concurrence. Mary defended herself with great calmness and dignity. The first part of the charge she was at no pains to deny. The proposal made by Spain in her behalf she declared was not new, it had been formerly made; but so long as she had entertained hopes of obtaining her freedom by milder means, she had rejected it. Now, however, that all her expectations from England had been disappointed, she maintained her right, and avowed her determination, to look to foreign powers for assistance. Her alleged concurrence in the conspiracy for assassinating Elizabeth she solemnly and emphatically denied. "I would disdain," she said, "to purchase all that is most valuable on earth by the assassination of the meanest of the human race; and worn out as I now am with cares and sufferings, the prospect of a crown is not so inviting that I should ruin my soul in order to obtain it. Neither am I a stranger to the feelings of humanity, nor unacquainted with the duties of religion; and it is my nature to be more inclined to the devotion of Esther than to the sword of Judith. If ever I have given consent by my words, or even by my thoughts, to any attempt against the life of the Queen of England, far from declining the judgment of men, I shall not even pray for the mercy of God."* After complaining of the grievous injustice to which she was subjected in being denied the privilege usually accorded to the meanest criminals—the aid of counsel and access to her papers—she proceeded, with an ability which at once surprised and confounded her accusers, to examine the nature of the evidence on which they sought her condemnation. She denied having ever seen Anthony Babington, received any letters from him, or written any to him. As for Ballard, she declared she had never before even heard his name; and complained that copies only of her pretended correspondence had been produced, whereas, in common justice, nothing short of her own handwriting and signature should be held sufficient to convict her of so odious a crime. That Babington should have written the letter ascribed to him was possible; but she challenged them to prove that she had ever received, much less answered it. If they still maintained that she had ever corresponded with that person, she demanded production of that correspondence itself, instead of the pretended copies, which she denounced as forgeries. Until this was done, she contended there was no evidence against her; there was nothing for her to disprove; and she must content herself with simply, but solemnly, denying that she had ever written the letters imputed to her, or participated in any plot for the assassination of the Queen of England. "I do not deny," she said, weeping, "that I have longed for liberty, and earnestly laboured to procure it: nature impelled me to do so; but I call God to witness that I have never conspired the death of the Queen of England, or consented to it. I confess that I have written to my friends, and solicited their assistance in my escape from her miserable prisons, in which she has now kept me a captive queen for nineteen years; but I never wrote the letters now produced against me. I confess, too, that I have written often in favour of the persecuted Catholics; and had I been able, or even now at this moment were I able to save them from their miseries by shedding my own blood, I would have done it, and would now do it; but what connection has this with any plot against the life of the queen? and how can I answer for the dangerous designs of others, which are carried on without my knowledge? It was but lately," she added, "that I received a letter from some unknown persons, entreating my pardon if they attempted anything without my knowledge."*

With a view to neutralise the effect of this defence, which attacked the evidence in its weakest points, the crafty Burghley undertook to reply. He recapitulated the whole history of the conspiracy; showed the manner in which, according to Nau's declaration, Mary carried on her correspondence; insisted that the written declarations of Nau and Curle were corroborated by the confessions of the conspirators; and contended that the correspondence between Mary and Babington was proved in the clearest manner, and that there could be no doubt of her knowledge and approval of the conspiracy.

During his address, Burghley took occasion to mention the Earl of Arundel as in some manner connected with the conspiracy; on which Mary, overpowered with emotion, burst into tears, and exclaimed: "Alas! how many calamities has the noble house of Howard endured for my sake!" Becoming once more composed, she proceeded to reply to the treasurer's subtle speech. She considered, she said, the confessions of Babington and the other conspirators as of no importance; nor could she be certain that what was produced as the confession of the former was even his writing. But why, she asked, had he not been confronted with her before being put to death? why was she denied this

* Camden, p. 519, *et seq.*; Strangage, p. 192, *et seq.*

* Avis de Monsieur Bellièvre, p. 103; Camden, p. 523.

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opportunity of clearing herself? and why were Nau and Curle, who were still alive, not now present, that it might be seen whether they would assert before her face what it was alleged they had said behind her back? She admitted that her secretaries had written her letters, and put them in cipher; but she could not be certain that they had not inserted things which she had not dictated. Was it not even possible, she asked, that they might have received letters addressed to her without delivering them; or sent others away in her name, and in her cipher, without her knowledge? "And am I," she continued, "am I, a queen, to be judged guilty on such proofs as these? Is it not manifest that there must be an end to the majesty and security of princes, if they are made to depend on the writings and the testimony of their secretaries? I claim the privilege of being judged from my own words and my own writings. If they have written anything which may be hurtful to the queen my sister, they have written it altogether without my knowledge; let them bear the punishment of their inconsiderate boldness. Sure I am that if they were here present they would clear me of all blame in this cause; and still more certain am I that had my papers not been seized, and were not I thus deprived of my notes and letters, I could have more successfully and minutely answered every point which has been so bitterly argued against me." *

In the course of this discussion, Mary repeatedly complained of being deprived of her papers, and, alluding to the ease with which her cipher might be counterfeited, she directly accused Walsingham of having basely altered or fabricated the documents on which the charges against her were founded, in order to procure her condemnation. "What security have I," she said, turning towards him, "that these are my very ciphers? A young man lately, in France, has been detected forging my characters. Think you, Mr. Secretary, that I am ignorant of your devices used so craftily against me? Your spies surrounded me on every side; but you know not perhaps that some of your spies on me proved false, and brought intelligence to me. And if *they* have thus acted," she added, addressing the whole assembly, "how can I be certain that *he* has not forged my ciphers to procure my death? Has he not already formed deep schemes against my life and that of my son?"

Agitated by this attack, Walsingham instantly rose, and with great vehemence exclaimed: "I call God to witness that I have done nothing as a private individual unbefitting an honest man, nor, as a public servant of my royal mistress, anything unworthy of my office. I have declared my conviction of criminality, because the safety of the queen and the kingdom concern me in an extraordinary manner. I have traced with the greatest care all the plans directed against the queen and against the kingdom, and even if that traitor Ballard had offered me his aid to discover them, I would not have repulsed him." * With this evasive answer Mary declared herself satisfied, and begged that he would not give greater credence to those that slandered her, than she did to such as slandered him. Spies, she added, were not much to be depended on. After some further discussion, the high court adjourned until the following day.

At the second meeting, Mary commenced by again declining the jurisdiction of the court, and demanding that her protest should be recorded. In again entering on her defence, however, she admitted, but defended, her letters to Morgan, Paget, and Mendoza; she even acknowledged that her secretaries had by her orders written certain notes to Babington, but, at the same time, positively asserted that these notes referred exclusively to the plans for her delivery from her captivity—plans which she held herself perfectly justifiable in encouraging, even if they involved the invasion of the kingdom. But she again solemnly denied all participation in the plots against the life of Elizabeth, and persisted in her rejection of the evidence of Babington and her two secretaries. In conclusion, she demanded to be heard before parliament, or to be admitted to an interview with Elizabeth; † and added—"As one accused of crimes, I desire that I may have another day of hearing, and I claim the privilege of having an advocate to plead my cause; or, being a queen, that I may be believed on the word of a queen." ‡

Burghley once more undertook to reply, and again went over the evidence. During his address, he was subjected to repeated interruptions by Mary, who reiterated her protestations of innocence, and demanded more conclusive proof; but after an altercation, which did not materially affect the case, the court, in consequence of secret instructions from Elizabeth, § suddenly adjourned, to meet on the 25th of October at Westminster. This delay was particularly displeasing to Walsingham, who anxiously longed to have the fatal sentence pronounced; and in a letter addressed to Leicester, a few days before the final meeting at Westminster, represented it as a judgment from heaven that her majesty had not the power to proceed against the Queen of Scots as her own safety required. ‖

While Mary was still detained at Fotheringay, in the charge of her stern jailer, the high court assembled at Westminster, according to arrangement, on the 25th of October, and recommenced this extraordinary trial. After the proofs adduced at the former meetings of the court had been again brought forward, Nau and Curle were personally ex-

* MS. British Museum, Caligula, c. ix., fol. 383; Howell, vol. i. pp. 1182, 1183; Hardwicke, vol. i. p. 233; Camden, vol. ii. p. 500; Tytler, vol. viii. p. 318.

* Howell, vol. i. p. 1182; Camden, vol. ii. p. 499; Advis de M. Bellieore, in Egerton, p. 103.

† Howell, vol. i. p. 1188.

‡ Camden, pp. 524, 525.

§ MS. Letter, British Museum, Caligula, c. ix., fol. 333; Howell, vol. i. p. 1187; Camden, vol. ii. p. 506; Tytler, vol. viii. p. 322.

‖ MS. Letter, Caligula, c. iv., fol. 415, Walsingham to Leicester, 15th October, 1586; Tytler, *ut supra*.

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amined, and corroborated their former confessions.* These, it would appear, had not been satisfactory to Walsingham and Burghley; inasmuch as they merely proved that Mary had received certain letters from Babington, and had dictated certain answers, but did not afford conclusive evidence that she had dictated the passages referring to the assassination of Elizabeth. On this occasion, however, nothing more decided could be elicited from them. On the contrary, according to Nau's own account of this examination, he boldly maintained that the most important charges made against Mary were utterly false; and that though Walsingham attempted to overawe him into silence, he declared "the commissioners would have to answer to God and all Christian kings, if on such false charges they condemned an innocent princess." †

Condemnation of Mary.

As had been pre-determined, the commissioners wound up this solemn mockery of law and justice by unanimously finding Mary guilty, and condemning her to death.‡ On the same day, at the instigation of Burghley, the commissioners and judges published a declaration, "that the sentence did no wise derogate from the title and honour of James, King of Scotland; but that he was in the same place, degree, and right, as if the sentence had never been pronounced." §

It is not easy to decide the question of Mary's guilt or innocence—a question which the judgment of this most irregular court in no way affects; but the fact that her enemies thought it necessary, in order to procure her condemnation, to resort to a mode of trial in which all the ordinary forms of judicial procedure, and every principle of law and justice, were openly violated, will ever furnish a strong presumption of her innocence. She was wholly in the power of those who thirsted for her blood. The principal documents produced against her were not originals, but alleged copies from deciphered letters, and therefore worthless as evidence; so that it is perfectly clear, as has been well remarked—"that under such a system Mary may have been wholly innocent, and yet may have been made to appear guilty." ‖

Meeting of Parliament.

Four days after this a parliament was summoned, which confirmed the judgment of the commissioners, declared their sentence to be legal, and unanimously petitioned the queen, that as she tendered the security of the kingdom and the safety of her own life, she would, without delay, allow the sentence to be published and carried into effect. "By neglecting to do this," they said, "you would incur the displeasure of Heaven, and expose yourself to the chastisements of God's justice, who has left us several severe examples of it in the holy Scriptures." ¶

The answer of Elizabeth to this message was strikingly characteristic. She expressed deep thankfulness to the Almighty for having so wonderfully preserved her life amidst so many dangers, and professed her high gratification at the devoted affection of her subjects, who, after a reign of twenty-eight years, had evinced a stronger attachment to her than on the day she ascended the throne. She spoke of her unfortunate sister more in sorrow than in anger, declared her willingness to pardon her, if the matters involved had concerned herself only, and concluded by saying, "Do not hurry my decision. It is an affair of great importance, and I am accustomed to deliberate longer on less weighty matters before making up my mind. I shall pray Almighty God to enlighten my understanding, and to show me what will be best for the interests of his Church, the prosperity of my people, and your own security." *

Two days after this, Elizabeth, with feigned reluctance to proceed to the last extremity against her unfortunate kinswoman, sent a message to both houses of parliament, entreating them to consider of some more lenient method of dealing with the Queen of Scots, so that she might be spared the pain of assenting to the execution of the sentence pronounced against her; † but as Elizabeth no doubt wished and expected, the two houses, after much deliberation, unanimously determined "that they could find no other way." This answer was immediately conveyed by the lord-chancellor and the speaker of the House of Commons to the queen, who was then at Richmond. Her reply, if it may be so called, was probably intended to evince a continued repugnance to agree to the fatal decision: "If," she said, addressing the chancellor, "I should say unto you that I mean *not* to grant your petition, by my faith, I should say unto you more than perhaps I mean; and if I should say unto you I mean to grant your petition, I should then tell you more than it is fit for you to know, and so I must deliver you an answer answerless." ‡

The next step was to communicate to Mary the result of her trial, of which she was yet ignorant. For this purpose Elizabeth dispatched Lord Buckhurst and Mr. Beal, the clerk of the Privy Council, to Fotheringay, who, arriving there on the 22nd of November, announced to Mary the sentence of her judges, its subsequent ratification by both houses of parliament, and their importunate demand to have it immediately carried into execution. She received the dreadful tidings without any apparent emotion, and reiterated her protestations that she was innocent of any design against the life of Elizabeth. On being warned that she had no mercy to expect, and offered the assistance of a Protestant bishop or dean in her last hours, she mildly but firmly refused the offer; and pathetically entreated that she might be allowed the attendance of her almoner, who had been for some time debarred from her presence.

* Hardwicke Papers, vol. i. p. 224.
† Lingard, vol. viii. p. 219.
‡ Howell, vol. i. p. 1188.
§ Camden, p. 526. ‖ Tytler, vol. viii. p. 273.
¶ Howell, vol. i. p. 1190; Camden, vol. ii. p. 508.

* Howell, p. 1194; Camden, vol. ii. pp. 509—511.
† Howell, pp. 1194, 1195.
‡ Parliamentary History, vol. iv. p. 298.

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This indulgence was granted, but after a short time it was again withdrawn.

Her morose and unfeeling keeper, Paulet, unmoved by her misfortunes, now laboured to aggravate her sufferings by treating her with studied indignity. On the following day he abruptly entered her chamber, and with unmanly insolence informed her that she was no longer to be treated as a queen, but as a private woman, who was already dead in law, being under capital condemnation for a detestable crime, and that therefore all insignia of royalty must in future be dispensed with. He then ordered Mary's attendants to remove the dais, or cloth of state surmounted by her arms; and on their refusing to comply, he called in some of his own domestics, who perpetrated this paltry insult. He then put on his hat and sat down, and observing a billiard-table, which stood in her apartment, he commanded it to be taken away, remarking that such idle amusements were unbefitting a person in her present condition. This brutal behaviour, for which he had not even the poor apology of an order from Elizabeth,* has left an indelible stain on the name of Sir Amias Paulet.

Proclamation of Mary's sentence.

Proceeding with her usual caution before giving her final decision, Elizabeth now issued an order that the sentence against Mary should be publicly proclaimed, in the expectation that some outburst of popular feeling against the Queen of Scots might have the appearance of extorting from her her fatal determination. In this she was not disappointed. The people, in contemplation of the calamities which their sovereign and the nation had so narrowly escaped, were unanimous in demanding vengeance on the unfortunate queen, whom they regarded as the author of all those perils; and testified by extravagant public rejoicings their satisfaction at the announcement of her condemnation.†

The Earl of Pembroke, the Lord Mayor, and aldermen of London, were present at the proclamation in that city; the ceremony was accompanied by the ringing of bells and other demonstrations of satisfaction, which were kept up for the space of twenty-four hours. In all parts of the kingdom similar rejoicings took place, and bonfires were seen blazing in every direction.‡ No doubt therefore remained that the doom pronounced on the Queen of Scots met with the general and cordial approval of the nation, and that any mitigation of her punishment would, at this moment, have rendered Elizabeth and her ministers extremely unpopular.

At this time Mary made her last appeal to the callous heart of Elizabeth in the following affecting letter:—

"MADAM,—I bless God with my whole heart that, by means of your final judgment, he is about to put a period to the wearisome pilgrimage of my life. I make no petition that it should be prolonged, having already but too well known its bitterness: I only now supplicate your highness that, since I cannot hope for any favour from those exasperated ministers, who hold the highest offices in your state, I may obtain from your own bounty these three favours:—

"First. As it would be vain for me to expect a burial in England, accompanied by the Catholic rites practised by the ancient monarchs, your ancestors and mine, and since the sepulchres of my fathers have been broken up and violated in Scotland, I earnestly request that, as soon as my enemies shall have glutted themselves with my innocent blood, my body may be carried by my servants to be interred in holy ground: above all, I could wish in France, where rest the ashes of the queen my most honoured mother. Thus shall this poor body, which has never known repose as long as it was united to my soul, have rest at last, when it and my spirit are disunited.

"Secondly. I implore your majesty, owing to the terror I feel for the tyranny of those to whose charge you have abandoned me, let me not be put to death in secret, but in the sight of my servants and others. These persons will be witnesses to my dying in the faith, and in obedience to the true Church; and it will be their care to rescue the close of my life and the last breathings of my spirit from the calumnies with which they may be assailed by my enemies.

"Thirdly. I request that my servants, who have clung to me so faithfully throughout my many sorrows, may be permitted freely to go where they please; and to retain the little remembrances which my poverty has left them in my will.

"I conjure you, madam, by the blood of Jesus Christ—by our near relationship—by the memory of Henry the Seventh, our common ancestor—by the title of queen, which I bear even to my death, refuse me not these poor requests, but assure me of your having granted them by a single word under your hand,

"I shall then die as I have lived,

"Your affectionate sister and prisoner,

"MARY THE QUEEN."*

It is probable that this letter was never delivered to Elizabeth;† at all events, it remained unanswered, and her requests were disregarded.

In the meantime, intelligence of the trial and condemnation of Mary had reached Scotland, where it excited a general feeling of dismay and indignation. The condemnation of a Scottish princess, the mother of the reigning sovereign, appeared both to the nobles and the people to imply an insolent claim of superiority on the part of the English queen, which was felt by every Scotsman with the keenness of a personal insult. James, who might have been expected to participate in these sentiments in an intense degree, as well as to be filled with alarm at the imminent danger to

* Letter of Mary, in Jebb, vol. ii. p. 293; also Bissellii Mariæ Stuartæ Actu, p. 219.

† Lingard, vol. viii. p. 233.

‡ Bibl. Nat. MS. 9513; Coll. de Mismes, vol. iii. fol. 389; Life of Egerton, p. 92.

* Jebb, vol. ii. pp. 91, 92.

† Ibid.

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which his mother was exposed, evinced a calmness and moderation which, though admitting of some extenuation, is extremely discreditable to his memory. It must be kept in view, however, that James had never personally known his mother, and therefore could not be expected to entertain towards her that warmth of filial affection which is excited by the recollection of a mother's tenderness. Besides this, the crafty Walsingham had laboured gradually to prepare the mind of the facile young monarch for the anticipated crisis, and by operating on his characteristic selfishness to alienate his affections from his unfortunate parent. At an early period of the proceedings he had sent to James an account of the conspiracy, and had employed the Master of Gray artfully to insinuate to him that he owed little to a mother who had been the means of procuring the death of his father. Care was also taken to send him extracts from the alleged correspondence of Mary with Babington, particularly those portions of it in which she speaks reproachfully of James, and recommends the seizure of his person. All this must have tended to extinguish within the breast of James any spark of filial affection lingering there; and, indeed, such was the apathy which he discovered on this occasion, that the French king felt it necessary to instruct his ambassador, Monsieur de Courcelles, then in Scotland, to stimulate James to make some exertion to save his mother. In reply to the ambassador, James appears to have treated this grave matter, which so nearly concerned his own honour—to say nothing of his mother's life—with a most unbecoming levity and indifference. He replied, and it is to be hoped he really believed, "that his mother was in no danger; and as for the conspiracy, she must be contented to drink the ale she had brewed. He loved her," he said, "as much as nature and duty bound him; but she knew well she bore him as little goodwill as she did the Queen of England: her practices had already nearly cost him his crown, and he could be well content she would meddle with nothing but prayer and serving of God." *

Very different were the sentiments of the nobility and the people, who were inflamed with resentment at the audacious insolence of the English queen. Angus, Lord Claud Hamilton, Huntley, Bothwell, Herries, and others of the principal nobility, were so exasperated by a sense of the degradation to which their country was subjected, that they declared their determination rather to risk the chances of a war with England than submit to such an indignity.†

Sir William Keith is sent to London to remonstrate with Elizabeth.

James at length, stimulated by the representations of the French king, and probably now fully convinced of his mother's danger, dispatched Sir William Keith to London with a letter to Elizabeth, in which he expressed astonishment and indignation that English subjects should have presumed to pass sentence of condemnation on a Scottish princess, and warned Elizabeth that he could not quietly suffer her to stain her hands in the blood of his mother, her own nearest kinswoman and her equal in rank, and over whom she could claim no jurisdiction. He at the same time wrote to Walsingham in a menacing tone, and instructed Sir William Keith to speak out, if necessary, still more strongly, and to co-operate with the French ambassador in his endeavours to secure the safety of his unfortunate parent. He had already written urgently on the same subject to Archibald Douglas, his ambassador in London;* but it was strongly suspected that this perfidious minister, who had formerly betrayed the Queen of Scots, employed his influence on this occasion in counteracting the efforts that were made to save her life.†

Keith arrived in London early in November, and after some apparently unnecessary delay was admitted to an audience. Elizabeth, with her accustomed hypocrisy, feigned to be overwhelmed with concern about the circumstances in which Mary was placed, and swore by the living God that to save her life she would willingly part with one of her own arms; but lamented that she was urged to the adoption of extreme measures by the importunity of her ministers and the apprehensions of her people. After considerable delay and repeated interviews, James, finding that Keith made no progress in the object of his mission, became impatient, and wrote to him with fresh instructions, and in terms of such indignant remonstrance and undisguised menace, that Elizabeth burst into a frenzy of rage, and so far forgot her queenly dignity, as to expel Keith from the council-room by personal violence. She was with difficulty restrained by her courtiers from giving full sway to her fury; but next day her passion had subsided, and she replied in a more moderate tone to the message of the Scottish king.

Pusillanimity of James. Embassy of Sir Robert Melvil and the Master of Gray.

James, on his part, alarmed at his own boldness and that of his envoy, and forgetful of his honour as an independent sovereign, and his duty as a son, had the pusillanimity to address an apology to Elizabeth, and to send Sir Robert Melvil and the Master of Gray to the English court, to retract or attempt to explain away the offensive points of his previous message.‡

This base timidity and subservience had its origin in a private communication at this time received from Walsingham,§ containing some sig-

* October 4, extract from Monsieur Courcelles' Negotiations, Bannatyne edition, p. 4. † Ibid., pp. 11, 13.

* Appendix to Robertson's History of Scotland, No. XLIX., King James to Archibald Douglas, October, 1586; also same, No. L., Archibald Douglas to the King, 16th October, 1586.

† Lodge's Letters, vol. ii. (8vo. edit.) p. 295, Master of Gray to Archibald Douglas, 9th December, 1586.

‡ MS. Letter, copy, Warrender MSS. B., fol. 336, King James to Elizabeth, 15th December, 1586.

§ Warrender MSS. B., fol. 334. A memorial of certain heads to be communicated to the Lord Secretary of Scotland.

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nificant allusions to the English succession—an object apparently of far more importance in James's estimation than the safety of his mother. His selection of Gray for this mission leaves a dark shade of suspicion over the motives of the Scottish king. This perfidious noble had already, as James well knew, basely betrayed and grossly insulted the unfortunate Mary; he was a devoted partizan of Elizabeth and her ministers, and was therefore under temptations to prove false to his trust, which a man of his treacherous and unprincipled character was not likely to resist. Of all this James was fully aware, and the result was such as he could scarcely fail to have anticipated. Though ostensibly zealously labouring to secure the object of his mission, he was secretly co-operating with Archibald Douglas in encouraging Elizabeth to proceed to the last extremity, whispering in her ear, "The dead cannot bite;" and persuading her that she had nothing to fear from his master's resentment, which would be found to consist rather in clamour than in sustained action. By these perfidious arts all the efforts of Sir Robert Melvil, who strove earnestly and faithfully to secure the object of his embassy, were effectually counteracted.

Failure of their embassy.

At their very first audience it became painfully evident to Melvil that there was little to hope for, either from the fears or the clemency of Elizabeth. They proposed that James should pledge himself, and give as hostages into Elizabeth's hands some of his principal nobility, that in the event of Mary's life being spared no attempt should be made by her, or on her account, against the life or government of Elizabeth; but this offer was contemptuously rejected without a moment's consideration. It was then proposed that Mary should resign in favour of her son all right of succession to the English crown. "How is that possible?" said Elizabeth; "she is declared 'inhabil,' and can convey nothing." — "If she have no rights," answered Gray, "your majesty need not fear her; if she have any, and your majesty will permit her to transmit them to her son, he will then possess the full title of succession to your highness." This proposal irritated Elizabeth, who could not bear to speak on the subject of the succession. "What!" she exclaimed, in a loud and angry voice, and with a great oath, "get rid of one and have a worse in her place? Nay, then I put myself in a more miserable case than before. By God's passion, that were to cut mine own throat! and for a duchy or an earldom to yourself, you, or such as you, would cause some of your desperate knaves to kill me. No, by God! your master shall never be in that place." Gray then, with affected earnestness, begged that Mary might be allowed a respite of fifteen days, that they might have time to communicate with their master. This request, however, was peremptorily refused; and the queen, in a state of great excitement, rose and proceeded to leave the room. Melvil followed her, and entreated that she would suspend the execution of the sentence at least for eight days. "No," she sternly replied, "not for an hour!"*

Efforts of Henry III. in favour of Mary.

Besides these efforts on the part of James, some attempts had been made by Henry III. in favour of his unfortunate relative the Queen of Scots. He had never manifested any very deep sympathy for her during the long period of her captivity, but no sooner had the intelligence of her trial and condemnation reached the court of France than he felt bound in decency, as well as from a regard to the dignity of princes, which was attacked as he conceived in her person, to interfere in her behalf. He accordingly sent Monsieur de Bellievre as his ambassador to Elizabeth, to remonstrate against this unprecedented proceeding, and to use his endeavours to avert the fate impending over the unfortunate queen. After a first and second interview with Elizabeth, finding that he could obtain no assurance for the life of Mary, Henry wrote to his ambassadors with more peremptory and urgent instructions. On the 6th January, Bellievre had an audience at Greenwich, where the queen was then residing; and after much persuasion and many arguments, perceiving that he made no progress towards his object, he assumed a threatening tone. "If it be your majesty's good pleasure," he said, "to set at nought such high considerations, and to disregard the prayers of the king, my master, he has charged me to tell you, madam, that he shall resent this proceeding as a thing adverse to the common interests of kings, and most especially offensive to him."† This menace roused the haughty spirit of the English queen: "Monsieur de Bellievre," she angrily exclaimed, "are you charged by the king, my brother, to hold this language to me?" — "Yes, madam," answered Bellievre; "I am expressly commanded so to do by his majesty."—"Have you," rejoined the queen, "this power signed by his hand?"—"Yes, madam," replied Bellievre; "the king my master, your good brother, has expressly enjoined and charged me, in letters signed by his own hand, to address these remonstrances to your majesty."—"Then I desire," added Elizabeth, "that you declare the same signed by your hand."‡ Bellievre, having presented a copy of his instructions, withdrew; and, having now no hope of success, he left London a few days afterwards on his return to his court. A fresh attempt however was made by Aubespine, the resident French ambassador; but all farther negotiations, and, for a time, all friendly relations between the two kingdoms were suddenly broken off, in consequence of a quarrel originating in a

* Robertson, vol. ii., Appendix, No. xiv.; Memorial of the Master of Gray, 12th January, 1586-7.

† Bibl. Nat. Bethune, MS. No. 8955; Registers of Villeroy and Colbert, MS. No. 18; Miscellanies; Advis delce qui a este faict en Angleterre, par M. de Bellievre sur les affaires de la Royne d'Escosse, en mois de Novembre et Decembre, 1585, et Janvier, 1587; Life of Egerton, p. 109; Mignet, vol. ii. p. 334.

‡ Life of Egerton, p. 101; Carte, vol. iii. pp. 613, 614.

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pretended conspiracy against the life of Elizabeth, which was said to have been traced to some of the ambassador's suite.

Elizabeth, rightly judging that she had little danger to fear from the resentment either of Henry or James, had now determined to strike the blow, notwithstanding their remonstrances, and in defiance of their threatenings, both of which would proceed, as she supposed, no further than words. But though unwavering in her resolution at all events to get rid of Mary, she was most anxious to have it believed that she was extremely reluctant to authorise her execution, and to make it appear that her consent was extorted from her by the clamours of her people. To excite these to a higher pitch, she judged it necessary to operate on their fears. With this view extravagant and baseless rumours, tending to alarm the public mind, were, from time to time, industriously circulated throughout the kingdom: one day it was reported that the Duke of Guise had made a descent upon Sussex, and that a Spanish army had landed at Milford Haven, and had been joined by the Roman Catholics; another, that an attack had been made on Fotheringay Castle, and that the Queen of Scots had effected her escape; and a third, that the northern counties had risen in rebellion, and that a conspiracy had been formed to assassinate the queen and to burn the capital.* These expedients soon produced the desired effect—the minds of the people were excited to frenzy, and the almost universal national will demanded the instant execution of the sentence passed upon the Queen of Scots, who was believed to be the cause of all these threatened calamities.

Meanwhile Elizabeth seemed to be irresolute, although incessantly importuned by her Privy Council to issue the warrant for Mary's execution. Another and a darker scheme had taken possession of her mind; and she gave her councillors to understand, by obscure allusions and broken expressions, that, though as desirous as themselves to get rid of Mary, she was anxious to transfer the odium of putting her to death from herself to her ministers. She even appeared to have entertained a hope that they would have spared her the pain of appearing to act in the matter at all, by adopting some secret method of destroying their victim. There is not much reason to believe that they shrank from following out this hint through any strong abhorrence of private assassination; but they knew well the perfidious disposition of Elizabeth, and had good ground to apprehend that as soon as they had fulfilled her wish she would sacrifice them to her own reputation. The suggestion was allowed to pass, as if it had not been understood; and Elizabeth, who really was in a dilemma between her wish to strike the blow and her fear of the consequences, became moody and solitary, laid aside her customary amusements, indulged in soliloquies, and was often heard to mutter the Latin aphorism—"*Aut fer aut feri; ne feriare, feri.*"*

Warrant for Mary's execution.

At last, however, compelled either to abandon her intention with regard to Mary or to act for herself, she sent Lord-Admiral Howard to order her secretary Davison to bring her the warrant for Mary's execution, which had already been drawn up by the Lord-Treasurer Burghley,† and lay in his possession unsigned. Davison obeyed, and, on the 9th February, at ten o'clock in the morning, presented himself before Elizabeth with the document. She read it over, called for a pen, and deliberately affixed her signature, then, raising her head, jocularly asked Davison whether he was not sorry she had done so. After some courtly reply from the secretary, she ordered him to carry the warrant to the lord-chancellor to be sealed, but directed that it should be done as secretly as possible; then, again assuming an air of pleasantry, she added, "You may show it, however, to Walsingham, though I fear the blow will kill him on the spot."

Resuming her gravity, she directed that the execution should not be done publicly in the court of the castle, but in the great hall, where the trial had taken place; and dismissed Davison with an injunction to trouble her no more on that subject, as she had now done all that in law or reason could be required of her.‡

As the secretary was in the act of retiring, the queen, as if incidentally recollecting something she had omitted to say, detained him for a few moments, and complained of Sir Amias Paulet and others, who, she said, might have relieved her of this burden. "Even yet," she added, "it might be so done that the blame might be removed from myself, if you and Walsingham would write jointly to Sir Amias and Sir Drew Drury, to sound them on the subject." Davison was base and obsequious enough not to reject this horrible proposal, but promised to write to Sir Amias, and inform him of her majesty's wish; and the queen having solemnly enjoined him to have the matter closely handled, permitted him to depart.§

On the afternoon of the same day Davison visited Walsingham, and informed him of the revolting communication which the queen expected them to make to Paulet and Drury. Apparently without any hesitation, they proceeded to comply with the abominable proposal; and ere the close of the day, the following effusion of cold-blooded villainy was on its way to Fotheringay Castle.

"*To* SIR AMIAS PAULET.

"After our hearty commendations. We find by speech lately uttered by her majesty, that she doth note in you both a lack of that care and zeal for

* Camden, in Kennet, vol. ii. p. 533; Ellis's Letters, second series, vol. iii. pp. 106, 109.

* "Strike or be stricken; strike lest thou be stricken;" Camden, in Kennet, vol. ii. p. 534.

† Caligula, c. ix., fol. 470.

‡ Davison's defence, drawn up by himself, in Caligula, c. ix., fol. 470, printed by Nicolas.

§ Nicolas's Life of Davison, p. 84.

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her service that she looketh for at your hands, in that you have not in all this time, of yourselves (without other provocation), found out some way to shorten the life of that queen; considering the great peril she is subject unto hourly, so long as the said queen shall live. Wherein, besides a lack of love towards her, she noteth greatly that you have not that care of your own particular safeties, or rather of the preservation of religion, and the public good and prosperity of your country, that reason and policy commandeth; especially, having so good a warrant and ground for the satisfaction of your consciences towards God, and the discharge of your credit and reputation towards the world, as the oath of "association," which you both have so solemnly taken and vowed; and especially the matter wherewith she standeth charged being so clearly and manifestly proved against her; and therefore she taketh it most unkindly that men professing that love towards her that you do, should in any kind of sort, for lack of the discharge of your duties, cast the burden upon her, knowing as you do her indisposition to shed blood, especially of one of that sex and quality, and so near to her in blood as the said queen is.

"These respects we find do greatly trouble her majesty, who, we assure you, has sundry times protested that if the regard of the danger of her good subjects and faithful servants did not more move her than her own peril, she would never be drawn to assent to the shedding her blood. We thought it very meet to acquaint you [with] these speeches lately passed from her majesty, referring the same to your good judgments. And so we commit you to the protection of the Almighty.

"Your most assured friends,

"FRANCIS WALSINGHAM.

"WILLIAM DAVISON."

"London, 1st February, 1586." *

The original of this letter was found among Paulet's private papers, † notwithstanding it was accompanied with a solemn injunction from Davison to commit it to the flames, and a promise that his answer should be similarly disposed of. Paulet, however, though a harsh and severe man, shrank from the commission of murder, and absolutely refused compliance with the detestable proposal. Within an hour after the receipt of the letter, he had communicated its contents to Drury, and the following answer was dispatched to Walsingham:—

"Your letters of yesterday coming to my hands this present day at five in the afternoon, I would not fail, according to your directions, to return my answer with all possible speed, which [I] shall deliver unto you with great grief and bitterness of mind, in that I am so unhappy as to have liven to see this unhappy day, in the which I am required, by direction from my most gracious sovereign, to do an act which God and the law forbiddeth. My good livings and life are at her majesty's disposition, and I am ready to lose them this next morrow, if it shall so please her, acknowledging that I hold them as of her mere and gracious favour. I do not desire them to enjoy them but with her highness's good liking; but God forbid that I should make so foul a shipwreck of my conscience, or leave so great a blot to my poor posterity, to shed blood without law and warrant. Trusting that her majesty, of her accustomed clemency, will take this my dutiful answer in good part." *

This letter was carried by Davison to the queen, who perused it with strong symptoms of dissatisfaction, and passionately declared that she hated those fine speakers—those "precise and dainty fellows"—who promise much and do nothing, but throw all the burden on her shoulders.† In the meantime, the warrant for Mary's execution had been sealed by the lord-chancellor, and transmitted to the Privy Council, who, without again consulting the queen on the subject, addressed a letter enclosing it to the Earl of Shrewsbury. It was with considerable hesitation and anxiety, however, that they adopted this step, without renewed authority from their capricious mistress; but that the responsibility might not be confined to one only of their number, the letter was subscribed by Burghley, Leicester, Hunsdon, Knollis, Walsingham, Derby, Howard, Cobham, Sir Christopher Hatton, and Davison. ‡ Its conveyance was entrusted to Beal, the clerk of the council, who arrived with it at the seat of the Earl of Kent on the evening of the 4th of February. Thence he proceeded next day to Fotheringay Castle, and announced his dreadful errand to Sir Amias Paulet and Sir Drew Drury. § To the Earls of Shrewsbury and Kent, and the high sheriff of the county, was committed the office of seeing the warrant carried into execution; and intelligence having been sent to the former of these noblemen, the two earls came to the castle on the morning of Tuesday, the 7th of February, accompanied by several persons who were to assist in the dismal preparations. The unusual bustle and concourse threw the servants of Mary into terrible alarm, as they rightly conjectured that the fears under which they had for more than two months laboured on account of their mistress were now about to be realised. ‖ About two o'clock, the two earls sent to demand an interview with Mary, who sent in answer to say that she was in bed and indisposed; but if the business was urgent, she would rise and admit them. Learning from them in reply that the matter would not admit of delay, she immediately rose, and having dressed, Kent and Shrewsbury, accompanied by Paulet, Drury, and Beal, were ushered into her apartment, where, surrounded by most of her household, they found her seated at a

Dispatch of the warrant to Fotheringay.

* Robert of Gloucester's Chronicle, by Hearne, vol. ii. p. 674.

† Life of Davison, p. 85.

* Hearne's Robert of Gloucester, vol. ii. p. 675.

† Ibid., pp. 391, 392.

‡ Ellis's Letters, second series, vol. iii. pp. 111, 112.

§ La Mort de la Royne d'Escosse, Jebb, vol. ii. p. 512.

‖ Ibid., p. 612.

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small work-table. They advanced uncovered, and bowing respectfully, briefly informed her that Elizabeth, urged on by the importunate solicitations of her subjects, had felt compelled to grant warrant for her execution. Beal then read the warrant, to which she listened in silence and with composure. When he had finished, she made the sign of the cross, and bowing down her head, said—"God be praised for the news you bring me! I could receive none better; for it announces to me the conclusion of my miseries, and the grace which God has granted me to die for the honour of his name and of his church, Catholic, Apostolic, and Roman. I did not expect such a happy end, after the treatment I have suffered and the dangers to which I have been exposed for nineteen years in this country—I, born a queen, the daughter of a king, the grand-daughter of Henry VII., the near relation of the Queen of England, Queen-Dowager of France, and who, though a free princess, have been kept in prison without legitimate cause, though I am subject to nobody, and recognise no superior in this world excepting God."* At this solemn moment she renewed her protestations of innocence, and laying her hand on the Roman Catholic version of the New Testament which was on the table—"I am condemned," she said, "by a tribunal which had no power over me, for a crime of which I here solemnly declare I am innocent.† I have neither invented, nor consented to, nor pursued any conspiracy for the death of the Queen of England." On hearing these words, the Earl of Kent interrupted her, asserting that the book she had sworn on was false, and the Roman Catholic version, and that therefore her oath was of no value. "It is the translation in which I believe," replied Mary. "Does your lordship suppose that my oath would be better if I swore on your translation, in which I do not believe?" ‡

Mary now requested that her almoner, who had been a second time debarred from her presence, but who was still in the castle, might be permitted to attend her, to assist in preparing her for death, and to administer that spiritual consolation which she considered it sinful to receive from one of a different creed. This request, however, was refused; and she was offered by the Earl of Kent the services of the Dean of Peterborough, Dr. Fletcher, whom the two earls had brought with them. Mary peremptorily rejected this offer, and expressed astonishment that such a request should have been denied. She was prepared, however, she said, to die in the Catholic faith, which had been professed by her ancestors. Inquiring what time she was to die, Shrewsbury answered—"To-morrow, madam, about eight o'clock in the morning."

Mary prepares for death.

The two earls having withdrawn, Mary ordered her attendants to hasten the preparations for supper, that she might have time to arrange her affairs. At this awful interval, while her attendants were bathed in tears, it was remarked with astonishment and admiration that her demeanour was not merely composed, but her manner unusually and unaffectedly cheerful. "Come, come," she said, "Jane Kennedy, cease your weeping, and be busy. Did I not warn you, my children, that it would come to this? And now, blessed be God! it has come, and fear and sorrow are at an end. Weep not, then, nor lament, but rejoice rather that you see your poor mistress so near the end of all her troubles. Dry your eyes, then, and let us pray together." She then knelt down with her women, and after spending a short time in devotion, she rose, and opening her cabinet, she proceeded to count the money she had left, and dividing it into separate portions, put each sum into a purse by itself, with a slip of paper, on which she wrote with her own hand the name of the person for whom it was intended.

Supper being introduced, she ate sparingly, as was her custom, and conversed cheerfully with those about her, particularly with Burgoin, her physician, to whom, after a short fit of abstraction, during which a placid smile unconsciously lit up her countenance, she said, "Did you remark, Burgoin, what that Earl of Kent said in his talk with me—that my life would have been the death, as my death would be the life of their religion? Oh! how glad am I at that speech! Here comes the truth at last; and I pray you remark it. They told me I was to die because I had plotted against the queen; but then arrives this Kent, whom they sent hither to convert me, and what says he? I am to die for my religion."*

After supper, she summoned all her servants into her chamber, and calling for a cup of wine, she drank to them with many expressions of affection, and asked them to pledge her. They did so on their knees, and with many tears asked her forgiveness if ever they had offended her. She frankly forgave them, and in turn asked their forgiveness for any uneasiness she might have unnecessarily occasioned them. She exhorted them to adhere steadfastly to the Catholic faith, and to live in peace and love with each other, which, she remarked, they might more easily do, now that Nau, who had so often sown dissension among them, was out of the way. Nau, indeed, was the only person of whom she spoke with any degree of acrimony. She even accused him of being the cause of her death; but added, that she forgave him. She afterwards proceeded to select from her wardrobe various articles of dress, which she distributed as presents among her ladies, accompanying the delivery with some affectionate remarks to each of them. She then wrote to her almoner, lamenting that she was denied the consolation of his presence, but requesting him to watch with her that night, pray for her, and send her his absolution.‡ She afterwards wrote her will, of which she ap-

* La Mort de La Royne d'Escosse, Jebb, vol. ii. pp. 614, 615.
† Ibid., vol. ii. p. 613. ‡ Ibid., vol. ii. p. 616.

* La Mort de la Royne d'Escosse, Jebb, vol. ii. p. 625; Camden, in Kennet, vol. ii. p. 534.
† Camden, in Kennet, vol. ii. p. 534; La Mort de la Royne d'Escosse, Jebb, vol. ii. p. 625.

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pointed the Duke of Guise the principal executor.* As it was now about two o'clock in the morning, she sealed up her papers, and gave them in charge to her servants, remarking that she had now done with the affairs of this world. She retired to rest, having first caused her feet to be washed; and Jane Kennedy, at her desire, read to her at her bedside a portion of a work entitled, "The Lives of the Saints"—a book of which she was very fond. During the short period she had to rest she did not appear to sleep, but she was calm and composed. Her eyes were shut, a sweet smile was upon her face, and she frequently moved her lips and lifted up her hands as if in prayer. Before daybreak she arose, saying she had now only two hours to live; and, recollecting that she would require a handkerchief to bandage her eyes, she selected for that purpose one of the finest, adorned with a fringe of gold. She dressed with more than her usual care, after which she repaired to her oratory, where, kneeling down with her women at the altar, she spent some time in prayer. Ere she had finished, the fatal hour of eight had arrived, and a loud knock was heard at the door. She intimated that she would soon be ready, and continued her devotions; but in a very short time the knock was repeated, and, the door being opened, the high-sheriff, with a white wand in his hand, walked into the apartment, and advancing to the altar, where she still knelt, said—"Madam, the lords await you, and have sent me to you."—"Yes," replied Mary, rising from her knees, "let us go." Burgoin, her physician, who assisted in raising her, now handed her an ivory crucifix which lay on the altar, inquiring whether she did not wish to take that with her. "Oh, yes, yes!" replied Mary, kissing it, "it was my intention to have done so; many, many thanks for putting me in mind." She then desired one of her suite to carry it before her; and the sheriff preceding her, conducted her to the door of the apartment, where a heart-rending scene took place. Her servants, who were following her, were now informed that they must return, as orders had been given not to permit them to be present at the execution. This order, as harsh as it was unexpected and unnecessary, was received by the afflicted household with loud lamentation and unavailing remonstrance; while Mary calmly remarked that it was hard to prohibit her poor servants from witnessing her last moments. They fell at her feet, wept aloud, kissed her hand, clung to her robe, and were with difficulty separated from her and locked up in the chamber. At the foot of the great staircase, she was received by Shrewsbury and Kent; and here too, waiting to take his last farewell, was her old attached servant, Sir Andrew Melvil, the master of her household, whom, for some time before, her keepers had not permitted to come into her presence. On seeing her, he fell on his knees, burst into tears, and bitterly lamented that he should be the bearer of such dismal tidings to Scotland. "It will be," he said, "the most sorrowful message I ever carried, to announce that the queen, my sovereign and dear mistress, is dead."—"Thou shouldest rather rejoice, good Melvil," replied Mary, "that Mary Stewart has arrived at the close of her misfortunes. Thou knowest that this world is only vanity, and full of troubles and misery. Bear the tidings that I die firm in my religion—a true Catholic, a true Scotchwoman, a true Frenchwoman. May God forgive those who have sought my death! The Judge of the secret thoughts and actions of men knows that I have always desired the union of Scotland and England. Commend me to my son, and tell him that I have never done anything that could prejudice the welfare of the kingdom, or his quality as king, nor derogated in any respect from our sovereign prerogative."*

Turning to Shrewsbury and Kent, she now expressed a hope that her secretary, Curle, might be pardoned, and an earnest wish that her servants, including her women, might be permitted to be present at her death. This the Earl of Kent decidedly refused, as the women would probably occasion disturbance by their lamentations, and perhaps be guilty of some superstitious act—as, for example, dipping their handkerchiefs in her blood. "My lord," said Mary, "I pledge my word that they will do nothing of the kind. Alas, poor souls! they would be gratified at taking leave of me; and I am sure your mistress, being a virgin queen, would not refuse to allow another queen to have her women about her at the moment of her death. She cannot have given you such rigorous orders. You would grant me more than that, even if I were a person of lower rank; and yet, my lords, you know that I am your queen's cousin. You certainly will not refuse me this last request. My poor girls wish only to see me die."† Probably unwilling to incur the odium of refusing such a request, the two earls, after a short consultation, consented to permit two of her ladies and four of her gentlemen to attend her to the scaffold. She selected Burgoin, her physician; Gorion, her apothecary; Gervais, her surgeon; Didier, her butler; Jane Kennedy, and Elizabeth Curle.‡ Immediately on their coming down, she entered the great hall leaning on the arm of her physician, and followed by Sir Andrew Melvil, who bore her train. Her dress consisted of a gown of dark crimson velvet, such as she had been accustomed to wear on solemn occasions, a cloak of figured satin of the same colour, a high collar and hanging sleeves, while over all was thrown a white veil reaching to her feet.§

Execution of Mary.

The scaffold, which was erected at the upper end of the hall, consisted of a platform twelve feet square, and about two feet in height, covered with black cloth, and surrounded by a rail. On it were placed the chair

* Labanoff, vol. ii. pp. 485—491.

* MS. Cottonian Library, Caligula, c. iv., fol. 465; Jebb, vol. ii. p. 635.

† A Report of the manner of the Execution of the Scots' Queen, in Ellis, vol. iii., second series; La Mort de la Royne d'Escosse, Jebb, vol. ii. pp. 635, 336.

‡ Ibid.

§ Ibid., pp. 639, 640.

intended for Mary, two other chairs, a cushion, and the fatal block, all covered with the same sombre material. Mary ascended the steps, and seated herself on the chair, without changing countenance, and with queenly ease and dignity. The Earls of Kent and Shrewsbury sat on her right hand, at her left stood the sheriff, and in front two executioners dressed in black velvet. The Dean of Peterborough, Sir Amias Paulet, Sir Drew Drury, Beal, the clerk of the Privy Council, and others, stood beside the scaffold; at a little distance, ranged along the wall, stood Mary's servants; and in the lower part of the hall, behind a barrier, were the guards and other attendants, together with such of the neighbouring gentry as had been permitted to be present, the whole forming an assemblage of about two hundred persons. Amid breathless silence, Beal read the warrant for the execution. During this ceremony, Mary's mind seemed to be occupied with other subjects; she appeared serene and tranquil, and the same gentle smile still illumined her features that had been remarked during the previous evening. Beal having finished, she made the sign of the cross, and with a clear and firm voice said—"My lords, I am a queen born, a sovereign princess, not subject to the laws, a near relation to the Queen of England, and her lawful heiress. After having been long and unjustly detained a prisoner in this country, where I have endured much pain and evil, though nobody had any right over me, being now, through the strength, and under the power of men, ready to forfeit my life, I thank God for permitting me to die for my religion, and in presence of a company who will bear witness that, just before my death, I protested, as I have always done, both in private and in public, that I never contrived any means of putting the queen to death, nor consented to anything against her person." * She went on to deny having ever entertained any feelings of enmity towards Elizabeth, and referred to the conditions she had offered in order to procure her liberty, as proof of her anxiety for the tranquillity of England.† "I will here," she said, "in my last moments, accuse no one; but when I am gone, much will be discovered that is now hid, and the objects of those who have procured my death be more clearly disclosed to the world." ‡

After she had pronounced these words, the Dean of Peterborough ascended the scaffold, and addressing her, said—"Madam, the queen, my excellent sovereign, has sent me to you—" He had proceeded thus far, when Mary interrupted him. "Mr. Dean," she said, "I am firm to the ancient Roman Catholic religion, and I intend to shed my blood for it." § The dean, however, persisted in addressing her; and when requested to desist, pleaded the orders of the queen in council, which he felt bound, notwithstanding her remonstrances, to obey. At last, assuming a resolute tone of voice, she declared she would not hear him, and peremptorily commanded him to be silent. At this moment the Earl of Kent, observing her intently looking on the crucifix which she held in her hand, "Madam," said he, "that image of Christ serves to little purpose, if you have him not engraved upon your heart."—"Ah!" replied Mary, "there is nothing more becoming a dying Christian than to carry in his hands this remembrance of his redemption. How impossible is it to have such an object in our hands, and keep the heart unmoved." * The dean then commenced reading the prayers for such an occasion, as contained in the Anglican ritual; while Mary, kneeling apart, repeated in Latin the three penitential psalms—"Miserere mei Deus," "In te, Domine, speravi," "Qui habitat in adjutorio." † After this she prayed in English, beseeching God to grant peace to the world, and "the true religion" to England. She prayed also for the Pope, for the Catholic Church, for the king her son, for the Queen of England, and for all her enemies; then, kissing the crucifix, and making the sign of the cross, she exclaimed, in a clear and distinct voice, "Like as thy arms, Lord Jesus Christ, were spread out upon the cross, even so receive me within the outstretched arms of thy mercy! extend thy pity, and forgive my sins!" ‡ Having finished her devotions, she arose, and the executioner advanced towards her to assist in removing a portion of her dress. She smiled, and beckoning him to withdraw, said, playfully, that she had not been accustomed to have such *valets de chambre*, or to undress before so many people. § She then called Jane Kennedy and Elizabeth Curle, who were now kneeling at the foot of the scaffold, and with their assistance completed her preparations. Seeing them dissolved in tears, and on the point of giving way to their grief, she placed her finger on her lips in token of silence, reminded them she had promised in their name that they would be silent, and desired them to pray for her. "Instead of weeping," she said, "rejoice; I am very happy to leave this world, and in so good a cause." ‖ She then kissed them, gave them her blessing, and made the sign of the cross over them; and Jane Kennedy having bandaged her eyes, she desired them to leave her. She then seated herself in the chair, clasped her hands together, and held her neck fixed and upright, supposing she was to be beheaded after the French mode, in a sitting position, and with a sword. As she sat expecting the fatal blow, she repeated the words, "In thee, O Lord, have I trusted; let me never be put to confusion." Her misconception excited for a moment much wonder among the spectators; but the mistake having been discovered and explained to her, she immediately knelt down, groped for the block, and without the slightest symptom of trepidation, rested her neck upon it. While in this attitude, she had time to

* Jebb, vol. ii. p. 636.
† Ibid., p. 637.
‡ Tytler, vol. viii. p. 356.
§ Ellis, p. 115.

* Jebb, vol. ii. pp. 47, 200, 307; and same volume, Mort de la Royne d'Escosse, p. 637.
† La Mort de la Royne, &c., Jebb, vol. ii. p. 638.
‡ Ibid.
§ Ibid., p. 639.
‖ Ibid.

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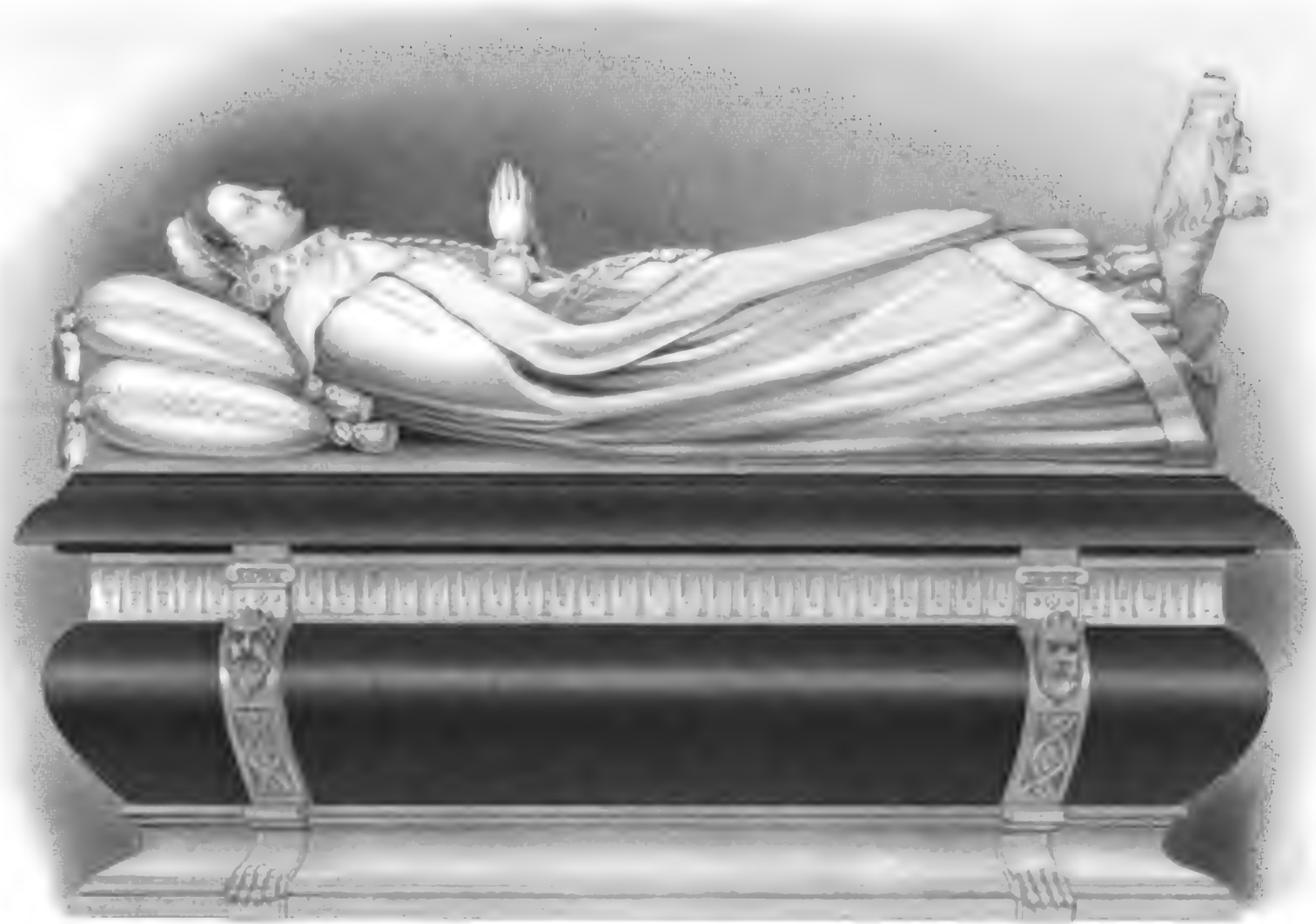

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repeat the beautiful and affecting words—the last which she uttered—"Into thy hands I commend my spirit, for thou hast redeemed me, O Lord God of truth!" The spectators could no longer suppress their emotion; and even the executioner, unfortunately participating in the general sensation, became so unnerved that, missing his aim, the blow fell ineffectually on the nape of the neck. The heroic victim, however, remained motionless, and did not even utter a sigh; and the second blow, more steadily directed, severed the head from the body. The executioner then holding it up, called aloud, "God save the queen!" and the Dean of Peterborough exclaimed, "So let all Queen Elizabeth's enemies perish!" To this one solitary response was heard. It proceeded from the Earl of Kent. "Yes," he said, with a loud voice; "Amen, amen; would to God that all the enemies of the queen were in that state!"* The rest of the spectators remained silent and in tears, overcome with mingled sentiments of pity and admiration. Thus perished Mary Stewart, Queen of Scotland, in the forty-fifth year of her age, after a cruel captivity of nineteen years.

As the attendants were lifting the body to convey it to the state-room of the castle, Mary's little favourite dog was discovered covered with blood, concealed under her mantle, and close to the remains of its mistress, from which it resisted all attempts to entice it away, and had at last to be removed by force.†

The body was embalmed, though with no great care for its preservation; after which it was wrapped in wax-cloth, and deposited in a leaden coffin enclosed within one of wood. It was suffered to lie in the great chamber until the 1st of August, without any one being allowed to approach it; and with such absurd jealousy was this restriction enforced, that even the keyhole of the door was stopped up, on its being discovered that some of her people were in the habit of looking through it.‡ The remains were, by order of Elizabeth, interred with regal pomp in the Cathedral of Peterborough, whence they were, twenty-five years afterwards, removed by James to Henry the Seventh's Chapel, in Westminster.

Mary Stewart was a woman in every way remarkable; whether we consider the attractive beauty of her person, the vigour of her intellect, the liveliness of her imagination, the warmth of her temper, her varied accomplishments, the extraordinary vicissitudes of her life, or the tragical manner in which it was brought to a premature close. It is remarkable that, in the absence of any fixed standard of female loveliness, it is agreed on all hands that Mary approached, both in form and feature, the very *beau idéal* of human beauty. Such was the opinion of her contemporaries—an opinion not less warmly entertained by men of the present age, to whom her personal appearance, by means of authentic portraits still extant, is perfectly familiar. To these external qualifications she possessed mental endowments in every respect correspondent—a comprehensive, powerful, almost masculine intellect, a rich and poetical imagination, highly susceptible temperament, and exquisite delicacy of taste. Her mind, thus naturally gifted, was enriched with all the accomplishments common in that age among persons of the most exalted rank. Her manners were polished, engaging, insinuating; she excelled in music, both instrumental and vocal; she was skilled in various languages; and she wrote, both in verse and prose, with an ease, a vigour, and an eloquence, rarely attained, and often, when occasion demanded, with a tenderness and pathos truly affecting. The moral character of Mary, however, was unfortunately far inferior to her intellectual endowments. She was hasty in temper, imperious, obstinate, vindictive; and at various periods, in the most important events of her life, she exhibited a more than ordinary share of the faults and frailties incident to human nature. Her actions sprung frequently from impulse, instead of being dictated by sound judgment. She was rash and confiding even to imprudence, and her attachments were consequently often sudden, violent, and immoderate. To these causes may be traced many of those errors by which her life was stained, and the calamities by which it was embittered. Setting aside the much-vexed and perhaps undeterminable question of her guilt or innocence, with reference to the horrid crime of participation in the murder of her husband, enough remains in her alliance with the principal actor in that tragedy to merit the severest condemnation. Whatever allowances may be made from the unhappy circumstances in which she was placed, the lax morality of the age, or the taint received in early life at the licentious court of France, it is impossible to extenuate, much less justify, her conduct in this matter. But for this one great error of her life Mary had to endure an unusually severe and protracted punishment. It led to all that train of sufferings inflicted on her by her unnatural cousin, and which were terminated only by a violent and ignominious death. Her attachment to the Roman Catholic religion may be pronounced bigoted, but it was at least sincere. On this point she was certainly far less intolerant than the professors of that creed usually are; and whatever may be said of the errors of the Church of Rome, it is impossible not to admire the firmness with which she adhered to the last to those principles of which she conscientiously approved.

* Teulet, vol. ii. p. 881; Jebb, vol. ii. p. 101; Ellis, p. 117.
† Mort de la Royne d'Escosse, Jebb, vol. ii. p. 641; Ellis's Letters, second series, vol. iii. p. 117.
‡ Mort de la Royne, &c., Jebb, vol. ii. p. 646.

CHAPTER XXXVII.

ECCLESIASTICAL HISTORY.

A.D. 1566—1570.

The position of affairs at the birth of James.

FOR a short period, both previous to the birth of James and subsequent to that event, public affairs seemed to be moving on smoothly and satisfactorily. All classes of the community were disposed to be pleased; and the hopes and anticipations which not unnaturally clustered around the young prince made the mass of the people willing to overlook existing causes of discord and dissatisfaction. This, however, was but a deceitful calm. The elements of a storm were gathering. A convulsion was at hand, which was to shake Mary from that seat to which she had been elevated as the descendant of a long and illustrious line of ancestors. That she was now a mother, might naturally have been expected to confirm the stability of her government, by disencumbering the question of the succession of all difficulties; but this very circumstance, through her own exceeding imprudence, became the means of her more speedy and complete overthrow. Queen in her own right, with an infant son to succeed her in due course of years, how secure should her position have been! But that son by common consent was almost immediately substituted in her room. The birth of James, so fortunate for the nation, brought only sorrow and perplexity to his mother.

Mary's purpose of admitting a nuncio from the Pope.

It appears from Mary's correspondence with the Pope, that she was determined to re-establish the Romish faith in Scotland at the earliest possible period; and she expected that the administration of the baptismal rite to her son with extraordinary pomp and magnificence, and in accordance with the forms prescribed by Rome, would tend to inspire her subjects with a reverence for the sacraments of the Church, now so much despised by them.* Notwithstanding Mary's numerous promises that she would do nothing in opposition to the established religion of her subjects, she had adopted the resolution some time prior to this period to admit a nuncio from the Pope publicly into her dominions. Cardinal Laurea, Bishop of Mondovi, had been appointed to this office by Pius V., who had at the same time transmitted by him a present of twelve thousand crowns to the queen.† In her answer to the Pope's letter, she had expressed her grateful sense of his liberality; she had promised that she would exert her utmost power for the re-establishment of the Romish Church; she had declared that she would receive the nuncio with all possible respect, and would take care to have the baptism of her son administered with all the ceremonies of the Romish ritual. But although the nuncio had reached Paris, and had sent over one of his attendants with part of the money, yet, on consideration, it was not judged prudent by Mary that he should be allowed to witness the baptism of her son, as his presence would offend Elizabeth, who was sending a magnificent embassy into Scotland to represent her on that occasion. Measures were therefore taken to prevent the popish nuncio from leaving the shores of France.

The baptism of Mary's son.

The baptism of the young prince, which took place at Stirling, on the 17th of December, was conducted with singular magnificence. All the arrangements for the ceremony were superintended by Bothwell. The Count de Brienne was present as ambassador from the King of France; and the Earl of Bedford, attended by a numerous and splendid train, represented the Queen of England, who sent for the occasion a font of gold with a basin and ewer. The rite was performed by the Archbishop of St. Andrew's, with all the ceremonies usually employed in the Romish Church, excepting only the application of spittle, to which the queen entertained a repugnance. The Earl of Bedford, and all the noblemen who belonged to the Reformed Church, remained outside the chapel during the administration of the ordinance, that they might neither witness nor countenance by their presence the superstitious ceremonies which had been superadded to the baptismal rite by the Church of Rome.*

Sufferings of the ministers at this time.

The extraordinary expenses connected with the prince's baptism, and other events during the year, so exhausted the queen's resources, that no part whatever of the money due to the ministers of the Reformed Church, out of the thirds of ecclesiastical revenues, was paid to them this year. They were allowed to languish in a state of abject poverty.† Their zeal, however, for the glorious cause in which they were embarked was such, that they adhered to their ill-requited labours, and discharged all the duties of their office with exemplary fidelity and diligence. Complaint was indeed made by them of the injustice which they were suffering, and the queen and her council were therefore obliged to devise some method for relieving the pressing wants of the Church. An assignation was made, for sustentation of the ministry, of certain victuals and money in sundry places and districts, to be taken up and disposed of by the said ministers and their collectors as they might judge most expedient; and letters were given forth commanding the clerk of register, and the comptroller, and all others whom it concerned, to deliver authentic copies of the said assignation to the ministers.‡

At the meeting of the General Assembly, which was held in December, the question was considered

* Robertson, vol. i. p. 339; Conaei Vita Mariæ, vol. ii. p. 51.
† Vita Cardinalis Laureæ, vol. iii. p. 325.

* Tytler, vol. vii. p. 66; Spottiswood, p. 197; Robertson, vol. i. p. 341.
† Robertson, vol. i. p. 345.
‡ Keith, vol. iii. p. 145.

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whether the assignation made by the queen in favour of the ministers should be accepted for relief of their present necessity or not. After a long discussion, it was thought good to accept the said offer of money and victuals, if they might be obtained without delay. "Nevertheless, in consideration of the law of God, which ordains the persons who hear the doctrine of salvation at the mouth of his ministers, and thereby receive special food to the nourishment of their souls, to communicate temporal sustentation to their pastors; their answer is, that having just title to crave bodily food at the hands of the said persons, and finding no others bound unto them, they only require from their own flock that they will sustain them according to their bounden duty; and what it shall please them to give for their sustentation, if it were but bread and water, neither will they refuse it nor desist from their vocation. But to take from others contrary to their will, whom they serve not, they judge not their duty, nor yet reasonable. Always they most heartily thank the lords that bestowed their labours and pains in procuring the foresaid assignation, most heartily requesting their honours to persevere until they bring it to some perfection. Nevertheless, the whole assembly solemnly protested that the acceptance of the foresaid assignation does not prejudge the liberty of the Kirk to sue for that which justly pertaineth to her patrimony in time and place convenient at any time hereafter." *

Views of the Assembly with regard to this assignation.

But if the ministers of the Reformed Church had reason to complain of the manner in which the funds destined for the support of religion were diverted to other purposes, their apprehensions were far more excited by a commission which was granted to the Archbishop of St. Andrew's, restoring him to his ancient jurisdiction as a Romish bishop, and authorising him to hold spiritual courts for the trial of various causes. The jurisdiction of these courts had been abolished by parliament in the year 1560, and a different method instituted of managing the business which had usually come before them. This ill-judged proceeding of the queen may fairly be regarded as furnishing evidence of her increasing determination to overthrow the Protestant Church, and to establish again the Romish faith upon its ruins. The revived jurisdiction of popish spiritual courts was no small step towards the accomplishment of her object. It has also been suspected that another reason existed for the restoration of the archbishop's jurisdiction, although this reason may not have been known to the queen at all, but may only have influenced Bothwell, by whose advice her majesty was at this period mainly guided. This most unprincipled man seems already to have formed the bold and reckless design of marrying the queen himself. That the restoration of the archbishop's authority was effected by his means seems past a doubt;* and it is a fact, that soon after the murder of Darnley he took measures for having pronounced in the archbishop's court a divorce between himself and his countess, Lady Jane Gordon. The process was hurried through the court with most indecent haste, and was completed in two days.† There is therefore abundant reason to believe that Bothwell, at least, must have planned the murder of Darnley as early as December; and the painful doubt suggests itself, that the queen herself when she consented, at Bothwell's suggestion, to restore the archbishop's jurisdiction, may not have been unacquainted with the object which Bothwell intended that restoration to subserve.‡

The jurisdiction of the Archbishop of St. Andrew's restored.

But whatever may have been the reasons for the re-organisation of the Romish spiritual courts, the measure excited the utmost alarm among the whole body of the Protestants; and the subject was warmly taken up by the General Assembly. It was agreed that an humble supplication should be presented to the lords of the secret council, beseeching them to use their influence for the protection of the pure Gospel of Christ from the dangers with which it was threatened. "We, therefore, in the fear of our God, and with grief and anguish of heart, complain unto your honours that that conjured enemy of Jesus Christ, and cruel murderer of our dear brethren, most falsely styled Archbishop of St. Andrew's, is reponed and restored by signature past to his former tyranny; for not only are his ancient jurisdictions, as they are termed, of the whole bishoprick of St. Andrew's granted unto him, but also the execution of judgment, confirmation of testaments, and donation of benefices, as more amply in his signature is expressed. If this be not to cure the head of the venemous beast which once within this realm, by the potent hand of God, was so broken down and banished that by tyranny it could not have hurt the faithful, judge ye. His ancient jurisdiction was that with certain colleagues he might have condemned for heresy upon probation, as pleased him and them. What they have judged to be heresy heretofore, ye cannot be ignorant; and whether they remain in their former malice or not, their fruits and travels openly declare. The danger may be feared say ye, but what remedy is there? It is easy and at hand, right honourable, if ye will not betray the cause of God and leave your brethren, who will never be more subject to that usurped tyranny than they will to the devil himself. Our queen ought not, nor justly may, break the laws of this realm, and so consequently she may not set up against us, without our consents, that Roman antichrist again: for in a lawful and most free

Opposition of the General Assembly to the archbishop's jurisdiction.

* Book of the Universal Kirk, pp. 46, 47; Calderwood, vol. ii. p. 329; Keith, vol. iii. p. 145.

* Knox, vol. ii. p. 548; Laing, vol. i. pp. 75, 76.
† Letter of Drury to Cecil, 2nd May, 1567.
‡ Robertson, vol. i. p. 336; Spottiswood, p. 197; McCrie's Life of Knox, vol. ii. p. 149; North British Review, No. VII. p. 18; Tytler, vol. vii. p. 110.

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parliament was that odious beast deprived of all jurisdiction, office, and authority within this realm. If hereof ye plainly and boldly admonish our sovereign, and without tumult only crave justice, the tyrants dare no more be seen in lawful judgment, than dare the owls appear in daylight."*

Knox's letter on the subject.

Besides the supplication of the assembly to the secret council, a letter was also addressed by Knox to the adherents of the Reformed Church, with the view of warning them of the dangers which might ensue from the commission given to the Archbishop of St. Andrew's. "Now are matters so far discovered that he who seeth not the plain subversion of all true religion within this realm to be concluded and decreed in the hearts of some, must either confess himself blind or else an enemy to the religion which we profess. For besides the open erecting of idolatry in divers parts of this realm, and besides the extreme poverty into which our ministers are brought, that cruel murderer of our brethren, falsely called Archbishop of St. Andrew's, most unjustly, and against all law, hath presumed to his former tyranny, as a signature past for his restitution to his ancient jurisdiction, as it is termed, more fully doth proport. What end may be looked for from such beginning the half blind may see. And yet we have heard that a certain sum of money and victuals should be assigned by the queen's majesty for sustentation of our ministry. But how any such assignation can stand in stable assurance when that Roman antichrist shall be intruded above us, we can no wise understand. Yea, further we cannot see what assurance any within this realm that have professed the Lord Jesus can have of life or inheritance, if the head of that odious beast be cured amongst us. And, therefore, we yet again crave of you to advertise us with reasonable expedition of your judgments, that with unity of mind we may oppose ourselves to such tyranny as is intended against us. As from the beginning we have neither spared substance nor life, so mind we not to faint unto the end to maintain the same, so long as we can find the concurrence of brethren; of whom (as God forbid) if we be destitute, yet are we determined never to be subject to that Roman antichrist, neither yet to his usurped tyranny. But when we can do no further to suppress that odious beast, we mind to seal with our blood to our posterity, that the bright knowledge of Jesus Christ hath banished that man of sin and his venemous doctrine from our hearts and consciences."†

Helvetian Confession of Faith considered.

A copy of the Helvetian Confession of Faith, composed this year by the pastors of Zurich, had been sent to Scotland in September, with the view of ascertaining how far the Church of Scotland agreed with the Reformed Churches on the continent. A meeting of the superintendents and some of the most learned ministers had been held immediately after its arrival, who, after reading the document, found that the doctrines embodied in it agreed perfectly with their own: the only difference being that the Church of Scotland observed no festival days, but the Sabbath day only. This Confession was brought before the assembly in December, and the court being highly satisfied with it, ordered the translation of it made by Mr. Robert Pont to be printed, together with a letter expressing their approbation of its contents, that part only excepted where mention is made of the observance of certain holy days. This confession was subscribed not only by the Tigurine Church and their confederates of Berne, but also by the Churches of Schafhausen, Rhaetia, Milan, Geneva, Savoy, Polonia, and Hungaria. It designates superiority of ministers above ministers a human appointment, and confirmation a device of men. It condemns baptism by midwives or any women, as also prolix public prayers, the chanting of prayers, the multiplication of ceremonies, and the observance of saints' days.*

Knox proceeds to England.

Knox had for some time past been so obnoxious to the queen that he was not allowed to preach in Edinburgh. Nay, his very presence in the kingdom was an annoyance to her majesty. It has been alleged that he was privy to the conspiracy against Riccio, and that this was the ground of Mary's increased dislike to him at this time. But there is no reason whatever to suppose that he knew anything of the designs of the conspirators, although it is not improbable that after the event, considering the influence which it had upon the state and prospects of the Church, he may have expressed himself in terms calculated to irritate the queen. In these circumstances, as his two sons were in England, pursuing their studies at Cambridge, he considered it a favourable opportunity for paying a visit to the sister kingdom, that he might both indulge his paternal affection, and observe how the cause of Christ was advancing in places where he himself had formerly preached the Gospel. With that submission to lawful authority which always characterised him, he presented a request to the assembly for permission to proceed to England. Not only was this permission cheerfully granted, on condition that he should return to his native country before the 25th of June following, but letters also were given to him bearing testimony to his honest conversation and godly doctrine during his whole ministry in Scotland. "John Knox, bearer of these presents, has been a true and faithful minister, in doctrine pure and sincere, in life and conversation in our sight inculpable; and he has so faithfully used the talents granted to him by the Eternal, to the advancement of the glory of his godly name, to the propagation of the kingdom of Jesus Christ, and edifying of them who heard his

* Book of the Universal Kirk, p. 51; Spottiswood, p. 198; Calderwood, vol. ii. pp. 335, 336; Keith, vol. iii. p. 152; Knox, vol. ii. p. 539.

† Knox, vol. ii. pp. 543, 545.

* Knox, vol. ii. p. 534; Calderwood, vol. ii. p. 331; Keith, vol. iii. p. 167.

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preaching, that of duty we must heartily praise His godly name for that so great benefit granted to him for our utility and profit." *

Letter sent by the assembly to the bishops in England.

The assembly also availed themselves of the opportunity of sending by Knox a letter to the bishops and ministers of England, entreating them to deal gently with those of their brethren who scrupled to wear the sacerdotal vestments prescribed by law. The question of conformity was agitated at this period with great zeal and bitterness in England, and many individuals were sorely persecuted on account of their disapprobation of the corner-cap and surplice, as having popish associations connected with them. Knox himself, during his former residence in England, had been exposed to trouble on the same grounds, and he knew the excellence of many of the persons who scrupled to conform; and therefore it is probable that it was he himself who moved the assembly to interfere in behalf of their suffering brethren in the south. "It has come to our knowledge, reverend pastors, that divers of our brethren—some of them the most learned in England—are deprived of all ecclesiastical function and forbidden to preach, and thus are stopped from promoting the kingdom of God, because they have a scruple of conscience to use such garments as idolaters in time of darkness have used in their superstitious service; which report cannot but be very dolorous to our hearts, when we consider the sentence of the Apostle—'If ye bite and devour one another, take heed that ye be not consumed one of another.' We intend not at this time to enter into the question, so keenly agitated, whether such apparel is to be accounted among things indifferent. Wherefore we crave that Christian charity may so far prevail with you, the pastors and guides of Christ's flock in England, that you do one to another as you desire others to do to you. You cannot be ignorant what tenderness is in a scrupulous conscience. The consciences of some of you reclaim not at the wearing of these garments, but many thousands are otherwise persuaded. If surplice, corner-cap, and tippet, have been the badges of idolaters in the very act of their idolatry, what have the preachers of Christian liberty and the rebukers of superstition to do with the dregs of that Roman beast? The brethren that refuse such unprofitable apparel, do neither condemn nor molest you who use such trifles. On the other hand, if you that use these things will do the like to your brethren, we doubt not but therein you shall please God, and comfort the hearts of many who are wounded with the extremity which is used against these godly and beloved brethren." †

The following year brought about a complete revolution in the affairs of Scotland. A rapid succession of shocking crimes, glaring imprudences, and sudden revolutions, filled the minds of men with astonishment, indignation, and terror. A whirlwind swept over the country, and men held their breath at the deeds which were done. The visit of the queen to her sick husband in Glasgow, his removal in a litter to Edinburgh and lodgment in a solitary house on the town-wall, his murder almost immediately afterwards, and the blowing up of the house with gunpowder; the accusation brought against Bothwell of being the perpetrator of the deed, his mock trial, the undisguised marks of affection shown to him by the queen during its progress, and his acquittal; the divorce sued for before the restored court of the Archbishop of St. Andrew's of Bothwell from his countess, and the adultery of which he confessed himself guilty; and, finally, the marriage of Mary to this most infamous man, the undoubted murderer of her own husband, and an adulterer by his own admission—these were events which fanned existing jealousies and discontents into an inextinguishable flame of opposition to the authority of the queen. The part which Mary took in prevailing upon the king to remove to Edinburgh by renewing her professions of affection for him, the employment of the restored jurisdiction of the Archbishop of St. Andrew's in effecting the divorce of Bothwell from his own wife, and the unconcealed intimacy between Mary and Bothwell, even while he was on trial for the murder of Darnley—all lent a strong colour of probability to the supposition that she was previously cognisant of the design to destroy her husband. And even were she supposed innocent of all connection with this shocking deed, her speedy marriage to the undoubted perpetrator of the crime—an adulterer acknowledged, a man divorced from his lawful wife to make room for her—showed an utter disregard of all the decencies of life, and insulted the moral principles of the whole nation. The feeling everywhere arose that to permit a person, who had so outraged decency and morality, to retain possession of the throne would bring disgrace upon the name of Scotland. A powerful confederacy was speedily formed against her authority, and an open rupture soon followed. Some few friends rallied round her, but the charm of the royal name and the influence of the royal authority were gone. Mary's own soldiers refused to fight for her, though she besought them with tears in her eyes to march against her enemies. Her surrender at Carberry Hill led by rapid steps to her imprisonment in Lochleven Castle, and her forced abdication of the throne; and her son, still an infant, was crowned king at Stirling, on the 27th July.*

Sudden change in the position of affairs.

Great indignation has been expressed in modern times against those who took up arms against Mary, and the Protestants in particular have been loaded with the most virulent abuse; but it has been clearly shown that they were by no means the worst enemies of the queen.

Origin of the change of views regarding Mary at a later date.

* Keith, vol. iii. p. 148; McCrie's Life of Knox, vol. ii. p. 147; Spottiswood, p. 198; Strype's Grindal, Appendix xx.; Burnet's History of the Reformation, vol. iii., Appendix xci.

† Knox, vol. ii. p. 545; Spottiswood, p. 148; Keith, vol. iii. p. 150; Calderwood, vol. ii. p. 333.

* *Supra*, vol. ii. pp. 44—76; Tytler, vol. vii. p. 133.

The house of Hamilton, who have been generally represented as her most faithful adherents, were ready to concur in the nefarious project of getting rid of her by taking away her life; and the Archbishop of St. Andrew's and the Abbot of Kilwinning, the two leading men of this party, urged this course as the only certain method of reconciling all parties. Her relatives and friends, too, in France were thoroughly disgusted with her whole proceedings at this time; and, being convinced that she had shut herself out from all prospect of a peaceable or prosperous reign, they were indifferent whether she was restored to liberty or detained in prison.* The conviction, in fact, was all but universal that she had utterly disqualified herself for the government of the country; and the same conviction would have remained undisturbed to the present day, but for the heavy misfortunes which darkened the subsequent years of her unhappy life. It was the treacherous and cruel treatment which she received from Elizabeth, her long-continued captivity, the patience and fortitude with which she bore her numerous and extraordinary trials, and the violent death by which her career was terminated, which turned the tide of sympathy in Mary's favour, and led many to question whether she had not been too harshly treated by those who deprived her of her crown. Great misfortunes are often sufficient to efface the censure due to great crimes, although it is plain that they cannot alter past deeds, and ought not therefore to influence our judgment regarding them.

Influence of these changes upon the Protestant Church.

The change thus effected in the civil government of Scotland, the details of which are fully recorded in the thirty-second chapter of this history, was highly favourable to the cause of the Reformed Church. It was Mary's own personal views and feelings which had been the grand obstacle in the way of the Reformers, and had kept them in continued fear of the re-establishment of popery; and when her authority therefore was set aside, they speedily obtained that full ratification of their system for which they had long contended in vain. Their influence over the community was unbounded; and as the confederate lords who had taken up arms against the queen needed their countenance in prosecuting measures which, however just and proper, were necessarily attended with great danger, so they were the more disposed to make such concessions as the Church might require. Thus, everything conspired to forward the views of the Reformers. Their hearts had long been sick with hope deferred, but now they had the prospect of being able to establish their system upon a solid and permanent basis. They emerged at once from the darkness of perplexity and trouble into the brilliant light of hope and peace.

The usual meeting of the General Assembly took place in June, after the imprisonment of the queen, but before any final resolution had been taken with regard to the occupancy of the throne. The confederate lords, failing to procure the concurrence of the house of Hamilton and others of the nobility in their measures, made overtures to the assembly that these brethren should be invited to Edinburgh for the purpose of conferring about the state of religion, and bringing the ecclesiastical policy of the kingdom into a position of security and efficiency. This proposal met with the hearty approbation of the assembly; and Knox, Craig, Douglas, and Row, were appointed as commissioners to prepare a circular, and to transmit it to the earls, lords, barons, and commendators of abbeys. In this letter, after dwelling upon the dangers to which the country had been exposed from popery, and the difficulties and trials with which the Reformed Church had been perplexed, they declare that the assembly judged it needful, "by an universal concurrence and consent of the whole professors of Christ Jesus within this realm," to ward off the dangers with which they were surrounded; and for this purpose had appointed that a General Assemblage of the whole professors of all estates and degrees should be held in Edinburgh on the 20th of the next month—viz., July. The object of this extraordinary meeting was declared to be that a perpetual order might be taken for the liberty of the Kirk of God, and for the sustentation of ministers and decaying members, and that a sure union and conjunction might be established among all the members, so as to enable them to withstand the rage and violence of their enemies.*

Meeting of the General Assembly.

These circular letters did not in general attain the object for which they were designed. Most of the noblemen to whom they were addressed, although they avowed unshaken attachment to the Protestant faith, yet declared that in the present unsettled state of the kingdom they did not consider it expedient for the Church to hold such a meeting, nor consistent with a regard to their own safety for them to attend it. Argyle and Lord Boyd, and the commendators of Arbroath and Kilwinning, sent written answers to this effect. The Provost of Aberdeen, however, Thomas Menzies, whilst excusing his absence, expressed entire concurrence in the course which the brethren were pursuing, and declared that the community over which he presided would acquiesce in the decisions of the assembly, and maintain the same with their bodies and goods.†

Views taken of the assembly's procedure.

When the assembly met in July, they proceeded at once to deliberate regarding the measures which should be adopted by the government in order to secure the well-being of the Church. Articles, prepared by a committee appointed for the purpose,

Procedure of the assembly in July.

* Tytler, vol. vii. pp. 174, 177; Throckmorton's letter to Leicester, 9th August, 1567.

* Spottiswood, p. 208; Keith, vol. iii. p. 170; Calderwood, vol. ii. p. 370; Cook's History of the Reformation, vol. iii. pp. 280, 281.

† Spottiswood, p. 209; Keith, vol. iii. p. 176.

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were laid upon the table, and after mature deliberation they were approved of, and subscribed by the nobility first, and then by the barons, superintendents, and commissioners of towns. The substance of these resolutions was as follows:—The parliament held in 1560, before the queen's arrival, was to be declared a lawful parliament in the first meeting of the Estates that should now be held; and all the acts which had been passed in it regarding religion, and the abolition of popery, and the Pope's usurped authority, were to be considered as having the force of law, and to be carried into effect accordingly. The arrangement by which the thirds of benefices were to be appropriated to the support of the ministry of the Church was to be faithfully acted upon, until some final settlement should be made by which the entire patrimony of the Church might be expended in accordance with God's Word. Also the noblemen, barons, and other brethren subscribing the articles, were to make the utmost possible effort, in the first lawful parliament, for the complete restoration to the Church of her own patrimony; and nothing was to be done in that parliament until ecclesiastical affairs were first settled and arranged. None were to be allowed to hold office in colleges, or to take the superintendence of schools, unless they were tried and approved by the superintendents and visitors of the Church. Crimes and offences committed against the law of Heaven were to be punished according to God's Word, and the utmost effort was to be made to bring to justice all parties who had been in any way accessory to the murder of the late king; and the noblemen, and barons, and all subscribers of the articles, were to aid in defending the young prince, whom God had given them, against all who might seek his life. All kings and princes who might afterwards reign in Scotland were to be required, before being crowned, solemnly to swear and promise that they would maintain and defend, by all means in their power, the true religion of Christ presently professed within the kingdom. The young prince was to be committed to the care of wise, godly, grave, and learned men, that he might be trained up in virtue and the fear of God, and thus be prepared for discharging faithfully and efficiently the solemn and important duties of the exalted position for which he was destined. The noblemen, barons, and others subscribing the articles, were to agree to convene in arms for the subversion of all monuments of idolatry, especially the odious and blasphemous mass; and they were to make a progress through the whole realm for this purpose, removing all idolaters and others not admitted to the ministry from all functions, whether public or private, establishing the true religion of Jesus Christ in every place, and appointing superintendents, ministers, and other needful functionaries in the Church. "And sick lyke shall punish all other vices which presently abound within this realm, which God's law and the civil laws command to be punished, and chiefly the murder of the king lately committed. And in like manner they shall promise faithfully to reform schools, colleges, and universities, throughout the realm; to expel and remove idolaters who have charges, and others that have not yet joined themselves to the true Kirk of Christ, and plant faithful instructors in their room, to the end the youth be not infected with poisonous doctrine at the beginning, which cannot afterwards be purged." *

Meeting of parliament in December.

Parliament met on the 15th of December, when John Knox preached, and in his discourse he took occasion to admonish the house to begin their proceedings with the affairs of religion, as the most likely means of enabling them to prosecute their other business successfully. The promises made by the leading nobility to the assembly in July were not forgotten. Thanks were rendered to Almighty God for the free course which the Gospel of Christ had obtained throughout the whole realm of Scotland. From small beginnings the cause had advanced till it reached a great magnitude, and no blood had been shed by its supporters on purely religious grounds. "Iron has not been heard within the house of the Lord, that is to say, the whole has been builded, set up, and erected to this greatness without bloodshed." † The acts passed by the parliament of 1560, whose ratification had so often been sought in vain from the queen, for the abrogation of the Pope's jurisdiction and authority in Scotland, for the abolition of mass, and the punishment of those who either listened to it or performed it, were renewed and confirmed. The confession of faith was again ratified, and those who opposed it were declared to be no longer members of the Kirk within this realm. It was decreed that kings and princes, at the time of their admission to authority, should be required to bind themselves by an oath that they would maintain the true religion now established in the land, rule in accordance with God's Word and the laws of the realm, and root out those who were declared by the true Kirk to be heretics and enemies of God's true worship. It was also enacted that none but those who professed the religion now established by law should be permitted to hold any public office, unless it was hereditary or already conferred for life.‡ With regard to the appointment of ministers, it was enacted that while the right of presentation was reserved to the ancient patrons, under the obligation of exercising it within six months, the examination and admission of the persons presented belonged to the Kirk; and where the superintendents and other office-bearers of the Kirk refused to admit the patron's presentee, the final appeal was to be made to the General Assembly, whose decision was to settle the question.§

* Spottiswood, p. 209; Book of the Universal Kirk, pp. 65—68; Calderwood, vol. ii. pp. 378, 382; Keith, vol. iii. p. 178.

† Lethington's speech in the parliament of Dec., 1567.

‡ Calderwood, vol. ii. p. 389.

§ Spottiswood, p. 214; Maitland, vol. ii. p. 1006; Brown's Compendious History of the Church of Scotland, pp. 36, 37.

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Regulations in favour of the Reformed Church.

Hitherto the ministers of the Reformed Church had lived in a state of great destitution. The arrangements made for their support had never been faithfully carried into effect, and yet they had continued with most exemplary patience and self-denial to discharge the functions of their office. This important subject was brought under the notice of parliament, and an act was passed which, while it acknowledged the injustice with which the ministers had been treated, and the poverty to which they had been reduced, provided more fully and with greater honesty of purpose for their support in time to come. "Because the ministers have been long defrauded of their stipends, so that they have come into great poverty and necessity, and yet have continued in their vocation without payment of their stipends for a great space: wherethrough they may be constrained to leave their vocation, unless remedy be provided: therefore our sovereign lord, with advice of my lord regent and the Estates of this present parliament, has statuted and ordained that the hail thirds of the hail benefices of the realm shall now instantly, and in all time coming, first be payed to the ministers of the Evangel of Jesus Christ and their successors, and ordains the lords of session to grant letters charging all and sundry intromittors to answer to the said ministers and their collectors, notwithstanding any discharge given by our sovereign lord's mother to any persons of the said thirds—aye, and until the Kirk come to the full possession of their proper patrimony, which is the tiends." * Here the Church's title to ecclesiastical property was acknowledged in words; but there never seems to have been any serious intention of bestowing it upon her in its integrity. There were not a few who were even disposed to withhold the thirds, but the position of public affairs overruled objections which might otherwise have been pertinaciously pressed, and an enactment of great apparent liberality and promise was passed.† This enactment, too, proved of very considerable benefit to the Church for a time.‡

It was also appointed that a yearly account of the whole thirds should be rendered to the Exchequer, and that the surplus, after the payment of all the stipends allotted to ministers, should be appropriated to the use of the sovereign. Jurisdiction was also formally granted to the Kirk by the king's grace, with advice of the regent and parliament, which jurisdiction was described as consisting in the preaching of the true word of Jesus Christ, correction of manners, and administration of the holy sacraments; and it was declared that there was to be no other face of a Kirk or of religion, and no other ecclesiastical jurisdiction acknowledged within the realm. With the view of settling precisely the boundaries of the jurisdiction which was to belong to the Kirk, commissioners were appointed—viz., Sir James Balfour, Prior of Pittenweem; Mark, Commendator of Newbottle; John, Prior of Coldingham; Mr. James Macgill of Rankeilor Nether, Clerk-registor; William Maitland of Lethington, Secretary; Sir John Bellenden, Justice-clerk; John Erskine of Dun; Mr. John Spottiswood, Superintendent of Lothian; John Knox, and Mr. John Craig—to consider what special points should appertain to the jurisdiction of the Kirk, and to report their judgment to the next parliament.* It was also decreed that no persons were to be allowed to teach in universities, colleges, and schools, unless they were tried and approved by the superintendents of the Kirk or visitors; and patrons who had provostries, prebendaries, or chaplainries, in their gift, were enjoined to appropriate them to the support of bursars studying at college.

Meeting of the General Assembly.

The General Assembly met at Edinburgh on the 25th December, a few days after the meeting of parliament. Adam, Bishop of Orkney, was charged with neglecting the visitation of the churches placed under his superintendence, and with having solemnised the marriage of the queen to Bothwell; and for these offences he was deprived of all office in the Church. John Craig, minister of Edinburgh, was called to account for having proclaimed the banns of marriage between the queen and Bothwell; but he gave such an account of the steps which he had taken in the case as fully satisfied the assembly that he had acted a becoming part, and could in no way be charged with having helped forward that scandalous marriage.†

At this meeting, also, John Craig, David Lindsay, George Buchanan, and George Hay, were empowered to cite before them all ministers, elders, and deacons of churches, under the charge of the superintendent of Fife, that they might state their complaints against him, which shows that the office of superintendent was essentially different from the office of bishop in modern times.‡ Commissioners were also appointed to co-operate with those who had been nominated by government for the consideration of what should pertain to the jurisdiction of the Church, and to decide questions that might in the meantime arise.§ The Earl of Argyle being charged with living apart from his wife, and with other offences, declared his readiness to submit to the discipline of the Church; and the Countess of Argyle, having acknowledged that she had offended God by countenancing with her presence the baptism of the king in a papistical manner, was ordained to make public repentance in the Chapel-Royal of Stirling.‖

The position of the Reformed Church was now

* Book of the Universal Kirk, p. 91.
† Maitland, vol. ii. p. 1007.
‡ McCrie's Life of Knox, vol. ii. p. 160; Robertson, vol. i. p. 400.

* Book of the Universal Kirk, p. 92; Calderwood, vol. ii. p. 390.
† See *supra*, vol. ii. p. 56.
‡ Calderwood, vol. ii. p. 393.
§ Scott's Apologetical Narration, p. 20; Spottiswood, p. 219.
‖ Calderwood, vol. ii. p. 397.

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completely different from what it had ever been before. Its authority was acknowledged and sanctioned by parliament, and no other ecclesiastical jurisdiction was recognised as existing in the country. This signal triumph was achieved by the strenuous and persevering labours of the Reformers. For years they had struggled on amidst innumerable discouragements and in the face of great dangers, and often it had seemed as if their cause were upon the very brink of ruin. During those days of darkness, the ministers were frequently altogether unprovided for; they suffered all the privations of the most abject poverty; yet still they laboured in preaching the Gospel with an earnestness which no sufferings could cool or destroy; and their zeal and boldness and evangelical fervour gradually extended their influence through the length and breadth of the land. At the period when the first General Assembly was held, in 1560, there were only twelve Protestant ministers in Scotland; but during the seven years that followed, although these were years of trial and difficulty, so many churches were planted and brought to the settled enjoyment of the ordinances of the Gospel, that the number of ministers amounted to between two and three hundred; and readers and exhorters had increased in a similar proportion.* The buffetings of the storm had but rooted the Protestant faith more firmly in the land; and it promised to flourish long, and to expand its branches on every side, affording fruit and shade to many succeeding generations.

Position now occupied by the Reformed Church.

The high satisfaction which the Reformers felt at the present position of affairs is apparent from a letter which the assembly sent to Mr. Willock, who was then in England, to invite his return. They had long been tossed upon the boisterous waves of civil discord and religious persecution, but they were now moored in a commodious and safe harbour. "As the Lord our God hath at all times been, from the beginning of this his work of reformation and restitution of his true worship and religion within Scotland, loving brother in the Lord, most beneficial and bountiful toward this realm, so hath he now, by this last most miraculous victory and overthrow, poured forth in greatest abundance the riches of his mercy, in that not only he hath driven away the tempest and storm, but also hath quieted and calmed all surges of persecution, as now we may think well our ship is received and placed in a most happy and blessed port. Our enemies, praised be God, are dashed; religion established; sufficient provision made for ministers; order taken and penalty appointed for all sorts of transgression and transgressors; and, above all, a godly magistrate, whom God of his eternal and heavenly providence hath reserved to this age, to put in execution whatsoever he by law commandeth. Now then, loving brother, as your presence was to us all in time of trouble most comfortable, so it is now of us all universally wished; but most earnestly craved by your own flock, who continually at all assemblies have declared the force of that conjunction, the earnestness of that love, the pith of that zeal and mutual care that bindeth the pastor to his flock, which neither by process of time is diminished, nor by separation and distance of places restringed, nor yet by any tyranny and fear dissolved. True it is that at this their most earnest and just petition we have winked this while past, not but that to us all your absence was most dolorous. But in respect of troubles we judged it more meet to await such opportunity as now God, in this most wonderful victory of his Evangel, hath offered. Therefore, seeing all impediments are removed, and your flock still continueth in earnest suit for you, and now everywhere throughout the realm commissioners and superintendents are placed, and one offered to them, and by them refused altogether, awaiting for you, we could no longer stay, but agree to this their desire. The time is proper now to reap with blitheness that which before by you was sown in tears, and to enjoy the fruit of your most wearisome and painful labours. It shall be no less pleasant to you to see your native country at liberty, which you left under the heavy burden of most cruel servitude, than comfortable to behold the religion of Jesus Christ throughout all this realm flourishing, virtue increasing, virtuous men in reputation. Now shall you see the copestone of that work whereof you laid the foundation." *

Satisfaction experienced by the Reformers.

The ministers of the Reformed Church, it is plain from this letter, now felt that their cause had completely triumphed. They had secured for their principles the formal sanction of the legislature in all its branches, and they placed such perfect confidence in the honesty and integrity of the regent, as to feel assured that the statutes enacted in their favour would not be allowed to remain a dead letter. And if they had laboured with unflinching zeal in the discharge of their sacred duties, even during the dark and troublous times of the queen-mother's regency and Mary's unfortunate reign, they were determined now to redouble their efforts, and to persevere till they had planted churches in every corner of the land. Willock's return was eagerly desired by them, that his zeal, experience, and influence, might aid them in carrying out their purposes; and, indeed, they were ready to welcome efficient and faithful labourers from every quarter.

Much fault has been found with the friends of the Reformed Church for the intolerant and persecuting statutes which they enacted at this time, prohibiting the existence of any other Church in the land, and confining all public offices to members of their own communion. Doubtless these enactments were inconsistent with

What blame attaches to the intolerance of the Reformers.

* Book of the Universal Kirk, p. 74; Hetherington's History, p. 39; McCrie's Life of Knox, vol. ii. p. 161.

* Calderwood, vol. ii. pp. 399, 400; Keith, vol. iii. p. 195.

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the principles of civil and religious liberty; and it would have been to the everlasting honour of the Reformed Church to have altogether dispensed with them. But it would be a great injustice to bring their proceedings to the test of the principles which now prevail among Protestants. We must consider how they were circumstanced at the time. We must remember the practical lessons which they had received from the Church of Rome, and the sentiments which prevailed universally in those days regarding Church and State. The true idea of religious liberty was then altogether unknown. No freedom of thought or action had been granted to the Reformers by the Church of Rome, so long as she retained any measure of power; and they knew full well that if that Church should ever regain its authority in the land, the "fiery trials" which had entailed so much misery upon them, and which were still fresh in their memory, would all be renewed. It was not the practice of the Romish Church then, any more than it is now, to permit the existence of any separate Christian society, if any means, however cruel and nefarious, could accomplish its destruction; and it is not at all wonderful that measures of repression should have been adopted against a body which has never shrunk from any enormity that promised to advance her own interests. If Rome had practised toleration towards the Reformers when authority and power were lodged in her hands, then she might with reason have complained of the different treatment which she received when her day of weakness and trial came. But the censures which have been so profusely poured upon the Reformers for their intolerance of popery, by writers in the interest of Rome, cannot but appear chargeable with shameless partiality, when it is remembered that, whilst the persecuting measures of Rome have always been carried out with relentless vigour, the intolerance of the Reformers never led them in one single instance to go the length of shedding blood. It seems to be the idea of many, that because Rome has always avowed her right to employ force in bringing back wanderers to her fold, therefore she is but acting in character when she persecutes, and ought not to be severely blamed for any deed of the kind which she has ever perpetrated; whereas, on the other hand, because Protestants have now universally come to the conclusion that persecution is alike wicked and impolitic, therefore even their ancestors, who were but groping their way to the adoption of this great principle of religious liberty, ought to be denounced as intolerant and bigoted fanatics, because they did not all at once arrive at the clear perception of its truth and importance. It is as if a threat to commit murder, followed by the perpetration of the deed, were to be visited with a lenient censure; while the person who merely uttered the threat, but shrank back from embruing his hands in blood, should be denounced as a cruel and bloody-minded man.

Nature of the connection between Church and State.

Considerable light is thrown upon the relation of the Church to the State by the enactments which elevated Protestantism to the position of the established religion of the country. On the one hand, it is obvious that the State did not construct a creed and a form of ecclesiastical government for the Church, and then impose these upon the nation by civil authority. The Church existed previously to its establishment, and the doctrines which it embraced were the result of the diligent study of the Holy Scriptures by the Reformers themselves. But, on the other hand, it is equally undeniable that the Estates of the realm did not conceive themselves obligated to ratify whatever doctrines the Church might have previously adopted. They exercised a right of deliberation on every point, whether it related to doctrine or discipline. Indeed, we have seen that when the Confession of Faith was originally prepared, it was drawn up by men nominated for this purpose by the government; and when that same Confession was first sanctioned, it was debated article by article in parliament.* The Reformed Church was established by the Estates of the realm, because, after careful examination, they approved of its constitution and doctrines; and all the special privileges which were conferred upon it as an Established Church were derived from the State. Its jurisdiction was defined and ratified by the State, and its endowments were derived from funds under the control of the same authority. Doubtless the State consulted the Church in reference to the nature of the jurisdiction which it might be proper for her to possess; but it was also considered necessary that the sanction of the State should be given to whatever jurisdiction she might be entitled to exercise as an Established Church. The connection between the Church and the State has been designated by some, a compact which continues obligatory upon both parties, so long as neither of them violates the original stipulations. This is quite a mistake. There was nothing analogous to a compact in the whole transaction. If the Church were now to change her views with regard to the propriety of receiving support from the State, it would be quite competent for her, independently altogether of the views which the State might entertain, to renounce all the privileges of her present position; and equally, on the other hand, if the State should become persuaded that the manner in which civil and religious affairs are at present interwoven is injurious to the community, or if the State should come to the conclusion that altered circumstances required the connection between Church and State to be placed upon a different footing, it would be quite competent for parliament to enact that henceforward there should either be no Established Church, or an Established Church modelled after a different fashion. To deny the right of parliament to make any such change, is in reality to deny the legality of the present Established Church; for was not this Church substituted

* *Supra*, vol. i. pp. 691, 692.

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by parliament in the room of a previously existing establishment, which was abolished without its own consent, and deprived of all support and jurisdiction? What should there be in an act of parliament passed in the year 1567, that should place its revision for ever beyond the power of parliament, any more than in other acts which were passed before that time, or which have been enacted since?

Return of Willock.

It appears that the letter sent by the assembly in December to John Willock, urging his return to Scotland to aid them in forwarding their great and now promising enterprise, at once determined him to revisit his former scene of labour; for we find him in the following year acting as superintendent of the West, and then appointed Moderator of the General Assembly in July, 1568.* Hitherto there had been no very rigid rule with regard to the persons who were permitted to take part in the proceedings of the assembly, and no little disorder and confusion had often prevailed, in consequence of the multitudes who convened, and the indiscretion of some who wished to be thought more zealous and faithful than others. These considerations were urged by Willock as a reason for declining the office of moderator; but on receiving a promise that ready submission should be given to his authority, and that some regulations should immediately be adopted with regard to the constitution of future assemblies, he agreed to accept the office. Accordingly, it was enacted that henceforward none should be permitted to speak or vote in assemblies excepting superintendents, commissioners appointed to visit churches, commissioners of shires, boroughs, and universities, and ministers nominated expressly for the purpose. Commissioners of burghs were to be appointed by the council and Kirk of their own towns. Commissioners of shires and ministers were to be appointed in the synodal convention of the diocese to which they belonged; and all persons claiming a seat in the assembly were to produce written evidence of their commission. And it was enjoined that in order to prevent the same individuals from being always re-appointed to sit as members in the supreme court, ministers and commissioners should be changed from year to year. And for the purpose of saving the assembly from being troubled or molested with unnecessary business, it was ordained that no matters should be brought before the supreme court which the superintendents might and ought to determine in their synodal conventions. It would thus appear that with regard to some points decisions of synods were to be final, and there can be no question that this would still be a very wise arrangement, and would save a vast amount of trouble and expense, though there might be considerable difficulty experienced in drawing a sufficiently discriminating line between such cases, and those which were to be reserved for the supreme court, or which might be brought there by appeal.*

Meeting of the General Assembly.

The scarcity of ministers throughout the country had led some readers to overstep the boundaries of their office, and to engage in preaching the Word and administering the sacraments. It was therefore ordained by the supreme court that such intrusion upon the office of the ministry was no longer to be tolerated; and superintendents were enjoined to prohibit all readers from acting in this manner, under pain of being dealt with as transgressing the rules of the Church and the Act of Parliament.†

Sundry regulations were adopted at this time, which show that society was in a very unsettled state, and that a spirit of violence and revenge was continually impelling men to the commission of aggravated crimes. The sacredness of human life was not sufficiently recognised in the country. We find it ordained that persons who had been hurried on to the perpetration of murder should abstain from all participation of the sacraments till they satisfied the Church; and that their admonition should take place publicly where the crime was committed, to the end men might understand that the Church winked not at the shedding of innocent blood.‡ It was also ordained that the murderer, adulterer, or incestuous person, should not be received to repentance by any particular Church till he had first presented himself before the General Assembly; and that afterwards he should be subjected to the same discipline which had been prescribed to Paul Methven.§ In the case of discipline for the shedding of blood, the weapon with which the deed was done, or one similar to it, was to be carried in the hand of the criminal during the whole time. Persons, too, who were guilty of oppressing children were to appear publicly in the church, clothed with sackcloth, and having the feet and head bare. Of course, these ecclesiastical regulations did not interfere with the punishment assigned by the civil law to the crimes in question. They make it plain, however, that too frequently the sword of public justice remained slumbering in its scabbard.‖

Restrictions laid on Bassandine the printer.

Thomas Bassandine had printed a book entitled "The Fall of the Roman Kirk," in which the king was designated the head of the primitive Church. The same printer had also appended an indecent song to an edition of the Psalm-book published by him, probably with the idea that the song would tend to promote the sale of the psalter. Whether it was his object to get the song into circulation under the shelter of the psalter, or to promote the sale of the psalter by the insertion of the song, does not appear. But the facts were brought under the notice of the assembly, who ordained that the song should be deleted, and also that the offensive

* Calderwood, vol. ii. p. 421.

* Spottiswood, p. 219; Keith, vol. iii. p. 195; Book of the Universal Kirk, p. 104.
† Calderwood, vol. ii. p. 422.
‡ Book of the Universal Kirk, p. 100.
§ *Supra*, vol. ii. p. 13.
‖ Calderwood, vol. ii. p. 422.

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designation in the treatise regarding the Roman Kirk should be altered, and the whole treatise revised. Mr. Bassandine, too, was enjoined in all time coming to abstain from publishing anything without procuring license from the supreme magistrate, and submitting all that pertained to religion to the revision of some one appointed by the Kirk.*

Inadequacy of the support assigned to the Church.

The expectations of a fixed and suitable maintenance for the Church, which the ministers had been led to cherish, in consequence of the enactments of parliament at the close of the preceding year, so far from being realised, had met with a very considerable disappointment.† It was found that the thirds of benefices assigned for the support of the Church did not in fact yield to the ministers one half of the stipends which it was proposed they should receive, and in some places not even one fourth. The assembly therefore felt themselves under the necessity of complaining. They conceived it to be very unreasonable that papists, whom they designated enemies to God's Kirk and the commonwealth, and laymen who laboured not in the ministry of the Word at all, should receive and enjoy, without any deduction whatever, two-thirds of all ecclesiastical revenues, whilst the ministers of the Church, who performed all the labour of instructing the people, did not receive even the remaining one-third, excepting under heavy deductions. They sent, therefore, to his grace the lord regent a deputation, consisting of the superintendents of Fife, Angus, and Lothian, Messrs. John Craig and John Row, ministers, together with the Laird of Barganie, to make known their grounds of complaint, and to request his grace to make an arrangement by which the two-thirds of benefices, retained by those who performed no duty in return for them, might be burdened with all the common incidental charges, whilst the one-third should be paid over to the Church, without any deduction, for the support of the ministry, of schools, and of the poor, according to the will of God. This very reasonable proposal was brought before the secret council, but although the regent himself was disposed to accede to the request of the ministers, there were too many influential persons interested in keeping matters as they were; and therefore the utmost he was able to accomplish, was to secure an agreement that measures should be taken for enforcing a more faithful and regular payment of the portion due to the Church. And any legal expenses that might be incurred through the resistance of individuals found withholding what was due to the ministers, were to be defrayed by those individuals, as much being claimed from them above the value of the debt sued for as would meet these expenses.‡

The same deputation were also instructed to confer with the regent with regard to sundry benefices which were vacant, and to request that he would either present qualified persons to them with advice of the assembly, or permit the assembly to dispose of them, seeing they had now been vacant for more than six months. They were to bring under his notice the state of the College of Aberdeen, and to request that he would give commission to certain persons to institute a thorough investigation into its position, and empower them to reform its abuses, to remove corrupt and inefficient office-bearers and regents, and to place qualified persons in their room, that the youth might be instructed in godliness and letters. Another topic which was to be brought before the notice of the regent related to odious crimes and vices, which abounded in many parts of the kingdom, and which it was declared to be the duty of the magistrates to punish, that the wrath of God might be turned away from the realm. No farther steps had yet been taken with reference to a final settlement of the limits of the jurisdiction of the Church. An urgent request was therefore to be presented to his grace, that he would require those of the council who had formerly been appointed to consider this subject to meet with the persons whom the assembly had nominated for the same purpose, that they might arrange this important question, and draw some definite line of demarcation between civil and sacred questions.

Answer of the regent to the assembly's commission.

To the requests of the assembly regarding all these points, favourable answers were returned by the regent with advice of his council. He promised to present qualified ministers to all common churches that were vacant; and with regard to chaplaincies, he desired to know the opinion of the assembly, that he might do nothing with which they might afterwards have occasion to find fault. He ordained that a commission should be organised for the reformation of the College of Aberdeen, and for the appointment of godly and qualified masters. He signified his purpose of causing the justice-clerk to institute proceedings against all persons who were chargeable with the crimes and vices referred to. And he named the 8th of August as the day when the civil and ecclesiastical commissioners should meet for the purpose of arranging the boundaries between civil and sacred things.*

The assembly were desirous that the regent would concur with them in augmenting the number of superintendents. But there were difficulties in the way of such a step at present, and therefore his grace declared that the assembly must, in the meantime, appoint commissioners to do the work of superintendents.

These answers of the regent were highly favourable: indeed, he was always disposed to do as much as lay in his power for the benefit of the Reformed Church. The ministers placed all confidence in him, and they again were the leading supporters of his government, so that both interest

* Book of the Universal Kirk, p. 100.
† Robertson, vol. i. p. 400.
‡ Book of the Universal Kirk, p. 101; Calderwood, vol. ii. p. 425; Hetherington, p. 40.

* Spottiswood, p. 219.

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and inclination prompted him to grant all their reasonable desires. The enemies of the Reformed Church were the enemies of the regent, and they were numerous, powerful, and unscrupulous. The following letter, written by Knox to Mr. John Wood, in England, shows the fears which he entertained with regard to the safety of the reformed cause and the preservation of the regent's life:—"We look daily for the arrival of the duke and his Frenchmen, sent to restore Satan to his kingdom. Let England take heed, for assuredly their neighbours' houses are on fire. I would, dear brother, that you should travail with zealous men that they may consider our state. Without support we are not able to resist the force of domestic enemies, unless God work miraculously, much less are we able to stand up against the power of France, the substance of the Pope, and the malice of the house of Guise. The whole comfort of the enemies is this, that by treason or other means they may cut off the regent, and then cut the throat of the innocent king. How narrowly the regent hath escaped once, I suppose you have heard. As their malice is not quenched, so ceaseth not the practice of the wicked to put in execution the cruelty devised. I live as a man already dead from all affairs civil, and therefore I praise my God, for so I have some quietness in spirit, and time to meditate on death, and upon the troubles I have long feared and foresee. The Lord assist you with his Holy Spirit, and put an end to my travails to his own glory, and to the comfort of his Kirk, for assuredly, brother, this miserable life is bitter unto me."*

Question regarding the limits of the Church's jurisdiction postponed.

The conference of civil and ecclesiastical commissioners, appointed to take place on the 8th of August, with the view of fixing the limits of the Church's jurisdiction, appears never to have been held.† The question was one encompassed with great difficulties; and although it was frequently brought under the notice of the regent and his council by those who were interested in its settlement, yet the consideration of it was continually postponed. The ministers were exceedingly desirous of having the boundaries defined, within which it should be considered proper and legitimate for them to act in their spiritual character; and the numerous applications which they made to the civil power to concur with them in some arrangement with regard to this point, must exonerate them from the charge of wishing unduly to extend their own privileges; but the government, whether they were afraid of entering upon so perplexed a question, or were apprehensive that the Church would push her claims farther than they were disposed to allow, shrank back from the consideration of the subject. And, at this period, there were other and more urgent questions forcing themselves upon the attention of the regent and his associates: the civil affairs of the country were in a critical position, and it required their utmost skill and efforts to prevent the government of the king from being overthrown by the partisans of Mary. Her escape from Lochleven, her flight into England after the battle of Langside, and the tedious and painful proceedings which ensued,—the regent and most of the leading men of his party conceiving it necessary to follow her into Elizabeth's dominions, that they might prevent that princess from espousing her cause or attempting to restore her to the Scottish throne,—not unnaturally occupied their minds so completely as to leave no room for those questions connected with the limits of the Church's jurisdiction, which it had been proposed to consider at this time.*

Meeting of the General Assembly.

A meeting of the General Assembly was held on the 25th of December, at Edinburgh, in the Nether Council-house, at the opening of which prayers were made by Knox for the assistance of the Holy Ghost. Very few attended this meeting, and there is no mention made of any one who acted as moderator. An epidemic malady prevailed in Edinburgh at the time, currently described as the plague, which carried off 2550 individuals during the period of the regent's absence; and, at the same time, provisions were unprecedentedly scarce and dear throughout the whole country.† It so happened, too, that at the time of the assembly's meeting, the weather was uncommonly tempestuous and stormy in all parts of the kingdom, and brethren at a distance thus found it impracticable to proceed to the metropolis. These causes, added to the absence of the regent and the uncertainty and difficulty in which the civil affairs of the country were involved, rendered the meeting an exceedingly thin one; and on this account those who were present did not feel themselves warranted to transact the ordinary amount of business. And besides all this, the position of the government rendered it impossible for the privy council to take any interest in the affairs of the Church, and without their concurrence there were many questions that could not be settled or considered at all.‡

Letter to the assembly from the Earl of Glencairn.

Almost the only business that came before this assembly was a letter from William, Earl of Glencairn, which exhibits the deep and enlightened interest always taken by this nobleman in the prosperity of the Church of Christ. It was his lordship's earnest desire to have been present at the meeting of the supreme court, that he might take part with his Christian brethren in advancing the interests of religion; but urgent business connected with the public affairs of the

* Calderwood, vol. ii. p. 428.
† Spottiswood, p. 219.

* Hetherington's History of the Church of Scotland, p. 40; *supra*, vol. ii. p. 83.
† The following extract from the "Diurnal of Occurrents" shows the extent of the evil: "In all this yeer preceding, the pest being in Edinburgh and Leith and Cannongate, thair was ane verie greit darth in this realme, sua the boll of eit meill was sauld for iii pundis xii shillings, the boll of quheit for iiii pundis x shillings, and the boll of brid for iii pundis."
‡ Book of the Universal Kirk, p. 106; Calderwood, vol. ii. pp. 470, 471.

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kingdom, and his distance from the place of meeting, threw a barrier in his way, though he assured the assembly that whatever measures might be adopted by them, he would concur in carrying them forward to the utmost of his power. His concern for the comfortable support of the ministers of the Gospel was more disinterested than that of almost any who belonged to the Protestant Church; for he had spontaneously and without delay put the Church in possession of the thirds of the bishopric of Glasgow, nor had he allowed his own interests, as was the practice with so many, to interfere with the faithful appropriation of the funds under his hand. He also requested the assembly to take measures for the settlement of two ministers, Mr. John Porterfield and an Englishman, who is described as both godly and learned; which requests were cheerfully acceded to, the assembly praising God for the enlightened zeal displayed by his lordship, and expressing the conviction that the Lord Jesus Christ would strengthen his lordship unto the end.*

Another meeting of the assembly appointed.

For the settlement of questions which it was not found possible to consider in a satisfactory manner at the meeting in December, it was agreed that another meeting should be convened on the 25th of February. At the same time, it was provided that if any unforeseen obstacles should arise, some other day and place might be fixed upon, not only convenient for the ministers and commissioners of towns and kirks, but also suitable for the nobility and privy council, "quhaise presence is very requisite for setting forward the affairs of the Kirk." †

Before the time fixed for the additional meeting of the General Assembly arrived, the regent had returned from England; and as it so happened that the pestilence began immediately thereafter to abate, all the most unfavourable circumstances which had exerted so detrimental an influence upon the former meeting were now changed, and it was not found requisite either to postpone the meeting or to change its place. At the time and place originally appointed the assembly met, and Mr. David Lindsay was chosen to fill the moderator's chair.

Civil convulsions arise.

The civil affairs of the country at this period were a very threatening aspect. During the regent's absence in England, rumours most prejudicial to his character had been industriously circulated through the country; to the effect that he had agreed to send the infant king to the court of England, to be educated under Elizabeth's care, and that he had stipulated to have himself declared legitimate, and recognised as the nearest heir to the Scottish throne, in the event of the young king dying without issue. It was also said that in return for the support given to him by the English queen in maintaining these pretensions, he was to acknowledge the supremacy of England over Scotland, and to hold his crown as a vassal of the neighbouring kingdom.* Within a fortnight, too, after the regent's return, the Duke of Chatelherault arrived in Scotland, bringing with him a commission from Mary, by which he was authorised to govern the country in her name. He immediately issued a proclamation forbidding the lieges to yield obedience to any but himself, and those who might be appointed to office by him. A counter-proclamation was issued by the regent, at the Cross of Edinburgh, commanding the king's lieges to repair to Glasgow by the 10th of March, and preparations were made on both sides for an appeal to arms in defence of their respective views and claims.

Attempt of the duke to secure the support of the General Assembly.

The influence of the Church in public affairs is apparent from the fact that the duke addressed a letter to the assembly, the object of which was to gain over the ministers to his side, and to induce them to use their influence to prevent the people from proceeding to Glasgow, in obedience to the regent's summons. He professed it to be his determined purpose that the Word of God should have free passage through the whole realm, that the sacraments should be administered according to the institution of Jesus Christ our Saviour, and that all true subjects should be protected in the possession and enjoyment of all that belonged to them. He also declared it to be his desire that there should be a convention of the whole Estates of the realm, in a quiet and peaceable manner, to investigate the origin of the present troubles, and that after imploring God's grace and direction, they should proceed to apply remedial measures to existing evils; and he promised at the same time that he and all who continued under obedience to the queen, "our sovereign," would submit to whatever might be agreed upon in such a convention. And he concluded with stating that, although he would prefer to turn the forces which he had levied against thieves and oppressors of the realm, yet, if the Earl of Moray persisted in attacking him, he trusted in God and the justness of his cause, and doubted not that he would receive the support of all true men, and be able to defend himself. "Therefore, we require you in God's behalf to make some of our affairs and mind patent to the people; and if ye find out aught on our part, duty requireth that you come and reason upon the same with us, when you shall find us reasonable in all causes, according to God's Word and equity.†

Accommodation effected through the influence of the Church.

When this letter was read in the assembly, the brethren determined to consult the regent before taking any steps in the way of replying to it. They were earnestly desirous of interposing their good offices, with the view of bringing about an accommodation; but they did not feel at

* Book of the Universal Kirk, p. 105.
† Ibid., p. 106.

* Tytler, vol. vii. p. 270; Calderwood, vol. ii. p. 475; Haynes, pp. 500—503.
† Book of the Universal Kirk, p. 109; Calderwood, vol. ii. p. 481.

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liberty to correspond with an individual who was endeavouring to overturn the government of the king, without acquainting the court with their proceedings, and obtaining permission to put forth their efforts. Accordingly, they appointed Messrs. John Spottiswood, John Winram, and John Row, to repair to his grace the regent, to ascertain his pleasure with regard to the letter which they had received from the duke, and then with his concurrence to proceed to the duke, and to employ all possible efforts to prevail upon him and his friends to acknowledge the authority both of the king and of the regent. Nor were their efforts unsuccessful. Mainly through their instrumentality, a personal conference was brought about between the regent and the duke, at Glasgow; and it was arranged that the duke should submit to the king's authority, and that he and his friends should be restored to their honours and possessions.*

Points brought under the consideration of the regent.

With all the regent's good-will to the Church, and honest endeavours to promote her welfare, the state of the country was so unsettled, that everywhere advantage was taken of the ministers, and occasion was given for loud complaints against the encroachments of cupidity. Benefices were sold and let on long tacks and leases, to the prejudice of the ministers; and the collectors appointed by the Church to uplift her portion of revenues were forcibly displaced, and others put into their room, who were actuated by totally different feelings and interests. Petitions were presented at this time to the regent against such proceedings; and it was craved that an efficient remedy should be applied to these claimant evils, not only for the sake of the Church, which was suffering much damage, but also on account of that portion of the ecclesiastical revenues which accrued to the public exchequer. It was also urged, as an arrangement which it was indispensable to adopt, that those who had many benefices should be obliged to relinquish all of them but one. Leave too was asked from his grace and the secret council to proceed from admonitions to more weighty censures against the Earl of Huntley, for his grievous and tyrannical oppression of the Church. The subject of settling the limits of the ecclesiastical jurisdiction was again urged upon the consideration of the government; and they were also reminded in strong terms of the duty of visiting with punishment odious crimes, which provoked God's displeasure against the whole land. There is one point embraced in the petition of the assembly to the regent which shows how defective their views still were of religious liberty, and how much they were in the habit of intermingling civil and sacred things. They craved that order should be taken for the punishment of those who were already excommunicated, and who despised the censures of the Church.†

A fast appointed.

A fast was appointed to be observed throughout the whole country, and the terms of the appointment suggest how slow the transmission of intelligence was in those times. It was to continue for eight days, and to commence on the 13th of March, in all places to which notice of the appointment might come before that time. In all other places it was to begin at such times as the superintendents, after becoming aware of the assembly's enactment, might think proper to appoint. The same order of worship and service were to be followed as in the case of the first fast; and all were to observe sobriety in eating and drinking during the continuance of the prescribed period.*

Proceedings against the office-bearers of the College of Aberdeen.

While the regent was in the northern counties, engaged in investigating and punishing the excesses which had been committed during his absence in England, the state of the College of Aberdeen was brought under his notice, and the principal and some of the regents were charged with holding popish sentiments. They were therefore summoned before the council, and their subscription to the following paper was demanded:—"We whose names are underwritten do ratify and approve from our very hearts the Confession of Faith, together with all other acts concerning our religion, given forth in the parliaments holden at Edinburgh on the 24th August, 1560, and the 15th December, 1567; and join ourselves as members to the true Kirk of Christ, whose visible face is described in the said acts; and shall in time coming be participant of the sacraments now most faithfully and publicly ministered in the said Kirk, and submit ourselves to the jurisdiction and discipline thereof."† On their refusal to affix their names to this document, they were deprived of all the honours, dignities, and functions which they had enjoyed within the college; and they were even forbidden to engage in the instruction of the young in any part of the realm of Scotland. Steps were also taken against these same individuals by Erskine of Dun, superintendent of Angus and Mearns, in virtue of a commission received from the assembly to visit the sheriffdom of Aberdeen and Banff, and to bring the spiritual authority of the Church into operation against offenders. With advice, counsel, and consent of the ministers, elders, and commissioners of kirks in the district, sentence was pronounced against Alexander Anderson, principal; Andrew Galloway, sub-principal; and Andrew Anderson, Thomas Owsten, and Duncan Norie, regents,—excluding them from membership in the Church, depriving them of the office of teachers, and forbidding them to exercise this function either publicly or privately in the College of Aberdeen, or in any other quarter of the kingdom.‡

These proceedings of his grace the regent, and

* Spottiswood, pp. 228, 229; *supra*, vol. ii. p. 103.
† Calderwood, vol. ii. p. 485.

* *Supra*, vol. ii. p. 27; Calderwood, vol. ii. p. 301; Book of Universal Kirk, p. 110.
† Calderwood, vol. ii. pp. 491, 492.
‡ Ibid., vol. ii. p. 492.

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of the superintendent of Angus and Mearns, were highly approved by the General Assembly of the Church, which met in Edinburgh in July,—as being calculated to maintain and extend the dominion of Protestant principles, and to undermine the influence of popery in the land. And although it may be easy to show that they are not in all points consistent with the views of civil and religious liberty now universally prevalent among Protestants, yet when we consider the temper of the times, the dangers which threatened the newly-established Church, the unscrupulous character of its enemies, and the persecution which they themselves everywhere practised when they had the power, we cannot think it strange that measures of undue severity should have been adopted against them. The exclusion, indeed, of papists from the office of teachers in Protestant colleges and schools was a very fair and legitimate course, not merely allowable, but imperatively demanded by every principle of reason and religion. But to debar them from the privilege of teaching anywhere, whether publicly or privately,—although quite consistent with the principles which they themselves applied to others, and therefore in one sense fair, as being measure for measure,—was nevertheless a breach of that great principle of religious liberty to which all parties, except the Romanists, have now given their hearty adhesion.

Character of the proceedings in Aberdeen.

The mutual confidence subsisting between his grace the regent and the Church, is apparent from a communication which he sent to the assembly, excusing his absence from the meeting as unavoidable, and bringing under their notice the necessities of the king's government. He reminds them that he himself had been most willing to put the Church in full possession of her patrimony, and with this view had proposed to make a dissolution of the prelacies; but that he had found some difficulty in obtaining the consent of the Estates to the assignation even of the thirds of benefices to the ministry. And he appeals to themselves as quite aware that since that time he had done everything for the support of religion, which the civil troubles afflicting the country had rendered at all practicable. "One thing we must call to remembrance, that when we travelled in parliament to cause the Estates to decern the thirds to pertain to the ministry, they opponed themselves to us; alleging that with the sustentation of the ministry there was also regard to be had to the support of the prince in sustaining of the public charges, otherwise they would be burdened with exactions. And so this dangerous argument compelled us to promise to the Estates that we would take upon us, if the act were granted to the Kirk, that they would agree to anything judged reasonable for supporting the public charges of the prince. And, accordingly, the commissioners of the Church agreed to certain assignations out of the thirds for support of the king. And this would have been sufficient, if civil trouble had not occurred. Which now moveth us to write to you in this form, praying you rightly to consider the necessity of the case; that the Kirk will be very ill obeyed without the king's authority; that now the property of the crown is not able to sustain the ordinary charges; that in the beginning the thirds would not have been granted but for the necessities of the prince; and that when the late arrangement was made, the Estates scrupled to declare the thirds to pertain to the ministry, until we became surety that the Kirk would again condescend upon so much, as might be sufficient for the support of public affairs."*

Communication of the regent to the assembly.

Mr. John Wood, the bearer of the regent's letter to the assembly, was also instructed by his grace to propose that a sufficient sum should be taken from the whole thirds now in the hands of the Church, and granted for certain years to the lord regent, in order to defray the public charges of the government. To this proposal the assembly at once agreed, declaring that in consideration of his grace's necessity in regard to the public charges, they consent that the whole sums of silver and money craved by his grace be granted and promptly rendered by the collectors. And the several sums of victuals and money were to be assigned upon such benefices and thirds as were at once most convenient for the Kirk, and most suitable to the regent; and it was to be understood that the regent should not solicit the Kirk to alienate any further portion of her rents, nor lay upon her thirds the burthen of any other pension.†

Concurrence of the assembly in the regent's proposal.

A convention of the states of the realm having been appointed by the regent to take place at Perth on 26th July, to consider the proposals of Elizabeth‡ with regard to the unfortunate Mary, whom she was neither willing to set at liberty nor found it safe to detain in captivity, the General Assembly appointed commissioners to attend this meeting, and to carry to the regent their answer to his letter, as also to bring certain other matters under his consideration. Renewed attention was drawn to the necessity of definitely fixing the boundaries between the ecclesiastical and the civil jurisdiction. It was proposed that measures should be adopted for the support of the poor, and particularly that some portion of the tithes should be appropriated to this important object. The propriety of appointing superintendents throughout the whole realm was urged upon the regent; and it was craved that persons possessing a plurality of benefices should be obliged to relinquish all of them save one. Protection was also sought against the arts and contrivances by which many continued to defraud the Church of the revenues assigned to her by law. Two other

Commissioners sent by the assembly to the meeting of the Estates at Perth.

* Calderwood, vol. ii. pp. 499, 500; Book of the Universal Kirk, pp. 113, 114.
† Calderwood, vol. ii. pp. 502, 503.
‡ *Supra*, vol. ii. p. 107; Spottiswood, p. 231.

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points were embraced in the instructions of the commissioners. It was considered a most desirable and proper arrangement that all superintendents, ministers, exhorters, and readers, should have particular assignations of funds for their support, made to them from sources within their own bounds. And then, with the view of facilitating this arrangement, it was requested that the regent and his council would use their authority to have the thirds of benefices so separated and divided from the other two parts, that the Kirk might as easily intromit with her own portion, as the other proprietors did with what was recognised as belonging to them.*

Answers given to the commissioners of the assembly.

All these propositions received a very favourable consideration from the regent, and courteous answers were returned to the commissioners of the assembly.† The civil affairs of the country, however, were in too perplexed a condition, and the minds of men were too deeply engrossed with the propositions of Elizabeth and the dangers which threatened the country from the partisans of Mary, to allow that attention to be given to ecclesiastical concerns which the Church considered necessary. Hardly anything could be done at the present moment. Still, it was gratifying to the ministers to know that the leading men connected with the government were disposed to co-operate with them in placing ecclesiastical affairs upon a satisfactory and permanent basis. And thus they had good grounds for cherishing the hope that, so soon as existing difficulties were somewhat smoothed, the cause which they prized above everything else would receive its full share of attention from the rulers of the country.

Prospects of the Church suddenly clouded.

These hopes of the ministers and adherents of the Reformed faith were destined to receive a sudden and sore disappointment. They were dashed to the ground by the same stroke which laid the regent in the dust.‡ There were no warmer friends in the country of the king's authority, and of the administration of Moray, than the ministers of the Protestant Church. And when the career of this powerful nobleman was terminated by the hand of an assassin, they felt that the blow had struck themselves and the cause which was dearest to their hearts. Moray was justly considered as one of the pillars of the Reformed Church, and to him the ministers had learned to look with confidence and hope. Nor is there any just ground to question that he was sincerely and conscientiously attached to the Protestant faith. That he was a man of vast ambition is undeniable, that in seeking the gratification of his love of power he was not unfrequently drawn into tortuous courses, must be admitted; but that his profession of religion was assumed and maintained merely in subserviency to his political views, is a supposition contradicted by the whole tenour of his life. It is forgotten by those who entertain this idea, that he adhered faithfully to the same religious principles from the commencement to the close of his career; and that he did so although there were seasons when the avowal of the opposite principles would have opened up to him a far more likely prospect of worldly greatness and honour—as at the period of his return from France, in 1561, when strenuous efforts were made by Mary and by the Cardinal of Lorraine to detach him from his religious views, and when very weighty inducements were presented to him for this purpose.* When individuals change their religious principles once and again, and by this means secure for themselves an augmentation of worldly prosperity, there may be ground for suspecting their sincerity, or, at least, for supposing that worldly considerations have created a greater influence over them than they were well aware of themselves. But when any change they have made has either run counter to their worldly interests, or when they have refused to change in spite of great inducements held out to them, it is quite unreasonable to question their sincerity, merely because the principles they have clung to may have extended their influence in another quarter. And besides the power which accrued to Moray from his consistent adherence to Protestant principles, he was a man possessed of uncommon natural abilities, which eminently fitted him for the position of a ruler. He was singularly qualified for conducting the affairs of government. Within little more than a year, he brought the country, which had been exceedingly disordered, into a state of comparative quietness; and he enforced universal submission to the authority of the king. His whole course of procedure, both in the administration of justice and in the regulation of his own private conduct, was such as to procure for him, from the spontaneous voice of the nation, one of the most honourable of titles, viz., that of "the Good Regent," by which he was long remembered among the people of Scotland. His house was like a little sanctuary, where no profane or unseemly words were heard. The worship of God was regularly maintained in his family; and when the chapter was read after dinner or supper, it was his custom to propose questions in regard to it, and to engage in conversation respecting the truths of the Gospel with learned men, of whom there were usually some at his table.† He was of a liberal disposition, and freely bestowed favours upon his friends. He was very affable to his domestics, and yet rebuked them very sharply when they were guilty of any improprieties.

* Calderwood, vol. ii. p. 493. † Ibid., p. 496.

‡ *Supra*, vol. ii. p. 114. Since the account of the regent's murder was written, I have discovered that the story, so often retailed by modern writers, of the cruelty alleged to have been shown to the assassin's wife is unworthy of credit, as it rests solely on the authority of "Crawford's Memoirs," a book which has been proved to be a tissue of fabrications from beginning to end.—(See Appendix F.)

* *Supra*, vol. ii. p. 2.

† Spottiswood, p. 233; Calderwood, vol. ii. p. 511; Tytler, vol. vii. p. 308.

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Sorrow occasioned by the regent's assassination.

The death of the regent occasioned the utmost sorrow and consternation amongst all the adherents of the Reformed Church. Knox felt that he was robbed of a dear friend, that the country was deprived of a wise and prudent governor, and that the Reformed cause had lost one of its most powerful and faithful adherents. The estimation in which he held the regent is apparent not only from the discourse which he preached on the occasion of his funeral, on the text, "Blessed are the dead that die in the Lord," * but also from the form of prayer which he used at the conclusion of the service:—"In our extreme miseries we called, and thou in the multitude of thy mercies heard us. O Lord, in what misery and confusion found he this realm, and to what rest and quietness now by his labours suddenly he brought the same, all estates, but especially the poor commons, can witness. Thy image, O Lord, did so clearly shine in that personage that the devil, and the people to whom he is prince, could not abide it. And so to punish our sins and ingratitude, who did not rightly esteem so precious a gift, thou hast permitted him to fall, to our great grief, into the hands of cruel and traitorous murderers. He is at rest, O Lord, and we are left in extreme misery: be merciful to us, and suffer not Satan utterly to prevail against thy little flock within this realm: neither yet, O Lord, let blood-thirsty men attain the end of their wicked enterprises. Preserve, O Lord, our young king: although he be an infant, give unto him the spirit of sanctification with increase of the same as he groweth in years. Let his reign be such that thou mayst be glorified, and thy little flock comforted by it. Seeing we are now left as a flock without a pastor in civil policy, and as a ship without a rudder in the midst of a storm, let thy providence watch, Lord, and defend us in these dangerous days, that the wicked of the world may see, that as well without the help of man as with it, thou art able to rule, maintain, and defend the little flock that dependeth upon thee. And because, O Lord, the shedding of innocent blood hath ever been, and yet is odious in thy presence, yea, defileth the whole land where it is shed and not punished, we crave of thee, for Christ's sake, that thou wilt so try and punish the two treasonable murders lately committed, that the devisers and authors of them may be either thoroughly converted or confounded. Lord, let the world know that thou art a God that can deprehend the wise in their own wisdom, and the proud in the imagination of their wicked hearts. Lord, retain us that call upon thee in thy true fear. Give us strength to fight our battle, yea, to fight it lawfully, and to end our lives in the sanctification of thy holy name." *

* Diurnal of Occurrents, p. 158; Letter of Randolph to Cecil, 22nd February, 1569.

* Calderwood, vol. ii. p. 514; M'Crie's Life of Knox, vol. ii. p. 173. Spottiswood mentions rather a strange fact in connection with the regent's assassination. He died on Saturday evening, and intelligence of the event reached Edinburgh before next morning. An individual, afterwards known to be Thomas Maitland, a younger brother of Lethington, contrived to place in the pulpit where Knox was to preach a paper with these words written upon it: "Take up the man whom you accounted another God, and consider the end whereto his ambition has brought him." Knox proceeded with his discourse as if nothing unusual had occurred; but, towards the close of it, he took occasion to advert to the loss which the Church and commonwealth had sustained in the death of the regent, and showed how God often took away good rulers on account of the sins of the people. "I perceive," added he, "although this be an event we should all take to heart, there be some that rejoice in this wicked fact, making it the subject of their mirth; amongst whom there is one that hath caused a writing to be cast in this place, insulting upon that which is all good men's sorrow. This wicked man, whoever he be, shall not go unpunished: he shall die where none shall be to lament him." And shortly afterwards, when the troubles of the country increased, Maitland betook himself to travel, and passing through Italy, died there with no friend to wait upon him. Spottiswood mentions that he ascertained all the circumstances from Maitland's own sister.—(Spottiswood, p. 234; M'Crie's Life of Knox, vol. ii. p. 264; Mackenzie's Lives of Scottish Writers, vol. iii. p. 196.)

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CHAPTER XXXVIII.

ECCLESIASTICAL HISTORY.

A.D. 1570—1585.

Commotions consequent upon Moray's assassination.

VERY great commotions ensued after the death of the regent, which distracted the country for a long period. The adherents of Mary, animated by the hope of being able to replace her upon the throne, flew to arms, succeeded in gaining possession of Edinburgh, and publicly proclaimed the queen's authority in the metropolis. On the other hand, the late regent's party, who were all favourable to the authority of the young king, were determined to maintain the existing order of things. And Elizabeth, whilst professing to interpose her good offices for the pacification of the Scottish realm, in reality did everything in her power to fan the flame of discord. With that duplicity which was so prominent a feature of her character, she pretended to aim at the reconciliation of the different parties into which the country was divided; but, secretly, she took measures to stir up animosities and jealousies between them, with the view of more effectually bringing them all under her power. The negotiations into which she entered for the restoration of the captive queen to her throne, although conducted with much form, were never intended to be anything but a fruitless illusion, most tantalising to her unfortunate victim, but quite of a piece with the tortuous policy in which the English queen delighted. She had no wish, it is true, that the supporters of the infant king's authority should be driven from the helm of affairs; but it was her desire that they should barely be enabled to maintain their position of superiority, and thus always feel themselves dependent upon her favour, and be obliged to act in subserviency to her wishes.

It is impossible to trace the proceedings of this period, and of the years that follow, without feeling the deepest sympathy for Mary, who was so long the victim of the cruel and deceitful machinations of her English kinswoman. The longer her captivity continues, the mind retains less and less impression of the great and glaring faults which led to her dethronement; and we are persuaded that but for the sufferings of the later period of her life, far more unanimity would have prevailed in regard to the propriety and necessity of the step, by which the authority of her infant son was established in the room of her own. Many who have been guilty of scandalous offences and crimes have owed it to distresses and persecutions afterwards assailing them, that they have been saved from the world's stern condemnation, under which they must have otherwise inevitably sunk.

The fierce struggle that was now carried on between the contending parties in Scotland, was productive of extreme distress and suffering to all classes of the community. It seemed as if the bonds of society were about to be utterly dissolved. The minds of men were filled with the most deadly rancour towards one another; and "king's men" and "queen's men" everywhere contended for the triumph of their respective parties.*

Sufferings consequent upon the anarchy that prevailed.

In the meeting of the General Assembly which was held in March, a few weeks after the regent's assassination, the deep sorrow and regret which were felt by all the members of the Reformed Church, on account of that mournful event, and the detestation with which the crime was regarded, were very apparent. It was ordained that sentence of excommunication should be pronounced against the murderer in all the principal towns of the kingdom, and in all parish kirks where proper order prevailed. All other persons, too, who might yet be convicted of being accessory to the nefarious deed, or of concurring in it, were to be proceeded against in a similar manner.† In the same meeting the regulation was first adopted, which has continued to exist to the present day, that the moderator of one assembly should open the following one with prayer and discourse, and that immediately thereafter the new moderator should be chosen. It would appear that some ministers, discouraged by the difficulties with which they found themselves encompassed, had forsaken the pulpit, and betaken themselves to other employments, particularly to that of pleading causes before the lords of session. With the view of preventing such desertion of the work of the ministry, it was agreed that henceforward there should in all cases be a more formal and public admission to the sacred office, so that ministers might feel themselves solemnly pledged to continue in their vocation.‡ A charge had been brought against the Bishop of Orkney, of having made a simoniacal exchange of his bishopric in the north for the Abbacy of Holyrood;§ and also of having to a great extent abandoned the practice of preaching the Word; of having allowed the churches within his diocese to fall into decay, so that some of them had been converted into sheepfolds;‖ and of continuing to designate himself by his former Episcopal titles, such as "Reverend Father in God," which were not at all suitable to the ministers of Christ. His answers to the different accusations preferred against him were presented to this meeting, and Messrs. Knox, John Craig, and David Lindsay, were appointed to consider the sufficiency of his defence, and to report their

Proceedings of the General Assembly in March.

* *Supra*, vol. ii. p. 129.

† Spottiswood, p. 235; Calderwood, vol. ii. p. 541; M'Crie's Life of Knox, vol. ii. p. 177.

‡ Book of the Universal Kirk, p. 120.

§ Calderwood, vol. ii. pp. 530—534.

‖ Churches being sheepfolds in a figurative sense, perhaps the bishop imagined that, as he was not using them in that way, the least culpable diversion of them from their proper purpose was to make them sheepfolds literally: they would thus be the channels of a kind of parabolic instruction in their respective parishes.

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views to the next meeting of assembly. Sundry individuals were brought under discipline for homicide, adultery, and incest; and it was decreed that they should appear at their own kirks, bareheaded and barefooted, on three several preaching days, and should afterwards be admitted into the body of the congregation in their own clothes; their offences were also to be publicly declared by the officiating ministers, that the civil magistrate might know their crimes, and thus not be able to excuse their impunity by pretending ignorance. From this it appears that neither, on the one hand, did the assembly consider their censures as at all interfering with the punishment which it was the magistrate's province to inflict; nor, on the other, did they view the magistrate's proceedings as rendering their spiritual censures in any degree less necessary. Occasionally, some of the ministers manifested more zeal than discretion in administering the discipline of the Church amongst their flocks. A parishioner of Ochiltree had been debarred from the Lord's-table for removing a shoe from a horse's foot on a Sabbath afternoon; but the assembly ordained, when the case was brought before them by appeal, that he should be re-admitted to all the ordinances and privileges of the house of God.* The degrees of relationship within which marriage might take place formed a frequent subject of reference to the assembly; and their decisions show that while certain principles were considered as fixed and unalterable, they were by no means disposed to allow restrictions to be multiplied unnecessarily. In the very first meeting of the General Assembly that was held—in the year 1560—it had been declared that the restrictions imposed by the Pope upon marriage (extending as far as the fourth degrees of affinity and consanguinity) should all be disregarded in Scotland, and that those restrictions only which had their foundation in the Word of God should continue in force.† And it was now decided, in a case where two men had married two sisters, that although neither of the men could ever afterwards marry the other sister, yet there was nothing to prevent either of them from marrying the daughter of the other man by another woman.‡ So groundless is the assertion, frequently made, that the existing restrictions upon marriage in this country are popish in their origin, and have been borrowed without inquiry from the canon law of the Church of Rome.

Measures of the Church for upholding the king's authority.

While the country was divided into two hostile parties, some adhering to the existing order of things, and others attempting to restore the queen's authority, the Church was most decided and cordial in upholding the government of the young king. At the meeting of the General Assembly held in July, all other authority was repudiated, and ministers were enjoined to pray publicly after their sermons for the preservation of his majesty's person and authority, under pain of exposing themselves to the censures of the Church. And it was declared that if any subjects of the realm, whatever might be their rank, should presume to forbid any minister from obeying this ordinance of the General Assembly, or should throw any impediments in his way, such troublers of the public peace should be excommunicated as rotten members, unworthy of the society of Christ's body; and all superintendents and commissioners of provinces were commanded to take measures for ensuring the publication of this decree in all parish churches. It was also ordained that certain brethren should be sent as deputies from the assembly to such earls, lords, barons, and other gentlemen as were opposed to the king's government, with instructions to use all possible means and arguments for bringing them back to their allegiance; and to assure them that in case of disobedience, the Church would use against them that spiritual sword which God had put into her hands. Mr. Andrew Hay and Mr. David Lindsay were commissioned to wait for this purpose upon the Duke of Chatelherault, the Earls of Argyle, Eglinton, Cassillis, Lord Boyd, and other barons and gentlemen in the western parts; and the Laird of Dun, Superintendent of Angus and Mearns, was sent with the same view to the Earl of Crawford, Lord Ogilvie, and their accomplices in Angus.*

Measures for promoting the steadfastness of ministers;

The practice of deserting the office of the ministry, formerly under the consideration of the assembly, seems to have continued; for, in addition to the measures already adopted with the view of checking this evil, it was enacted that every minister should be required to protest solemnly, at the time of his inauguration, that he would never at any time forsake the sacred vocation on which he had entered, under pain of infamy and perjury. Ministers already placed were also required to make the like protestation in their synodal conventions, and the same was to be inserted in the records—"ad futuram rei memoriam." The Reformed Church was always distinguished for the deep and engrossing interest which it took in the spiritual well-being of the community, and the ministers scrupled at no self-denial which was considered needful to advance these high objects

—and the education of the young.

Young and old shared their attention. It was their continual demand, which they urged with unwearied earnestness upon the government, that schools should be instituted and maintained in all parts of the country. And at this time it was enacted that, in every parish, ministers and elders should examine all children on three several occasions; viz., at the ages of nine, twelve, and fourteen, with the view of ascertaining what progress they were making, under their parents and instructors, in the knowledge of Christian doctrine.†

* Book of the Universal Kirk, p. 118. † Ibid., p. 3.
‡ Calderwood, vol. ii. p. 542.

* Calderwood, vol. iii. p. 3; Book of the Universal Kirk, p. 121; Spottiswood, p. 242.
† Calderwood, vol. iii. p. 2; Book of the Universal Kirk, p. 121.

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Before the assembly broke up, a commission was appointed, consisting of Erskine of Dun, Winram, Spottiswood, Macgill of Rankeilor, Knox, Craig, Lindsay, the Lairds of Balvaird, Spott, Braid, Carnail, Dreghorn, Lundie, Houston, Drumwhassel, Coldenknowes, Carden, Fawdenside, Thornton, Inchbrackie, with authority to meet in Edinburgh, as often as the nobility should convene before next assembly, and to present to them certain articles, supplications, and complaints; as also to co-operate with them in whatever might be proposed for setting forward the glory of God, maintaining the pure Gospel of Christ within the country, and upholding the authority of his majesty the king.

Commission appointed to confer with the nobility at their meeting.

Already one of the most active supporters of the Reformed Church had committed a most flagrant sin, and had thus brought a stigma upon the office of the ministry, and the cause of religion.* Another case, of a still more aggravated character, occurred during this autumn, which was eagerly laid hold of by the enemies of the Reformation, and employed to derogate from the credit and influence of the Reformed ministers. Mr. John Kello, minister of Spott, was guilty of the horrid crime of murdering his own wife. After the perpetration of the deed he might have escaped, for no suspicion alighted upon him; but the sufferings which he endured in his own conscience, and the sorrow he felt for the dishonour which he had brought upon religion, were such that he determined, in proof of the sincerity of his repentance, to confess his crime, and to surrender himself to the hands of justice. In the written memorial which he prepared before his execution, the inward struggles of conscience by which his soul was agonised, and by which he was compelled to make known his guilt, are touchingly detailed. "I discoursed with myself whether to abandon this country or to remain. If I left the country, and thus accepted the deed, I should live in perpetual terror, and besides bring a perpetual infamy on the Kirk of God. Then I thought to conceal the fact from the world, supposing it sufficient to acknowledge my offence before God. But, at last, I said to myself, What if I be presented before a judge, where confession of the truth shall be required? Shall I not only live in murder, but heap sin upon sin, and confirm my damnation with perjury? Shall the love of this wretched life so shut the doors of my heart, that I shall never return unfeignedly to my God? Shall I, miserable creature! leave an everlasting slander upon the Kirk of God, for which Christ, the son of God, gave his life? And so did I conclude to make public confession of my offence, and to present myself to receive punishment. And whereas before I was troubled and distressed, both in mind and body, I have since enjoyed quietness of conscience and bodily strength."†

Kello's crime, repentance, and punishment.

A meeting of the General Assembly was held at Edinburgh on 5th March. It was the wish of the regent, the Earl of Lennox, that the meeting should be transferred to Stirling or Glasgow; but there were various impediments which prevented the assembly from acceding to this request, although it was agreed that the next meeting should be held in Stirling. Several articles relating to the jurisdiction of the Church were adopted, with the view of being proposed to the regent and his council for their sanction; viz., that in addition to the preaching of the Word, and the administration of the sacraments, the Kirk should be recognised as vested with the right of judging between true and false doctrine; of electing, examining, and admitting persons to the office of the ministry, or suspending and depriving them for lawful causes; of admonishing for the correction of manners, excommunicating, and receiving to repentance; of judging in ecclesiastical matters between persons belonging to the Kirk, especially those invested with the office of the ministry; of proceeding from admonition to the process of excommunication, where necessary, against those who rob the church of her patrimony; and, finally, of deciding in cases of divorce. A large number of individuals, superintendents, ministers, and gentlemen, were appointed to bring these points under the notice of the regent and his council at Stirling, or wherever he might be pleased to appoint. Hitherto many subjects had been introduced at once before the General Assembly, without having engaged the attention of the inferior courts at all. It was now ordained that all questions should be first considered by superintendents and commissioners in their synodal conventions, and that only those which were found too hard for them should be transmitted to the supreme court for settlement. On the same grounds, too, it was decided that henceforward questions should not be admitted into the General Assembly at the suggestion of individual ministers. Evils had been found to spring from the solemnization of marriages in private houses, and therefore it was appointed that every marriage should be celebrated in the face of a congregation, and that too by the minister of the place to which the parties belonged; or, if anything hindered him from being present, or the marriage took place at a distance, that his testimonial and permission should in the first instance be procured.* It was also decided that the commission of fornication with one sister constituted a perpetual barrier to marriage with another; it being intercourse, whether in marriage or out of marriage, which is forbidden in Leviticus with persons standing in certain relationships to one another.

Meeting of the General Assembly in March.

Kirkaldy of Grange, Governor of the Castle of

* *Supra*, vol. ii. p. 13.
† Calderwood, vol. iii. p. 18; Bannatyne's Journal, p. 39—50; Pitcairn's Criminal Trials, vol. i., part ii., p. 14. He was first hanged, and then his body was burned to ashes. His goods were also declared forfeited to the crown, but they were afterwards restored to his children.
* Book of the Universal Kirk, p. 125; Calderwood, vol. iii pp. 35—41.

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Edinburgh, being a zealous partisan of the queen, the opponents of the existing government were nowhere more bold or sanguine than in the metropolis. There had also been a personal quarrel between Kirkaldy and Knox; the Reformer having strongly condemned the governor for rescuing by force an individual who had been imprisoned by the magistrates on a charge of murder. Very bitter feelings were in consequence cherished at this time by many in Edinburgh against Knox; and on the third day of the meeting of the General Assembly, a placard was dropped from the Upper Council-house, where the lords were sitting, into the Nether Council-house, where the assembly were met, reflecting very severely upon the character of the Reformer. A similar placard was also affixed during the night to the door of the Assembly-house, in which it was alleged that, on the preceding Sunday, "he had openly in the kirk of Edinburgh railed most seditiously against our sovereign lady, the nobility, and other subjects professing obedience to her grace; calling her an idolatress, a murderer, an adultress, with other injurious and slanderous words, as is notourly known to this whole burgh. Attour, whereas in duty he should not only have prayed for her, but exhorted the whole Kirk to pray for her welfare, repentance, and conversion to God; not only doth he omit the same, but he useth all manner of imprecations against her, and speaketh of her as if she were reprobate, and neither repented nor could repent; thus entering into the secret counsel of God, as though he were privy thereto. By which conduct he maketh the religion of Jesus Christ to be evil spoken of, and the whole ministry to be hated and abhorred; and by intermingling civil and profane matter with the word of God, he divideth the Church into contrarious factions. Wherefore we beseech your wisdoms to put order to the said John, that he desist from such intolerable railing against our sovereign lady, and such meddling with matters above his commission." * This placard was sent by the assembly to the lords of session in the Upper Council-house, with the view of ascertaining whether they knew who had written it; but all of them, as well as the advocates, utterly denied having any acquaintance with its origin. The assembly therefore issued a notice, inviting the writers of the placards, or any persons, to appear and make good the charges against Knox, at the same time promising them all justice. No one appeared; but another placard of a similar character was secretly affixed to the door of the church, calling upon the assembly to consider the charges, and declaring that "the in-givers of the supplications expected them to be, as well an admonition to the criminal, as to the assembly itself. Yet if he, upon his corrupt sense and perverse affection, persist in his arrogant malice, he shall not want one or more accusers at the next assembly, provided he be then law-biding, and not fugitive, according to his accustomed manner." *

Feelings entertained against Knox by the queen's party in Edinburgh.

Anonymous charges thrown out against the Reformer.

This concluding sentence contained a notoriously false insinuation. Knox never shrank from any difficulty. He was always ready to meet his accusers, and he gave them every opportunity of assailing him; and, in this very instance, it was not he that was shunning the accuser, but the accuser who was afraid to meet him. He was advised by some of his friends to pay no farther attention to the anonymous charges levelled against him, but this he positively refused; and on the following Sabbath-day, the assembly being now closed, at the end of his discourse he entered boldly upon his defence. "That I have called her an obstinate idolatress, one that consented to the murder of her own husband, and one that hath committed adultery, I willingly grant and never mind to deny. But railing and sedition they are not able to prove against me, unless they first oblige Isaiah, and Jeremiah, and Ezekiel to recant, from whom I have learned plainly and boldly to call wickedness by its own names—a fig, a fig; a spade, a spade." And as to the charge that he had not prayed for the queen, he answered that he was not bound to pray for her in the pulpit, because he did not recognise her as his sovereign. † "And I let them understand that I am not a man of law, that has my tongue to sell for silver or the favour of the world." The accusation of entering proudly and arrogantly into God's secret counsel, Knox met in a very feeling manner. "If they understood how fearful my conscience is, and ever hath been, to exceed the bounds of my commission, they would not have so boldly accused me." And then he showed that what he had spoken against adulterers, and murderers, and idolaters, was not uttered by him as one who entered into God's secret counsel, but as one who denounced the threatenings of the divine law against those who daringly violated its precepts. And with regard to the allegation of his accusers, anonymous though it was, affording sufficient reasons for proceeding against him, he showed that even a heathen judge had refused to act in this manner towards Paul, on the ground that it was not the custom of the Romans to try any man until his accusers stood face to face before him. And as to the insinuation that he might be "fugitive" before another assembly came round, he simply remarked that his days and ways were in the hand of God, who had brought him to an age at which he was not apt to flee far; and that, moreover, no man could prove that he had ever fled from his flock, excepting at their own command. ‡

* Calderwood, vol. iii. pp. 43, 44; Bannatyne's Journal, pp. 100—102; M'Crie's Life of Knox, vol. ii. p. 184.

* Bannatyne's Journal, p. 104.

† It would almost surpass belief, were it not an undeniable fact, that on the ground of this defence, Knox and the Reformers have been charged with maintaining the principle "that to pray for or forgive our real or reputed enemies, is no part of a Christian's duty.—(Crawford's Memoirs of Scotland, p. 186; M'Crie's Life of Knox, vol. ii. p. 185.)

‡ Calderwood, vol. iii. p. 50; Bannatyne's Journal, p. 114; M'Crie's Life of Knox, vol. ii p. 185.

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Another anonymous placard was affixed to the door of the church before the following Sabbath, charging Knox with inconsistency, in having written a work against the government of females, and yet praying for queen Elizabeth, and seeking her help against the liberties of his native country. These accusations also the Reformer met in the pulpit, and refuted with his usual eloquence and power. "The crafty accuser thinketh that no force of reason is able to break his argument. Yet my good hope is, that the hammer of God's truth shall prove it to be more fragile and weak than ever glass was. Neither doth the prayer of God's servants for the maintenance of commonwealths, where the people of God remain, prove that God's servants allow all things done in those commonwealths; neither yet doth the seeking of help even from the wicked prove that the godly justify the wicked. Some of God's prophets comforted the kings of Israel, although they were wicked, and some forewarned them of dangers. But did any of these acts prove that the prophets approved that kingdom of idolatry, and their defection from the house of Judah? Jeremiah prayed for the prosperity and health of Nebuchadnezzar. Did he therefore justify his cruelty against Jerusalem? His own prophecy beareth witness that he did not. And so my praying for the Queen of England cannot prove that I do anything contrary to the truth contained in that book. The like answer I give to the second member of his proof. Even were it shown that I seek and procure her aid, yet would not this prove either that my doctrine is false, or that I am working against the truth. David, when pursued by Saul, sought support and refuge of Achish, King of Gath. Did he therefore justify all the enormities that were practised in Palestine? But one thing in the end I may not pretermit, and that is to give him the lie in his throat that either dare or will say that ever I sought support against my native country. What I have been to my country, albeit this unthankful age will not know, yet the ages to come will be compelled to bear witness to the truth. And thus I cease, requiring of every man who has anything to oppose against me, to do it so plainly, that I may make myself and all my doings manifest to the world. For to me it seemeth a thing unreasonable that in this my decrepit age I should be compelled to fight against shadows, and owlets that dare not abide the light."*

Another charge against Knox.

The boldness of the Reformer, coupled with his unanswerable logic, excited against him the most deadly malignity. His personal safety was threatened, and, on one occasion, a gun was fired through his window towards the spot where he usually sat, but, providentially, he was in a different part of the room at the time. Alarmed by this base attempt upon his life, his friends presented an urgent request to him to remove from Edinburgh for a season; but with that disregard of personal danger which was ever a prominent feature of his character, he turned a deaf ear to all their entreaties; until at length they assured him that, if he were attacked, they were determined to stand up in his defence; and then, if any blood were shed, the fault would be his. This argument prevailed; and on the 5th May the venerable Reformer, now enfeebled by age, set out for St. Andrew's, the scene of his early conflicts and labours.*

Knox constrained by his friends to proceed to St. Andrew's.

Here Knox lived secure from anything like an assault upon his person, but he was exposed to very serious annoyances. With his usual boldness and eloquence he preached the Gospel; and, whilst expounding the 11th chapter of Daniel, he brought under review the dangers to which the Reformed faith was exposed in Scotland, exposed the machinations of its enemies, and denounced in no measured terms the assassination of the late regent. Although he was so infirm as not to be able to walk without assistance, yet in the pulpit he seemed to recover all his wonted energy and fire. James Melvil was a student in Andrew's at the time, and in his Diary he describes the appearance of Knox at this period, and the impression made by his preaching. "I heard him teach there the prophecies of Daniel that summer and the winter following. I had my pen and my little book, and took away such things as I could comprehend. In the opening up of his text he was moderate for the space of half an hour; but when he entered on the application, he made me so to *grew* † and tremble, that I could not hold my pen to write." He needed to be lifted up into the pulpit, and was obliged to rest for a little after entering it; but before he finished his discourse, he became so active and vigorous that it seemed as if he would "ding the pulpit into blads,"‡ and fly out of it.§

Preaching of Knox in St. Andrew's.

The topics upon which Knox insisted, and the zeal and boldness with which he expressed his sentiments, were highly displeasing to those who favoured the queen's party in St. Andrew's, particularly to Robert and Archibald Hamilton, the one a minister and the other a professor. Rumours prejudicial to the character of the Reformer were put into circulation, which he at once set himself to trace to their authors, and which he proved to be altogether groundless. The subject was brought under the cognizance of the masters of the university, before whom Knox appeared, that he might give an account of his proceedings for their satisfaction; although he protested that, by so doing, he did not at all mean to invalidate the liberty of the pulpit, or the authority of the regular church courts, to which alone he considered himself responsible.‖

Offence taken at the zeal and boldness of his preaching.

* Bannatyne's Journal, p. 119.

* Bannatyne's Journal, pp. 140, 144; M'Crie's Life of Knox, vol. ii. p. 188; Calderwood, vol. iii. p. 242.

† Thrill or shudder. ‡ Beat the pulpit in pieces.

§ James Melvil's Diary, pp. 26, 33.

‖ Smetoni responsio ad Hamiltonii Dialogum, p. 90; Bannatyne's Journal, pp. 364, 384.

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Abuses in the disposal of ecclesiastical property.

At the commencement of the Reformation an arrangement had been made by which one-third of the ecclesiastical revenues of the kingdom was to be appropriated, under considerable deductions, to the support of the Reformed Church, whilst the remaining two-thirds were to continue in the hands of the former possessors. This arrangement was considered, from its nature, as being of a temporary character; and it was the view and expectation of the ministers of the Reformed Church that, from time to time, as the incumbents were removed by death, the revenues thus set free should be appropriated to the support of schools, colleges, and churches. But the nobility were by no means disposed to allow such an amount of property to be applied to any such purposes. They would have preferred annexing the best portions of the ecclesiastical benefices to their own estates; but as they could not take such a step without perpetrating too great an outrage upon the sentiments and feelings of the nation, they fell upon a plan which promised to answer the same purpose equally well. The patronage of bishoprics and other rich livings might be obtained by individual noblemen from the court, and then they might be presented to certain ministers, with a secret understanding that the chief portion of the revenues should be allowed to pass into the hands of the patrons themselves.*

New Archbishop of St. Andrew's.

The Earl of Morton was the first individual who carried this dishonourable expedient into practice. Hamilton, Archbishop of St. Andrew's, having fallen into the hands of the captors of Dunbarton Castle in April, 1571, and been condemned to suffer on the gibbet, Morton immediately procured for himself the right of disposing of the archbishopric, and then nominated to that dignity John Douglas, Rector of the University of St. Andrew's. It was well enough understood that the earl himself, although not archbishop in name, yet had a far greater interest in the temporalities of the see than Douglas.†

Warning given by Knox to his brethren.

Knox was not slow to perceive and denounce the nefarious character of this arrangement. He saw that it was calculated, not only to bring about an extensive dilapidation of ecclesiastical revenues, but also to introduce the grossest corruption of manners among the ministers of the Church, by making simony universal. Age and infirmity now prevented him from attending to take part in the business of the General Assembly; but he sent a letter to the meeting at Stirling, in August, warning his brethren of the dangers which he saw approaching, and urging them to be faithful in keeping out unworthy men from the ministry. "If ability of body would have suffered, I should not have troubled you with this rude dytement. I exhort you that you take heed to yourselves, and to the flock over which God hath placed you as pastors. Unfaithful and traitors to the flock shall you be reputed before the Lord Jesus, if with your consent, directly or indirectly, you suffer unworthy men to be thrust into the ministry of the Kirk, under any pretence whatever. Remember the judge before whom you must give account, and resist that tyranny as you would avoid hell fire. This battle I grant will be hard, but in the second point it will be harder; that is, that with the like uprightness of heart and strength in God, you gainstand those merciless devourers of the patrimony of the Kirk. If men will spoil, let them do it to their own peril and condemnation. But communicate not ye with their sins, of what estate soever they be, either by consent or by silence. With public protestation make it known to the world that you are innocent of such robbery, which will ere long provoke God's judgment upon those who are guilty of it."*

Complaints presented by commissioners of the assembly.

At a meeting of parliament held this same month in Stirling, commissioners appointed by the General Assembly appeared to crave a redress of grievances. They petitioned that benefices should be bestowed only upon qualified persons; that manses and glebes should not be let in feu, but be assigned to ministers; and that flagrant crimes be visited with merited punishment. But no regard was paid to their just demands. They protested against the Rector of St. Andrew's being allowed to take his seat in parliament till he should be admitted to office by the church courts; but Morton commanded him to vote as Bishop of St. Andrew's, on pain of treason: and the nobility seemed quite determined to carry out the new plan of disposing of the richer benefices, that they themselves might enjoy the principal portion of the revenues accruing from them. They were frequently bestowed upon totally unqualified persons; earls and lords were made bishops, and even babes were promoted to benefices which required learned preachers. Pluralities were multiplied; and even the thirds, to which the title of the Protestant Church had all along been recognised, were intercepted to supply the necessities of the court.†

Dissatisfaction created through the country by these proceedings.

These proceedings excited deep dissatisfaction through the whole country. Even before the meeting of parliament, Knox in a letter to a friend declared that the nobility cared nothing for the instruction of the ignorant, if they could only get the church lands annexed to their own families. After parliament was over, John Row denounced the judgments of

* Bannatyne's Journal, pp. 251, 283; M'Crie's Life of Knox, vol. ii. p. 197; Hetherington's History of the Church of Scotland, p. 41.

† Calderwood, vol. iii. p. 156.

* Calderwood, vol. iii. p. 133; Spottiswood, p. 257; Book of the Universal Kirk, p. 129; M'Crie's Life of Knox, vol. ii. p. 200.

† Bannatyne's Journal, pp. 251, 253, 255; Calderwood, vol. iii. p. 138; M'Crie's Life of Knox, vol. ii. p. 198; Book of the Universal Kirk, p. 129.

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God upon the noblemen and courtiers for their covetousness and disregard of the remonstrances of the Church. And a complaint was presented to the regent and his council, signed by a considerable number of gentlemen, barons, and other Protestants, which contains some singular and disgraceful disclosures. "Your grace, and the nobility fighting with you, against traitors we grant, go about to cut off from our posterity the fountain of living waters, the true and free preaching of the blessed Evangel of Jesus Christ. For while that earls and lords become bishops and abbots, gentlemen, courtiers' babes, and persons unable to guide themselves, are promoted by you to benefices which require learned preachers. When such enormities are fostered, what face of a Kirk shall we look for ere long within this realm? We, without boasting of ourselves, must speak the truth, which is that from the beginning of this action we have served without suit of other reward, than to have the poor Kirk of Christ set in freedom. Whereof perceiving ourselves to be utterly disappointed, we dare not promise service as heretofore we have done, for we are not ignorant of the mutual contract which God hath placed between the supreme power and the subjects."*

Erskine's letter to the regent.

The regent having issued letters in St. Andrew's, at the instance it was commonly believed of the Earl of Morton, discharging the collectors of the Kirk from gathering the thirds, Erskine of Dun entered into a correspondence with him upon the subject, and prevailed upon him to recall these letters. In the document prepared by Erskine, the views entertained by the most intelligent and faithful members of the Church regarding the procedure of the court came very clearly out. The creation of bishops at the late parliament in Stirling is designated "that great misorder." The nobility are censured for having refused to listen to the complaints of the Church against so crying a grievance. The necessity of speedily redressing the wrong is warmly insisted upon. It is declared that the spoil which so many are making of the revenues of the Church shall bring plague and destruction upon their own heads. And with regard to bishops, their superiority to superintendents is altogether denied.†

Extraordinary convention at Leith.

With the view of allaying existing dissatisfaction, and devising some order of things which might meet the views of all parties, the regent and his council summoned together an extraordinary meeting of the superintendents and ministers at Leith, in January, 1572. At this convention, which it was urged should have all the powers of a General Assembly, six individuals were nominated to meet with six of the privy council, for the purpose of drawing out a scheme of church government. They did meet accordingly, and the conclusions which they adopted bear ample evidence of the influence which was exerted over them by the court; for although Erskine of Dun, whose sentiments were so clearly exhibited in the letter which he wrote to the regent, was one of their number, yet the proceedings assumed a highly prelatical colouring. It was arranged that, in consideration of present circumstances, the names and titles of archbishops and bishops should remain in use, at least, until the king's majority, and that the boundaries of the ancient episcopal dioceses should not be changed. Persons qualified according to the standard set up by Paul in his letters to Timothy and Titus, and at least thirty years of age, were to be appointed to these dignities; and a chapter or assembly of learned ministers was to be annexed to every metropolitan or cathedral seat. Archbishops and bishops were to exercise no other jurisdiction in spiritual matters than that which already belonged to the superintendents; and they were all to be equally subject to the General Assembly. Likewise, in admitting persons to any function in the Church, they were to follow the advice of at least six belonging to the chapter of their diocese, although as many of the chapter as chose might be present, and take as much part as they chose in the proceedings.*

Meeting of the General Assembly.

The ordinary half-yearly meeting of the assembly was held at St. Andrew's in March. A committee was appointed to meet in John Knox's house for the purpose of considering the articles which had been prepared by the commissioners of the Church, and of his grace the regent, in January; but they do not seem to have been able to make up any report, for nothing is stated in the record of proceedings.† The probability is, that Knox recommended opposition to the new order of things which it was proposed to introduce, and that the committee appointed to confer with him neither had the courage to take up the strong ground which he advised, nor yet chose to run altogether in opposition to his wishes and views, and therefore did nothing at all. Certain it is, that in the preceding month, when the inauguration of the Bishop of St. Andrew's took place, Knox refused to take any part in the proceedings, although solicited to do so by the Earl of Morton. Nay, he even went the length of pronouncing an anathema upon both the giver and the receiver of the benefice; and when John Rutherford, Provost of the Old College, alleged that he was actuated by envy, he defended himself and repelled the charge in these striking words:—"I have refused a greater bishoprick than ever this was, which I might have had with the favour of greater men than he hath this.‡ I did, and do repine for discharge of my conscience, that

* Calderwood, vol. iii. p. 146; Bannatyne's Journal, p. 250.

† Calderwood vol. iii. pp. 159—161: Bannatyne's Journal, pp. 279—288.

* Spottiswood, p. 260; Calderwood, vol. iii. p. 172; Records of Privy Council, 16th January, 1571; Altare Damascenum, p. 727.

† Altare Damascenum, p. 728.

‡ Edward VI., with the concurrence of his privy council, offered Knox a bishopric, but he refused it.—(M'Crie's Life of Knox, vol. i. p. 100.)

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the Kirk of Scotland be not subject to that order,* as the order appointed by the Book of Discipline had been long ago confirmed in parliament."

Although nothing was decided at this assembly in reference to the newly devised ecclesiastical arrangements, yet it was ordained that the superintendents should continue to exercise the same authority and jurisdiction as formerly. Winram, superintendent of Fife, had proposed, in consequence of the inauguration of an archbishop in St. Andrew's, to demit his office, but the brethren present would not receive his resignation. He was appointed to continue to discharge the functions of a superintendent as before, nor was he to be subject to the jurisdiction of the archbishop, although he might co-operate with him in his visitations, or in any other department of duty.†

Judgment of the assembly regarding the new scheme.

The subject of the new arrangements proposed by the court for the government of the Church was again brought before the assembly, which met at Perth in August. These arrangements were acquiesced in by the meeting, although they were very far from being approved of. A protestation was unanimously adopted to the effect that as the titles of archbishop, dean, archdean, chancellor, chapter, were considered by many to be slanderous and offensive, and appeared to savour of popery, the assembly would prefer that these names were changed into others of a less offensive character. Where "archbishop" had been used before in connexion with any diocese, it was judged proper that the simple word "bishop" should now be employed; and it was suggested that in the room of "chapter," the phrase "bishop's assembly" might be substituted; and "moderator of the bishop's assembly," might be the designation used instead of "dean." And with regard to the whole scheme, it was unanimously declared that the assembly acquiesced in it merely as an interim measure, to remain in force till some more perfect order could be obtained from the regent and nobility. And they pledged themselves to make every effort in their power, in order to procure the establishment of some more suitable and scriptural form of church government. In what direction their efforts would be put forth to effect modifications on the existing system, the objections already made in the assembly, as well as the known opinions of the leading men, sufficiently indicate.‡

Such was the origin of that modified species of episcopacy which was introduced into Scotland during the minority of James VI. It was a contrivance of the nobility, not grounded on any enlightened scriptural conviction, but designed as the means of enabling them to appropriate a part of the ecclesiastical revenues to themselves. The ministers of the Church were by no means satisfied with it; but through the influence exerted over numbers of them by particular noblemen, they were prevailed upon to submit to it as a temporary measure. "Some of the ministry," says Calderwood, "were poor; some covetous and ambitious; some did not take up the gross corruption of this human invention; some had a carnal respect to some noblemen their friends; and thus it was easy for the court to obtain the consent of many ministers."* Throughout the country the true nature of the whole scheme was thoroughly appreciated; and the opinion of the people was bluntly but significantly expressed in the designation which was currently given to the bishops created at this time. In allusion to a practice which prevailed of placing a calf's skin stuffed with straw, denominated a "tulchan," before cows to induce them to give their milk freely, the bishops were universally nicknamed "tulchan bishops"—the bishop obtained the title, but the patron received the milk or temporal advantage of the benefice. So universally, indeed, was the true nature of the new bishoprics recognised when they were first introduced, that even Patrick Adamson, although he afterwards accepted one of them, gave a most correct and graphic description of them in a discourse delivered at St. Andrew's, the week after the installation of Douglas. "There were three sorts of bishops," he said, "my lord bishop, my lord's bishop, and the Lord's bishop. My lord bishop was in the time of papistry; my lord's bishop is now, when my lord gets the benefice, and the bishop serves no purpose but to make good his title; the Lord's bishop is the true minister of the Gospel."†

Letter from Knox to the General Assembly.

The increasing infirmities of age prevented Knox from being present at the meeting of the General Assembly held at Perth, in August. He sent, however, a letter to the brethren there congregated, in which he admonished them to be assiduous in prosecuting the great work to which they had devoted themselves; to contend boldly for the faith once delivered unto the saints, and particularly to beware of allowing the Church to fall under the bondage of the universities; and, finally, he commended them to the protection of the Lord Jesus Christ.‡ Sundry articles accompanied this letter, to be presented by Mr. John Winram and Mr. Robert Pont, to the effect that the assembly should use means for preventing unqualified persons from being appointed to vacant bishoprics; should oppose the bestowment of pensions out of benefices by simple donation of the lord regent, without the consent of the superintendents or bishops; and should require all bishops admitted, according to the ecclesiastical order now observed, to present a yearly account of their whole rents, in order that provision might be made for such objects as the Church might consider most expedient and necessary.§ From the strain of these sug-

* Bannatyne's Journal, pp. 329, 375; Calderwood, vol. iii. p. 207.
† Bannatyne's Journal, p. 330.
‡ Book of Universal Kirk, p. 132; Spottiswood, p. 253; Calderwood, vol. iii. p. 221; M'Crie's Life of Knox, vol. ii. p. 199.

* Calderwood, vol. iii. p. 207.
† James Melvil's Diary, p. 32.
‡ Calderwood, vol. iii. p. 222.
§ Ibid., vol. iii. pp. 766, 767.

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gestions, it has been concluded that Knox quite approved of the restoration of the episcopal office in the Scottish Church; but all that can be inferred is, that seeing the office was actually introduced, and knowing that no successful opposition could be given to it at present, he was desirous of guarding as much as possible against those evils which he anticipated from its existence, and which he well knew were the grand reason why the nobility were so determined to maintain it. And it is plain that if his suggestions had been adopted by the assembly, and if they could have been carried into effect, they were perfectly calculated to defeat the selfish ends which the new bishoprics were designed to serve. His own views of the episcopal office were well known.* In a letter to Mr. John Wood, dated 14th February, 1568, he had expressed himself thus:—"I would most gladly pass through the course which God hath appointed to my labours, giving thanks to his holy name that it hath pleased his mercy to make me not a lord bishop, but a painful preacher of his blessed Evangel."† Only the preceding year, too, his sentiments had been exhibited with sufficient emphasis and clearness at the installation of the Archbishop of St. Andrew's. And James Melvil, who was a student in the university at the time, declares in his Diary that Knox opposed himself directly and zealously to the making of bishops.‡

Effect of the intelligence of the Massacre of St. Bartholomew.

It was in September of this year that intelligence reached Scotland of that atrocious slaughter of the Protestants by the Romanists of France, which is so well known under the designation of the Massacre of St. Bartholomew.§ Invited to Paris by the king, to be present at the marriage of his sister, the leaders of the Protestant party—princes, nobles, and admirals—had no apprehension of the terrible stroke which their perfidious entertainers were secretly preparing to inflict upon them; when, at a given signal, during the darkness of night, armed ruffians were let loose upon them; and neither the feebleness of age, nor the helplessness of infancy—neither dignity of rank, nor elevation of character, nor tenderness of sex, could protect them from the stroke of the infuriated assassin. For several days, not only in the capital, but also throughout the provinces, the murderous work went on; and the numbers that fell, butchered in cold blood, defenceless and unresisting, have been variously estimated at from fifty to one hundred thousand persons. Seventy thousand is reckoned a moderate computation.‖ Consternation and horror seized the whole body of Protestants throughout the length and breadth of Europe. It was made transparent as day, that the combination of princes formed some years before for the extermination of heretics was designed to be a terrible reality.* And the impression produced in Scotland was perhaps deeper than anywhere else, on account of the unsettled state of the country, and the persevering efforts which the partisans of Mary were making to replace her upon the throne. The pulpits rang with denunciations of popery. The horrible barbarities perpetrated in France, in the name of religion, were the theme of every tongue. And as Mary's former connexion with the princes who were leagued together for the extirpation of Protestants, although concealed, had been well known, and had contributed not a little to her dethronement,† so now the shocking scenes exhibited in France, which were just the natural and premeditated result of that league, struck a deadly blow at the party in Scotland favourable to her restoration, and even gave an impulse to designs which were at this time entertained against her life.‡

Convention held in consequence of the massacre.

Immediately after the intelligence arrived of the savage massacre of the French Protestants, the regent and his council, at the instance of barons, gentlemen, and other friends of the Reformed faith, summoned a convention of commissioners from the various churches to meet in Edinburgh, on the 20th October, for the purpose of devising measures of defence against the furious rage of "the bloody and traitorous papists."§ Tytler says it was no doubt by Knox's advice that this convention was summoned.‖ And although his name is not specially mentioned in connexion with the proceedings, yet we can readily believe that this intrepid old man, weak and worn as he now was, who never deserted his post or remained

* Bannatyne's Journal, p. 375.
† M'Crie's Life of Knox, vol. ii. p. 203.
‡ Melvil's Diary, p. 31.
§ *Supra*, vol. ii. p. 135.
‖ Aikman's Buchanan, vol. ii. p. 628; Tytler, vol. vii. p. 374.

* *Supra*, vol. ii. pp. 26, 27; Bannatyne's Journal, pp. 394—396; Turner's Elizabeth, vol. iv. p. 321.
† Tytler, vol. vii. p. 25. The Massacre of St. Bartholomew is one of the most diabolical scenes to be found in all history. It gives an awful view of the unrelenting and cruel character of the popish system: for it cannot be said, that the immediate actors only are to be blamed for the atrocious deed, and not the Church of Rome. True, it was perpetrated at the command of the French king, instigated by his wicked mother. But was it condemned by the Pope and the rulers of the Romish Church? Was the so-called holy city filled with mourning, lamentation, and sorrow, when the shocking intelligence arrived? Was the King of France rebuked and excommunicated for his unexampled perfidy and cruelty? It would almost surpass belief, were it not a thoroughly accredited historical fact, that the Pope and his cardinals marched in joyful procession to the Church of St. Mark, and publicly rendered thanks to Heaven, in the open face of day, for the signal triumph gained by the Church over her enemies. Nay, so much were they intoxicated with delight at the news of the massacre, that, as if to preserve the memory of an illustrious achievement, and to stir up succeeding times to the imitation of it, they actually struck a medal, on the one side of which was the head of the reigning Pope, Gregory XIII., and on the other, an angel with a crucifix in the left hand and a sword in the right, the meaning of which was explained by the motto—"*Hugonotorum strages*" (slaughter of the Huguenots). And thus was it blasphemously affirmed that this deed of hell was approved by God, and performed by a divinely commissioned agent. Has the Church of Rome to this day condemned the Massacre of St. Bartholomew? Has it ever repudiated the principal of persecution?—(Robertson, vol. iii. p. 30.)
‡ Lingard, vol. viii. p. 107.
§ Calderwood, vol. iii. p. 226.
‖ Tytler, vol. vii. p. 385.

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silent in the hour of danger, would not be the last to perceive the need of some united action against principles which could allow, and persons who could have recourse to, such appalling enormities. The Parisian massacre was but one act of a great tragedy, whose leading object was the extermination of the Protestants throughout Europe; and where the next scene might be laid who could tell? When the convention met, they first of all took measures for stirring up the ministers, and other office-bearers of the Church, to diligence in the discharge of their various duties; that the Gospel of Christ might be everywhere made known to the people in its purity; that the discipline of the Church might be faithfully administered for the suppression of vice, and that schools might be instituted and liberally supported for the training of the young. The subject of popery was next brought under review; and when we reflect upon the specimen of its spirit and doings, which the convention had before their eyes, as the very occasion of their meeting, it can hardly appear wonderful that they should have adopted measures not altogether consistent with our ideas of religious liberty. It may admit of some question what even we ourselves would do, with all the boasted light of the nineteenth century, if there existed at the present moment a confederacy of popish princes for the extermination of Protestants; if in a neighbouring country seventy thousand individuals had just been put to death in cold blood, in pursuance of the schemes of that confederacy; and if a popish prince known, or even suspected, to belong to so bloody an alliance were laying claim to the sceptre of Great Britain, and waging war in order to grasp it. Let those who feel doubtful what they themselves would propose in such a conjuncture of affairs pause before they condemn our ancestors for what they did, when this hypothetical case was an actual reality. It was recommended by the convention that all papists remaining in the country should be required to recant their principles; that those who refused to do so should be immediately banished; and that if any such banished persons should be found in the country after a certain period, they should be considered deserving of death, as enemies to God, the king, the Kirk, and the commonwealth. An earnest request was also presented to the government to carry into execution the Act of Parliament which excluded papists from all public offices and situations of trust.* And with regard to foreigners belonging to the Romish Church, whether residing in Scotland or abroad, it was considered necessary that, for protection against their machinations, and for the maintenance of the true religion against error, a league and confederacy should be made with England, and other reformed countries upon the continent; yet it does not appear that any Romanist suffered, either in person or property, in consequence of these proceedings of the convention. Our protestant ancestors, although they had not sufficient light to lead them to relinquish the persecuting principles which they had learned from Rome, yet were restrained by the benign influence of their religious views and feelings from carrying out these principles into practice. They were better than their principles. Yet, strange to say, they are more blamed in some quarters for the views which they entertained with regard to the lawfulness of punishing religious error, than the Romanists are, who not only held the same views, but carried them relentlessly into practice.

* Calderwood, vol. iii. p. 229.

Approaching close of Knox's career.

The career of the illustrious Knox, beyond all question the greatest man of his times, was now rapidly drawing to a close. He had recently returned from St. Andrew's to his flock in Edinburgh, at their own earnest solicitation; and although enfeebled by age, and worn out with the numerous labours and harassing anxieties of many years, he had resumed his labours among them. As the weakness of his voice prevented him from being properly heard in St. Giles's church, he caused his friends to procure for him a smaller place of meeting, designated by Bannatyne the Tolbooth,* where he continued to preach the unsearchable riches of Christ with all his accustomed fervour and earnestness. Feeling that his end was near, he prevailed upon the council of the town to take measures for providing another minister to occupy his place; and Mr. James Lawson, one of the professors in Aberdeen, was selected for this purpose. Knox himself preached at the admission of his colleague, and although he could hardly walk, yet he was enabled to speak in such a manner as gave the liveliest satisfaction to all who were within reach of his voice. He prayed most fervently that the richest blessings of heaven might come down upon the head of his successor; and he admonished the people to adhere steadfastly and faithfully to the religious principles which they had been taught; and having pronounced the benediction, he walked home, leaning upon his staff and upon the arm of an attendant, in the midst of a numerous crowd, who followed him home to the door of his dwelling, from which he never again came forth alive. Most appropriate and beautiful end for such a man as Knox!—he laboured while he could bear even to be propped up, and he laid him down to die when he could labour no more.†

Last illness of Knox.

During his last illness,—which began upon the very day of his colleague's induction, and not improbably was occasioned by the share which he took in the service,—he enjoyed in rich abundance the consolations of the Gospel; and his words were full of instruction to all who had the privilege of visiting him. Shortly before his death he sent for Mr. David Lindsay, Mr. James Lawson, and the elders and deacons of the church, and bidding them farewell,

* Bannatyne's Journal, pp. 386, 387.
† Spottiswood, p. 265; M'Crie's Life of Knox, vol. ii p. 218.

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he addressed them in the following terms: "The day approaches for which I have long thirsted, wherein I shall be relieved of all cares, and be with my Saviour Christ for ever. And now God is my witness, whom I have served with my spirit in the Gospel of his Son, that I have taught nothing but the true and solid doctrine of the Gospel, and that the end I proposed in all my preaching was, to instruct the ignorant, to confirm the weak, to comfort the consciences of those who were humbled under the sense of their sins, and bear down with the threatenings of God's judgments such as were proud and rebellious. I am not ignorant that many have blamed, and yet do blame, my too great rigour and severity; but God knows that in my heart I never hated the persons of those against whom I thundered God's judgments: I did only hate their sins, and laboured with all my power to gain them to Christ. That I forbore none, in whatsoever condition, I did it out of the fear of my God, who had placed me in the function of the ministry, and I knew would bring me to an account. Now, brethren, for yourselves I have no more to say, but to warn you that you take heed to the flock over whom God hath placed you overseers, and whom he hath redeemed by the blood of his only-begotten Son. And you, Mr. Lawson, fight a good fight, do the work of the Lord with courage and with a willing mind. And God from above bless you and the Church, whereof you have the charge. Against it, so long as it continueth in the doctrine of truth, the gates of hell shall not prevail."*

Knox's message to Kirkaldy.

Before Lindsay and Lawson retired, the dying Reformer unburdened his mind to them in regard to Kirkaldy of Grange, to whose former steadfastness in the faith, when they were confined together in the prisons and galleys of France, he looked back with fond affection. "There is one thing grieveth me exceedingly: you have seen the courage and constancy of the Laird of Grange † in God's cause, and now, unhappy man, he hath cast himself away. I will pray you two take the pains to go unto him, and say from me, that unless he forsake that wicked course wherein he is entered, neither shall that rock on which he confideth defend him, nor the carnal wisdom of that man whom he counteth a demi-god (Lethington) make him help, but shamefully he shall be pulled out of that nest, and his carcase hung before the sun. The soul of that man is dear unto me, and, if it be possible, I would fain have him to be saved." These words of Knox, although they produced but little impression upon Kirkaldy at the time, yet were afterwards remembered by him when he was compelled to surrender his stronghold, to meet the award of justice. And it is recorded that at the time of his execution he acknowledged that Knox had spoken with something of prophetic truth; and also that he derived consolation from the good wishes and prayers of the dying Reformer for his soul, which he desired to be repeated to him by Lindsay.*

Morton's interview with Knox.

The Reformer was visited by many of the most distinguished men in the country, and in particular by the Earl of Morton, who was on the eve of being elected to the office of regent, vacant by the death of the Earl of Mar. Having inquired of the earl whether he was privy to the conspiracy for the murder of the late king, and having received an answer in the negative, he addressed him thus: "Well, God has beautified you with many benefits which he has not given to every man; as he has given riches, wisdom, and friends, and now is to prefer you to the government of this realm. Therefore, in the name of God, I charge you to use all these benefits aright, and better in time to come than you have done in time past; first, to God's glory, to the furtherance of the Evangel, the maintenance of the Church of God and his ministry; next, for the weal of the king and his realm, and true subjects. If so you shall do, God will bless you and honour you; but if you do not so, God shall spoil you of those benefits, and your end shall be ignominy and shame." †

Consolations and experiences of Knox.

As his end approached, he became more and more engrossed with meditation and prayer. Such expressions as these frequently dropped from his lips: "Come, Lord Jesus. Sweet Jesus, into thy hands I commend my spirit. Be merciful, Lord, to thy Church, which thou hast redeemed. Give peace to this afflicted commonwealth. Raise up faithful pastors, who will take charge of thy Church. Grant us, Lord, the perfect hatred of sin." ‡

On Sabbath, the 23rd November, the first day of the national fast appointed by the recent convention, after lying quiet for a considerable period, he burst out into the joyful exclamation: "I have been these two last nights in meditation on the troubled state of the Church of God, the spouse of Jesus Christ, despised of the world, but precious in the sight of God. I have called to God for her, and have committed her to her head, Jesus Christ. I have fought against spiritual wickedness in heavenly places, and have prevailed. I have been in heaven, and have possession. I have tasted of the heavenly joys, where presently I am." ‖

On the following day, which was his last upon earth, he endured considerable pain; but his soul was comforted by the reading of the fifteenth chapter of the First Epistle to the Corinthians. Having fallen into a slumber, which was interrupted by heavy moans, he was asked by his friends what was the cause of his sighing, when

* Spottiswood, p. 266; M'Crie's Life of Knox, vol. ii. pp. 221—223.

† *Supra*, vol. i. p. 671.

* Melvil's Diary, pp. 34—36; Spottiswood, p. 266; M'Crie's Life of Knox, vol. ii. p. 224.

† Bannatyne's Journal, p. 508; M'Crie's Life of Knox, vol. ii. p. 226.

‡ M'Crie's Life of Knox, vol. ii. p. 227; Tytler, vol. vii. p. 402; Bannatyne's Journal, p. 425.

‖ Bannatyne's Journal, p. 424.

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he replied: "I have formerly, during my frail life, sustained many contests and many assaults of Satan, but at present he hath assailed me most fearfully, and put forth all his strength to devour and make an end of me at once. Often before has he placed my sins before my eyes, often tempted me to despair, often endeavoured to ensnare me by the allurements of the world; but these weapons were broken by the sword of the Spirit—the word of God, and the enemy failed. Now he has attacked me in another way: the cunning serpent has laboured to persuade me that I have merited heaven and eternal blessedness by the faithful discharge of my ministry. But, blessed be God, who has enabled me to beat down and quench this fiery dart, by suggesting to me such passages of Scripture as these—'What hast thou that thou hast not received?' 'By the grace of God I am what I am.' 'Not I, but the grace of God in me.' Upon this, as one vanquished, he left me. Wherefore I give thanks to my God, through Jesus Christ, who has been pleased to give me the victory; and I am persuaded that the tempter shall not again attack me, but within a short time I shall, without any great pain of body or anguish of mind, exchange this mortal and miserable life for a blessed immortality, through Jesus Christ."*

His death.

At ten o'clock, after the evening prayer, which he heard distinctly, he uttered a sigh, and said, "Now it is come." Bannatyne then drew near, and desired him to think of the comfortable promises which he had so often declared to others; and perceiving that he had lost the power of speech, he requested him to give a sign that he died in peace, upon which he lifted up one of his hands, and sighing twice, expired without a struggle.†

His character and influence.

Thus died John Knox, in the sixty-seventh year of his age, after a life of incredible labour, and trial, and danger. No individual has ever exerted a greater influence over the affairs of Scotland in any age; nor has there ever existed an individual in the land whose influence could have been more salutary. The elements of his unparalleled power are to be traced in a singular combination of admirable qualities, wonderfully adapted to the demands of the critical times in which he flourished. He was a man of uncommon vigour of mind—penetrating, subtle, and of most rapid conception; and he was thoroughly versant in all the branches of knowledge which were cultivated in his day. Though he was of a comparatively feeble constitution, yet his mind wrought with an intensity that knew no pause; and he devoted himself with the most ardent zeal to whatever he undertook. The object that engaged the supreme affection of his soul was the Gospel of Christ, of which he had acquired most clear and accurate conceptions, in consequence of the uncommon frequency with which he read and pored over the Scriptures; and it became a perfect passion with him, which expired only with his life, to proclaim to his countrymen the unsearchable riches of Christ, and to rescue them from the errors and corruptions engrafted upon Christianity by the papal system. His preaching was characterised by amazing eloquence—at one time laying hold of the sinner's conscience with a power which nothing could resist, at another infusing consolation into hearts alarmed and terrified by the enormity of their sins; and he continued to preach with unabated energy to the very last, even after he needed assistance to enable him to ascend the pulpit stairs. There is something sublime in the spectacle of this old man, eloquent, hardly able to stand, yet still wielding an unequalled power in the handling of the sword of the Spirit, and in piercing with it the consciences of men.

Knox had views of civil liberty far in advance of the practice, and even of the theory, of the times in which he lived; not the will of the ruler, but law was the supreme authority with him. The prince, in his view, was as much bound to submit to the law of the land as the meanest subject, and was to be held responsible in the event of violating it; and, without a question, the lovers of liberty, and of the British constitution, owe to his memory a debt of gratitude which no time can repay, for the consistency and the courage with which he ever maintained this grand principle. No man was ever more submissive to lawful authority than Knox—no man was ever more determined to resist the mere will of the ruler; and it is because this broad and palpable distinction is so much overlooked by men, that the Reformer is sometimes represented by ignorant and prejudiced partisans as an enemy to authority and a seditious disturber of the peace.

Unfaltering fearlessness was a distinguishing trait of Knox's character; and this was a quality which found ample opportunities for exercise in those troubled and dangerous times. Never was there a truer eulogium uttered regarding any man, than that which Morton pronounced upon Knox on the day of his funeral: "Here lies one that never feared the face of man." When duty summoned him to action, he never regarded any danger or difficulty that might lie in the way; and whatever judgment he formed regarding any scheme or system, he never shrank in any place, or under any circumstances, from avowing: neither the presence of prince nor of nobles could induce him to suppress the honest conviction of his heart. He has been blamed for coarseness and obstinacy, and certainly he was not a smooth or pliant man; neither, if he had been so, would he have been able to accomplish the work for which Providence obviously designed him. If we approve of the work, and rejoice in the success which attended it, we must beware of finding fault with the qualities that were indispensable to its execution. It is as

* Bannatyne's Journal, p. 426; M'Crie's Life of Knox, vol. ii. p. 230.

† Bannatyne's Journal, p. 427; Smetoni Responsio, p. 123; Spottiswood, p. 266; M'Crie's Life of Knox, p. 232.

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unreasonable to condemn Knox for the want of a certain polish of manners, as it would be to find fault with an axe destined to fell trees that it had not the fine thin edge of a razor. But, after all, Knox's coarseness was a quality of which it would be well that there were a vast deal more in the world. It was not the coarseness of a vulgar mind, which delights in grovelling and base ideas—it was the utterance of a mind that abhorred all vice, and had no patience with the practice of designating sin by soft and gentle epithets, calculated to veil from the sinner's own view the enormity of his transgression. He denounced prevailing sins in the plainest terms, no matter what might be the rank or influence of the persons whose conduct he had occasion to condemn; and he justified his conduct by the practice of Isaiah, Jeremiah, and all the other prophets of the most high God.

Knox was a man, too, of incorruptible integrity. As he feared no danger, so he desired no favour from any. Not one single action of his life can be pointed to which manifested anything like selfishness. He lived for God, and he was ready to die rather than abandon the path of duty. He was devoted to the advancement of the moral and spiritual wellbeing of his countrymen; and no private ends of his own ever had the smallest power to turn him aside from the prosecution of that object. He received the veneration of his own contemporaries, who knew him best, and had witnessed the services which he performed for his country; and, although afterwards it became fashionable to decry him as a fanatic and a coarse-minded bigot, yet the clouds of calumny that for many years obscured his fame have to a great extent been dispelled, and his noble character now shines forth with unclouded lustre. And while genius and eloquence, devotion to God and disinterested labours for mankind, the love of civil liberty and incorruptible integrity, and a spirit of self-sacrifice that will rather die than neglect its duty, have any power to attract the regard of mankind, the name of Knox will be remembered with gratitude to God for having raised up such a champion of truth and righteousness, and with admiration of the man whose self-denying labours were the instrument of accomplishing so much for the good of his country, and of the world.

Procedure of Morton with regard to the thirds.

The death of Knox removed one great barrier to the success of Morton in that course of procedure with regard to the Church, upon which he had entered even before his elevation to the regency. It was he who first contrived the plan of appointing bishops, who, whilst nominally invested with a right to all the immunities and revenues of their several dioceses, nevertheless received for their own benefit only a small portion of the emoluments, the surplus being paid into the hands of the patrons. And not satisfied with the hold which he had thus acquired over the larger benefices, he soon began to cast a covetous eye upon the thirds; actuated by the double motive of enriching himself and of crippling the Church, whose power was the object of his great and growing jealousy. With the ostensible view of acceding to a request which had been repeatedly made by the ministers, and of correcting abuses which he alleged had crept into the mode of collecting the revenues, he proposed to the assembly, at their meeting in August, that a change should take place in the management of the thirds; and he engaged, on receiving the control of these funds, that each minister's stipend should be made payable in places "ewest and most commodious" to his residence, and should always be first paid, whatever other claims might present themselves. And with the view of removing every objection which the assembly might entertain to this plan, he promised that if upon trial they found that their interests were in any way compromised by it, he would restore to them their former rights whenever they desired it. Thus the thirds passed into the hands of the regent, and the ministers became dependent upon him for their support.*

Evil effects of the new arrangement.

It was not long before the evils of the new arrangement began to manifest themselves, and it became quite apparent to the ministers that they had been deceived. Morton's plan was obviously calculated—perhaps even had been designed—to plunder and cripple the Church. For the regent and his council immediately adopted the practice of appointing one minister to take charge of two, or three, or even four churches; and then, in order to remedy the evil of insufficient spiritual oversight, they stationed readers in the different parishes, to read prayers during the minister's absence, allowing these readers a very trifling compensation. In this manner the surplus of the thirds that accrued to the king's revenues was considerably augmented, and the Church was proportionably impoverished, one stipend being made to serve for two, or three, or four parishes.

And beside these, there were other and great inconveniences connected with the new plan. Formerly, when the superintendents were entrusted with the assignation of stipends, the ministers could apply to them with something like confidence, and state their necessities and wrongs with the conviction that an attempt, at least, would be made to extend relief to them.† But now they were obliged to give attendance at court, that they might obtain "assignations and precepts of payment;" and frequently their demands for the maintenance promised to them were altogether disregarded, so that their time was wasted, and their tempers were fretted by disappointment. The superintendents, too, instead of being able, as formerly, to help the ministers, were reduced to the same distress.‡ The sums allocated to them were withheld, and when they complained of this treat-

* Spottiswood, p. 273; Calderwood, vol. iii. pp. 294, 391; Tytler, vol. viii. p. 5.
† Spottiswood, p. 273. ‡ Tytler, vol. viii. p. 5.

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ment, they were told that their office was now quite superfluous, as there were bishops placed in the dioceses, and the government of the Church properly belonged to them.

The dissatisfaction which prevailed in consequence of these grievances among the office-bearers, and indeed the whole body of the Reformed Church, was very great. In a work bearing the title of "A Dialogue between a Clerk and a Courtier," Mr. John Davidson, a regent in St. Leonard's College, St. Andrew's, discussed the subject of the appointment of one minister to four churches, and reasoned regarding it with a force and power which augmented the excitement prevailing through the country. The object of this work,—which had been composed by its author only with the view of being circulated in manuscript, but which in some way or other had been committed to the press without his knowledge,—was to show in a lively and spirited manner that the charge of four parish churches was by far too great a burden for any single individual to bear. The courtier defends the practice of putting several churches under one man's care; but the clerk condemns such an accumulation of duties, and, in support of his views, he appeals both to the experience of ministers on whom such a burden of official engagements had been laid, and to the experience of congregations which had been obliged to content themselves with a fractional portion of a minister's labours. The clerk, in the end, is represented as having the best of the argument; and, after much reasoning on both sides, he states his conclusion strongly, and intermingles some powerful appeals, with the view of arresting attention and exciting the public mind.* The work is written in a metrical shape, and plainly and fearlessly exposes the true motives for the very reprehensible practice which it condemns.†

Davidson's Dialogue between a Clerk and a Courtier.

Proceedings were raised by the regent and his council against Davidson for the publication of this book, and he was summoned before them, first at Haddington, and afterwards at Holyrood House. As the work was anonymous, it was their object to prevail upon him to deny that he was the author of it, and with this denial apparently they would have been satisfied; but he not only acknowledged the book to be his production, but even maintained that there was nothing "libellous or damnable in its matter." The subject was taken up also by the General Assembly, in March, 1574. Both the work of Davidson, and an answer to it, which had been published by Mr. John Rutherfurd, Provost of St. Salvator's College, were, after much resistance on the part of Rutherfurd, laid upon the table; and a committee was appointed to read them, and to prepare a report with regard to the character of their contents. But the committee, afraid, on the one hand, to offend the regent by approving of Davidson's book, and yet not perceiving anything in it which they could condemn, declined pronouncing any judgment at all, under the pretence that too small a number had attended their meeting; and the assembly also, influenced by similar feelings, were not disposed to pursue the subject with greater vigour. Davidson, thus left defenceless, and obliged to find security for his appearance to underly the law on the 17th of June, found himself in a situation of considerable peril, and, in the end, by the advice of some of his friends, he fled.* After lurking for a time in the west of Scotland, he retired into England, and, during his exile, he also visited the continent; nor was he permitted to return to his native land till after Morton's fall, when he comes before us again as minister of Liberton, and acts a very prominent part.

Proceedings instituted against Davidson.

The inconveniences and evils attendant upon the new mode of levying and distributing the thirds, soon convinced the ministers that they had committed a serious mistake in agreeing to transfer them into the hands of the court; and therefore they craved that the regent would restore them to the Church, agreeably to the promise which he had given when the change was made, and allow them to manage them themselves, as they had formerly done. But sundry objections were started against this demand, and various delays were artfully interposed; and at length the ministers were told, that seeing the surplus of the thirds belonged to the king, it was more fitting that the regent and his council should modify the stipends of ministers, than that the Church should be allowed to determine what surplus should accrue to the king. Thus baffled in their attempts to regain possession of the thirds, and prevented from remedying the evil of an insufficient inspection of parishes, which had grown out of the change in the administration of those funds, the General Assembly decided that in cases where one minister had several kirks placed under his pastoral care, he should be required to fix his residence at some one of them which should be accounted his charge, and which he was on no account to neglect; and with regard to the others, he was to take such an oversight of them as the bishop or superintendent might think expedient. In this way the assembly strove to maintain the standard of ministerial

Attempt of the Church to regain possession of the thirds.

* Davidson's defence; Calderwood, vol. iii. pp. 317—324; M'Crie's Life of Melvil, vol. i. p. 126.

† The following lines from the conclusion of this poem are presented as a specimen of it:—

"Forsuith, schir, said the courtier,
I am assurit had ilk preacher
Unto the matter been als fruk
As ye have been heir sen ye spak,
It had not come to sic ane heid
As this day we see it proceed.
But I can see few men amang them,
Tho all the world suld clean our gang them,
That has ane face to speak again
Sic as the Kirk of Christ profane.
Had gude John Knox not yet been dead
It had not come unto this head,
Had they myntit till sic ane steir
He had made heaven and earth to heir."

* Calderwood, vol. iii. pp. 311—314.

efficiency at as high a level as possible. It cannot be denied, however, that their counsels displayed a considerable amount of timidity; for in stating the grounds of the regulation, they declare that it was to remain in force till God of his mercy should thrust forth more labourers into his harvest. Doubtless there was a scarcity of labourers, but that was not the main reason for the enactment which it was found necessary at this time to make. The scarcity was to some extent artificial. It was created by the parsimony of the government; and accordingly, Davidson, in the apology which he issued for his flight, commenting upon the evils of a systematic conjunction of parishes, says, "It is a mockery of God to say that you will wait till God stir up more labourers; and in the meantime you do not use the means of augmenting their number, but rather shut your eyes when the way is pointed out." *

Assembly's authority over bishops and superintendents.

As the restoration of the order of bishops had led the government to treat the superintendents with neglect, and even to withhold from them their accustomed revenues,† several of them, unable to meet the expenses to which they were exposed, laid their resignations upon the assembly's table; but the assembly decidedly refused to accept them.‡ On the contrary, they declared that the jurisdiction of the bishops was in no respect superior to that of the superintendents, and that both orders of office-bearers were equally subject to the authority of the General Assembly. The superintendents were not to grant collation of benefices without the advice and assistance of at least three qualified ministers; and equally the bishops were to consider themselves bound by the same restrictions. And no bishop was to give collation of any benefice within the bounds of a superintendent without his written consent. And not only did the assembly thus assert their authority over the bishops, but they exercised it. At the meeting held in August, the conduct of the Bishop of Dunkeld, who was alleged to have made a simoniacal paction with the Earl of Argyle, and who had neglected the injunction of the last assembly, to excommunicate the Earl of Atholl, was brought under review; and while his explanation in reference to the first point was accepted, he was commanded, under pain of suspension, to pronounce the sentence of excommunication upon Atholl within forty days. The proceedings, also, with regard to the admission and election of the Bishop of Moray were subjected to a very strict revision; and a commission was appointed to investigate the whole case, and to prepare it for being submitted to the judgment of the assembly at their next meeting.§

* Spottiswood, p. 273; Calderwood, vol. iii. pp. 309, 318.
† The superintendent of Lothian stated that he had received no stipend for two whole years.—(Calderwood, vol. iii. p. 332.)
‡ Spottiswood, p. 273; Scott's Apologetical Narration, p. 32; Book of the Universal Kirk, p. 141.
§ Calderwood, vol. iii. pp. 304, 308, 330, 331.

The regent's dislike and jealousy of the Church.

Morton's dislike of the Church, and jealousy of her influence, are apparent from the circumstance that he scrupulously avoided giving any countenance to her assemblies, by either attending them himself, or deputing any one to appear in his name. At the meeting held in March, the assembly ventured to remonstrate with him on this point, reminding him that two assemblies met every year, and that the most noble in the land had formerly frequented these meetings; and they craved that he would still (as had been customary with his predecessors) either honour them with his personal presence, or at least send commissioners authorised to represent him: "Your grace's absence is to our hearts most dolorous and lamentable." And they appointed Lawson and Lindsay, the ministers of Edinburgh and Leith, and the lairds of Barganie and Thornton, commissioners of Edinburgh and Perth, to present their supplication to his grace. The reception given to these brethren was very rough and uncourteous. Fixing upon that part of the document which referred to the Church's appointment, and the parliament's sanction of two general assemblies each year, the regent demanded, "Who gave them authority to convocate the king's lieges, without his advice who was in authority?" The commissioners, abashed by the suddenness and sternness of the question, remained silent for some time, until one of them summoned up courage to say, that they were convened in virtue of the authority and commandment of Jesus Christ, the great head of the Church. They were then dismissed, without receiving any satisfaction in regard to the object of their visit.*

Renewed attempt to define the limits of ecclesiastical jurisdiction.

The efforts of the assembly were renewed this year to procure a settlement of the long pending question of the limits of ecclesiastical jurisdiction. The subject was one not well understood in that age. Civil and sacred things were by far too much intermingled; but the ministers were not more in error than the rest of the community—the Church was not more at fault than the State. It was universally conceived that the Church and the State should embrace the whole community, and thus be commensurate with each other; and therefore it was held that excommunication ought to infer the loss of civil privileges, and by act of parliament it did so. Accordingly, we find that even the regent himself had proposed to the assembly, during the preceding year, when he was contriving to obtain possession and management of the thirds, that notice of all excommunications should be sent to the lord-treasurer or his clerk, who should take measures before the Court of Session to compel the parties to satisfy the Church, under pain of rebellion and consequent confiscation of all their property. No doubt the assembly approved of this course; and they enacted, too, that persons who knowingly

* Calderwood, vol. iii. p. 306.

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received and entertained excommunicated individuals, should themselves be subjected to the discipline of the Church; and in order that no one might be able to pretend ignorance, it was agreed that in all synodical conventions lists should be drawn up of all who were excommunicated within the district, and these lists were to be brought to the General Assembly, with the view of being made known to the whole country. Another enactment was made, which had at least the merit of fairness—that in the case of those offences which had the discipline in sackcloth assigned to them, it should not be in the power of superintendents to exempt any offender, whatever might be his rank, from the rigour of sackcloth for any sum of money exacted or paid under pretence of being applied to pious uses. One of the crimes for which this species of discipline was expressly appointed, was that of consulting with witches—whose extraordinary powers were not doubted either by civil or sacred courts at that period, nor for many years afterwards.*

But whilst we disapprove of the persecuting principles so common in those days, it is but fair for us to remember that the laws affixing civil penalties to sentences of excommunication were not first enacted at the instance of the Reformed Church: they had come down as a legacy from popish times, and were allowed to remain in force for some years after the Reformation. That they were generally approved, there can be no doubt; but there is reason to believe that some of the ministers had begun to doubt the wisdom and justice of such enactments.†

Andrew Melvil's return to Scotland.

In the summer of this year Andrew Melvil returned to his native country, after an absence of ten years, during which period he had risen to astonishing proficiency in all branches of learning, and had taught with uncommon success both in France and Geneva. It was with difficulty that his friends abroad could be prevailed upon to part with him. His determination to resign the office which he held in Geneva occasioned much sorrow to his colleagues and to the magistrates; and when he left them, they gave him most ample testimonials of their approbation and esteem. Beza declared, in a letter addressed to the General Assembly, that the greatest token of affection which the Church of Geneva could show to Scotland was the fact of their allowing themselves to be deprived of Andrew Melvil, that he might return to his native land, to enrich the Church with his great erudition and eminent piety.‡ The fame of his talents and learning was so great that his return was considered a public blessing; and certainly the goodness of Providence was very apparent, both in the event itself and in the critical juncture at which it occurred. Knox was now gone, and no other individual had arisen who seemed capable of supplying the void thus left. A scheme was in operation for the total subversion of the liberties of the Church; and her enemies were also attempting to reduce her to a state of abject poverty. And although the assembly saw the danger, and had already devised some measures in order to ward it off, yet there was none among them fitted by his ability, and influence, and determination, to take the lead in the struggle which was approaching. Most opportunely Melvil arrived. He was the very man adapted to the crisis. And he was soon invited to take the helm of the Church, with the view of guiding her through the storm, whose premonitory symptoms were already very apparent.*

Different situations offered to Melvil.

Shortly after Melvil's return to Scotland, the regent, aware that a man of his ability, and learning, and fame, must soon acquire a powerful influence in the country, endeavoured to attach him to his own person and interests, that he might employ him as an instrument, along with others, for the subjugation of the General Assembly, and for the assimilation of the Church of Scotland to the hierarchy of the sister kingdom. With this view he offered him the situation of domestic instructor or chaplain in his own family, and promised that he should be advanced to some position more adequate to his merits on the first occasion that offered; but Melvil, although yet but indifferently acquainted with the regent's designs, declined the proposal, because he disrelished the life of a courtier, and preferred to be occupied as an instructor in some university. Strenuous efforts were made by the commissioners of the Synod of Fife to procure his settlement in St. Andrew's, as Provost of St. Mary's College. Similar efforts were made by Boyd, Archbishop of Glasgow, and George Hay, commissioner of the west, to obtain his services for the University of Glasgow; and at length he was prevailed upon to visit Glasgow, where he was appointed to the office of principal of the college. He entered upon the discharge of his duties with ardour and zeal, and brought under the notice of the students new authors and subjects, which had hardly ever been heard of before in Scotland. He taught with so much success that the college became quite crowded, and not a few who had already finished their course at St. Andrew's, entered anew upon their studies under his care.† The discipline of the university was also maintained by the principal with a firm hand, and the attempts of certain youths of high rank to set his authority at defiance were promptly and signally defeated.‡

* Calderwood, vol. iii. pp. 296, 299.

† Altare Damascenum, pp. 312, 313; M'Crie's Life of Melvil, vol. i. p. 203.

‡ Calderwood, vol. iii. p. 328; Tytler, vol. viii. p. 25.

* M'Crie's Life of Melvil, vol. i. p. 155.

† James Melvil's Diary, p. 50; Calderwood, vol. vii. p. 339; M'Crie's Life of Melvil, vol. i. pp. 64—72.

‡ Sibbaldi Prodromus Nat. Hist. Scotiæ, Part II., lib. iii., pp. 2—4. It was the custom in those times for the principal to inflict corporal punishment with his own hands, in presence of the masters and students; but Melvil devolved this disagreeable task upon the regents.—(Life of Robert Boyd of Trochrig, pp. 84—100.)

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The ministers of the Church as a body were actuated by a strong desire to sustain and extend the efficiency of their religious system, and to prevent unqualified persons from being appointed to any spiritual function. For this purpose, at the meeting of the General Assembly held in March, they passed an enactment ordaining that as the greater number of commentaries upon the Scriptures were written in the Latin tongue, bishops, superintendents, and commissioners should admit none to the office of the ministry but such as were competently acquainted with that language.* This enactment was designed not only to elevate the general standard of attainments among the office-bearers of the Church, but also to restrain, and as soon as possible terminate, the practice which had become so common among the nobility of appointing their own dependents, however ignorant, or dissolute, or juvenile, to the richest benefices. In some cases, even infants were appointed to ecclesiastical livings. A custom had also long prevailed of throwing some of the narrative portions of Scripture into the form of comedies and tragedies, which were acted publicly, sometimes even upon the Lord's-day, and under the eye of the ministers of the Church. The assembly, justly considering that the tendency of such an employment of holy writ was to expose the Word of God to contempt and profanation, forbade the practice, threatening ministers who countenanced it with deposition, and others with being subjected to the discipline of the Church. And one thing must be allowed, that, however unduly coercive the measures of the assembly sometimes were, they never spared themselves. The dress suitable to ministers and their families was brought under discussion at this time, and a committee was appointed to consider the subject, who prepared and presented a very minute report, to the effect that all sumptuous apparel and garish colours ought to be shunned, and that it was only proper to use plain fabrics, of such colours as black, russet, gray, and brown, and formed into garments of simple construction. The assembly had yet to learn that, although undoubtedly there are proprieties in dress, which cannot be overlooked by the ministers of the Gospel, or by any Christians, without detriment to the interests of religion; yet the subject has too indefinite a connection with morals to admit of its being made the subject of legislation, and must always be left to the good sense of individuals.†

Measures for promoting the efficiency of religious institutions.

The influence of Andrew Melvil upon the counsels of the Church soon began to make itself apparent. He was one of the number appointed in March to confer with the regent's commissioners upon the jurisdiction and policy of the Church,‡ and to prepare this difficult question, destined soon to become the subject of engrossing interest and of fierce contention, for being publicly discussed in the assembly. And in August, again, he took a prominent part in the discussion of the question,—which was raised by John Durie, one of the ministers of Edinburgh,—whether the office of bishop, as existing at the time in the Church of Scotland, was a function which had any foundation in the Word of God. Spottiswood says that Durie was urged on by Melvil to introduce the subject into the assembly, and that the opposition to bishops mainly originated with him.* Now it is certain that there was previous intercourse between Melvil and Durie in regard to the subject,† and it is also highly probable that Melvil's arguments had an influence upon Durie's mind in making him more decided, but it is quite contrary to the evidence of history to represent opposition to episcopal rule as an innovation that originated with Melvil. The bishops themselves were the innovation, so far as the Reformed Church was concerned. They had been introduced but three or four years before, and we have seen that from the first the great body of the ministers were opposed to the appointment of such office-bearers, and only submitted to it from necessity, and on the understanding that it was merely a temporary expedient.‡ During the discussion introduced by Durie, Melvil expressed himself with great zeal and decision upon the subject of episcopacy, maintaining that the authority of Scripture is alone entitled to settle what offices ought to exist in the Church. He argued that although certainly the word "bishop" was to be found in the writings of the Apostles, still it bore in them quite a different signification from what was now given to it, being applied equally to all the ministers of the Gospel. And he concluded with affirming that the corruptions which had crept into the order of bishops were so great, that until a reformation was effected it would not go well with the Church, nor could religion be preserved in purity.§

Increasing influence of Melvil.

This discussion issued in the appointment of a committee of six individuals, three of whom were opposed to the episcopal office, and three were somewhat favourable to it, to confer together upon the subject, and to report their judgment to the assembly.‖ Those on the negative side of the question were John Craig, formerly Knox's colleague, but now minister of Aberdeen; James Lawson, minister in Edinburgh; and Andrew Melvil: those on the affirmative side were George Hay, commissioner of Caithness; John Row, minister of Perth; and David Lindsay, of Leith.

Committee on the episcopal function.

* Hetherington, p. 44; Calderwood, vol. iii. pp. 344, 345; Book of the Universal Kirk, p. 146.
† Calderwood, vol. iii. pp. 345, 355.
‡ Acts of Parliament of Scotland, vol. iii. pp. 89, 90.

* Spottiswood, p. 275; M'Crie's Life of Melvil, vol. i. p. 180.
† James Melvil's Diary, pp. 52, 53; Scott's Apologetical Narration, pp. 33, 34.
‡ M'Crie's Life of Melvil, vol. i. p. 147.
§ Row, p. 54; Calderwood, vol. iii. pp. 347, 355.
‖ M'Crie's Life of Melvil, vol. i. p. 184; Spottiswood, De regimine ecclesiæ Scoticanæ, p. 42.

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The report which they prepared was constructed upon the principle of a compromise between the extreme views on either side. They did not consider it to be expedient, at the present moment, to give a direct answer to the main question regarding the lawfulness of the episcopal function as it existed at the time in Scotland; but they were unanimous in thinking that the name "bishop" belonged, according to its usage in Scripture, to all who had charge of a particular flock, with commission to preach the Gospel, administer the sacraments, and execute discipline. They were also of opinion * that some might be chosen from amongst the ministers to oversee and visit some district of country, of reasonable bounds, besides their own flocks; and that these persons might be authorised to appoint ministers, with consent of the ministers of the district and of the congregations over whom they were placed; as also to suspend from office, with the same concurrence, for reasonable causes.† This report was favourably received by the assembly; and although there were six bishops present, not one of them uttered a syllable in defence of the episcopal function.†

The regent obliged by circumstances to forward the assembly's views.

These proceedings were by no means agreeable to the regent, nor was he at all pleased with the assembly for deposing, as they did at this time, the Bishop of Dunkeld, for dilapidation of his benefice.‡ But he was involved in a difficult struggle with the Earls of Argyle and Atholl, who, although most hostile to one another, had yet laid aside their mutual jealousies, that they might direct their combined efforts against him; and these perplexities, affecting himself, obliged him to give a comparatively mild answer to the deputation sent by the assembly to inform him of what they were doing.§ The message which he transmitted by them to the assembly was to the effect, that he would like to know whether they were disposed to stand by the policy agreed upon at Leith; or if not, that they would condescend upon some form of government by which they would be willing to abide, and, therefore, he expressed the desire that they should revise the heads drawn up at the last conference.‖ This suggestion was readily embraced by the assembly. A large committee was appointed for this purpose, consisting of persons from all parts of the country, who were first to convene in their several districts upon the first Tuesday of June; and afterwards to hold an aggregate meeting, or, at least, a meeting containing representatives from all the district meetings in Stirling, upon the last day of July, to compare their several labours, and to draw up a general report for the autumn meeting of the assembly.* Meanwhile, they renewed their adherence to the principle agreed upon at the last meeting, that the name of bishop, as used in Scripture, belongs to all who have the spiritual oversight of a particular flock; and they further decided that all the existing bishops should be required to take special charge of some one parish.† The kirk of Dunblane, accordingly, was assigned to the Bishop of Dunblane with his own consent; and the canonry of Ross, in like manner, to the Bishop of Ross. The Bishop of Glasgow offered some reasons, grounded upon the mode of his first appointment, why he could not restrict himself to a particular church; but he promised to preach statedly, sometimes in Glasgow and sometimes in Ayr, according as his engagements might require him to be in the one neighbourhood or in the other.‡

Bishops and superintendents had now been declared by the assembly to possess the same jurisdiction, and to be equally subject to the authority of the supreme court. Commissioners of provinces also discharged duties of precisely the same kind; but they were in general appointed from year to year. At this time it was considered that the districts placed under the inspection of these office-bearers were too extensive, and that on this account discipline in many quarters was not duly administered. And as the offices held by these functionaries were not viewed as resting upon express scriptural authority, like the office of pastor or elder, a number of other persons were appointed, under the designation of visitors, to take charge of more limited districts of country. Their duties were to be very nearly the same as those which had been discharged by bishops, superintendents, and commissioners. The visitor was to call together the ministers within the bounds of his visitation; to hold synodal assemblies, and act as moderator; to try ministers; to take the oversight of schools and of churches within his district; to appoint ministers, with advice of the ministers of the neighbourhood; to receive the presentations of patrons, and to give "letters testimonial" to the presentee when lawful impediments were taken away; to plant churches where there was need of them, and to attend to the repairing of kirks and kirkyards, to the state of manses and glebes, and whatever else pertained to the welfare and respectability of the house of God. These duties, so necessary to the smooth working of the machinery of the Church, were discharged by visitors for several years. But after presbyteries were properly constituted, the office of visitor, which was merely a temporary expedient, fell into disuse.§

Notwithstanding the regent's apparently frank acquiescence in the course which the assembly

* Row the historian, son of John Row the Reformer, who was one of the committee described in the text, says that the opinion here mentioned had reference to the time of the first planting of a Church in a country—"in ecclesia constituenda."—(Row, p. 56.)

† Spottiswood, p. 276; Scott's Apologetical Narration, p. 33; Book of the Universal Kirk, p. 152; Wodrow's Life of Andrew Melvil, p. 9.

‡ Spottiswood, p. 276.

§ *Supra*, vol. ii. p. 150; Hetherington, p. 44.

‖ Calderwood, vol. iii. pp. 361, 362.

* Book of the Universal Kirk, p. 155.

† Scott's Apologetical Narration, p. 35; Row, p. 57.

‡ Calderwood, vol. iii. p. 368.

§ Scott's Apologetical Narration, pp. 35—37; Calderwood, vol. iii. p. 364.

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were pursuing, he was very assiduous in the employment of private influence to divert them from a course which he disliked so much. With this view he had offered to Melvil, some time previously, the rich benefice of Govan, on condition that he would desist from his opposition to the continuance of bishops in the Church.* But Melvil, whom the regent totally misjudged when he supposed him accessible to those influences which had so great a power over himself, scorned the bribe; and he remained deaf to every overture, although the benefice remained undisposed of for nearly two years as a lure to him, Morton sometimes remarking that he was depriving himself of a great benefit for the sake of new opinions and over-sea dreams. At length the regent, by the advice of Adamson, tried a different course, and attempted to mollify and gain over the principal by spontaneously annexing the benefice of Govan to the College of Glasgow. But although Melvil was highly gratified by the decided improvement which was thus made in the position of the college, yet he held and defended his opinions as before: neither a naked bribe, nor yet a spontaneous act of kindness, could tempt him to deviate from the path of duty. Nor was he more accessible to the influence of threats. On one occasion the regent, provoked at the failure of all his efforts to secure his adhesion, attempted to overawe him. He complained that the Church and kingdom were kept in a state of continual uncertainty and turmoil, by persons who were striving to introduce their own conceits and foreign notions. But Melvil replied that the views of himself and his friends were grounded, neither upon their own fancies nor upon the practice of foreign Churches, but upon the Word of God, which he quoted in his own defence. The regent, unable to reply to his arguments, lost temper, and in the violence of his anger exclaimed, "There will never be quietness in this country till half-a-dozen of you be hanged or banished!" "Tush, sir!" replied Melvil; "utter these threats to your purple-robed minions. It is the same to me whether I rot underground or in the air. The earth is the Lord's. My country is wherever goodness is. I have been ready to give my life, when it would not have been half so well expended, at the pleasure of my God. I have lived out of your country ten years, as well as in it. Let God be glorified, it will not lie in your power to hang or exile his truth." †

Attempts of the regent to secure the silence of Melvil.

But all were not so invulnerable against the varied artillery of the regent as Melvil. Patrick Adamson, who had expressed himself, at the time of Douglas's advancement to the Archbishopric of St. Andrew's, with so much courage and graphic discrimination, forgetful of his publicly declared sentiments, now listened with consenting mind and ready ear to the voice of the regent, when he offered the same situation to himself. Melvil had resisted even the temptation of the archbishopric, which it is mentioned by his nephew James was designed for him,* but Adamson at once fell before this polished shaft when it was aimed at his integrity. He not only accepted the office from the regent, but he declined submitting to be tried by the assembly,—as the laws of the Church required, before being admitted to the chapter,—on the avowed ground that the regent had forbidden him. And when called to account by the assembly for this irregularity, he craftily prevailed upon them to drop proceedings against him, by promising that he would submit in all things, so soon as the great question relating to the policy of the Kirk was brought to a conclusion.†

Adamson nominated Archbishop of St. Andrew's.

This question was under the consideration of a large committee, who reported their proceedings from time to time, and received fresh instructions from the assembly. The various topics had first of all been apportioned among them, and then the articles prepared by each had been examined by the whole body, and, finally, they were submitted to the General Assembly. The points in regard to which the greatest difficulty had been felt, were those relating to the deaconship, patronage, and divorce.‡ At length, however, the work was brought to a close, and a fair copy of it was prepared to be sent to the regent, when the sudden revolution took place which deprived him of the reins of government.§ He had all along upheld the order of bishops, and desired to bring the Church of Scotland into conformity with that of England; and most probably, but for the political difficulties which cramped his efforts, and the confederacy which at length deprived him of his office, he might have been able to defeat altogether the measures of reformation which the Church were bent upon carrying forward. His extraordinary avarice impelled him to maintain the bishoprics, as the readiest means of appropriating to himself a portion of the ecclesiastical revenues; and his jealousy of the free spirit which the assembly had ever displayed, disposed him to take all means of restricting and crippling their power. It was noticed that during his whole regency he studiously shunned countenancing the assembly with his presence, although he was often requested, and sometimes repeatedly at the same meeting, to afford them the gratification of seeing him in the midst of them. It was conjectured that the readiness with which he selected Andrew Melvil, Alexander Arbuthnot, and George Hay, to proceed as the repre-

Proceedings regarding the Book of Policy.

* James Melvil's Diary, p. 64; Calderwood, vol. iii. p. 369.
† James Melvil's Diary, p. 68; Hetherington, p. 45; M'Crie's Life of Melvil, vol. i. p. 196.

* Hetherington, p. 44.
† Spottiswood, p. 277; Row, p. 60; James Melvil's Diary, p. 59; Calderwood, vol. iii. pp. 371, 378; M'Crie's Life of Melvil, vol. i. p. 192.
‡ Calderwood, vol. iii. pp. 380, 381, 382, 399; Row, pp. 60, 61.
§ James Melvil's Diary, p. 60.

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sentatives of Scotland to the general council convened at Magdeburg, for the establishment of the Augsburg Confession of Faith, proceeded from no special confidence in those individuals, or desire to do them honour, but from a wish to have them out of the way for a time, that he might not be thwarted in his plans. But want of means for defraying the expenses of their journey prevented them from setting out at all, and they remained at home to fight the battles of the new policy, and to oppose the schemes of the regent. Morton's avarice seems to have been stronger than even his dislike of the proposed Book of Discipline.*

General Assembly's meeting.

A meeting of the General Assembly was held shortly after James assumed the reins of government into his own hands, at which it was agreed that the Book of Policy, already very thoroughly scrutinised, and almost unanimously adopted, should be again reviewed by Lindsay, Lawson, and Pont, and copies of it prepared to be laid before his majesty † and the council for their approbation. At the same time commissioners were appointed to confer—should conference be desired—with any commissioners whom the king and his council might nominate. At this meeting, also, the feeling of the assembly against the order of bishops was still more powerfully manifested. The assumption by them of the title of "lord bishop" was condemned, and it was enacted that they should be called by their own names, or simply brethren; and the corruptions of the state of bishops were declared to be so great, that it was determined that no bishop at all should be elected or admitted from that time till next assembly. And when next assembly came, the feeling against the episcopal order had acquired so much additional strength, that the enactment was extended to all time coming, till the order of bishop should be taken away root and branch. And with regard to existing bishops, it was required that they should submit to be reformed according to the Word of God; that they should become pastors of one flock; that they should renounce the exercise of all criminal jurisdiction; that they should be content with reasonable livings, and that they should not assume any authority over other ministers and elders.‡

Reception given to the Book of Policy.

When the Book of Policy was presented to the king and his council, it met with a very favourable reception from his majesty, who gave a "very comfortable" answer to the commissioners, and promised that he would do everything in his power for the advancement of true religion, as presently professed in the realm. Commissioners were also appointed by the council, who met with commissioners of the Church in Edinburgh, in June; and, after conference, they agreed to all parts of the Book of Discipline, excepting four heads, which were to be reconsidered.* It was the expectation, therefore, of the commissioners of the Church, that when the parliament met in Stirling, in July, the Book of Policy would be ratified and sanctioned; but when they attended for this purpose, and stated their desire, the lords of the articles threw obstacles in the way, alleging that the question was one of great difficulty, and would require a longer time for consideration than the parliament could afford to bestow upon it. The Bishop of St. Andrew's also affirmed that at the joint conference in Edinburgh there had only been conference and disputation, but that no conclusion whatever had been adopted. This great change in the position of the question regarding ecclesiastical policy is to be accounted for by the fact that in the meantime Morton, although no longer regent, had yet contrived, with the help of the young Earl of Mar, to regain his former power, and now possessed the chief, if not the sole direction of affairs.† The commissioners of the Church were greatly disappointed; they craved that at least all the points which had been agreed to at Edinburgh should be ratified: but this was refused. The Earl of Morton then offered that some points selected out of the Book of Policy should be established by law; but the commissioners of the Church declared that they were not empowered to accede to any such proposal. And the result was, that after various delays, commissioners were appointed by the king and his council to meet with the commissioners of the assembly, and to prepare a report on the subject of ecclesiastical polity for the next meeting of parliament.‡

Exposure of the Bishop of St. Andrew's.

During the course of these unsatisfactory proceedings at Stirling, a scene occurred in which the Bishop of St. Andrew's figured with very little honour to himself. At the meeting of assembly held in April, when the Book of Ecclesiastical Policy was finally agreed upon by the brethren, Andrew Melvil and George Hay had expressed the opinion that it should be subscribed by all the brethren individually; but Adamson objected to this proposal, alleging that they had an honest man for their clerk, whose single subscription might suffice for them all, and that it would seem to throw a doubt upon his faithfulness if every man subscribed for himself. "Well," exclaimed Hay, "if any man deny this afterwards, he is not honest." And to Adamson in particular he said, "There is my hand, Mr. Patrick, if you come against this hereafter, after now so thoroughly consenting to it, I will call you a knave, be it in ever so public a place." Afterwards, at the meeting in Stirling, when the commissioners of the Church desired the ratification of the policy, Morton asked Adam-

* Calderwood, vol. iii. p. 387; M'Crie's Life of Melvil, vol. i. p. 194.

† Book of the Universal Kirk, p. 75.

‡ Row, pp. 62, 63; James Melvil's Diary, p. 62; Spottiswood, p. 303; Calderwood, vol. pp. 403, 432.

* The minutes of this meeting, so favourable to the Book of Policy, were afterwards torn out of the records of the Church.—(M'Crie's Life of Melvil, vol. i. p. 198.)

† *Supra*, vol. ii. p. 156; Row, p. 64; James Melvil's Diary, p. 76.

‡ Spottiswood, p. 289; Calderwood, vol. iii. p. 415.

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son if he had assented to it, when he replied that he had refused to subscribe it, insinuating that he had expressed his dissent at the time. On the first convenient opportunity that offered, Hay took Adamson by the hand, and, in the presence of witnesses who were cognizant of all the facts, he thus addressed him: "O knave, knave! I will crown thee the knave of all knaves." *

Meeting of commissioners regarding the Book of Policy, in December.

Agreeably to the appointment made at Stirling in July, the commissioners met in December, to confer regarding the Book of Policy. There were present the Earl of Buchan, the Archbishop of St. Andrew's, the Archbishop of Glasgow, the Commendator of Dunfermline, the Laird of Dun, the Laird of Seggie, the Tutor of Pitcur, George Buchanan, Peter Young, and of ministers, Lawson, Lindsay, Pont, and Row. As the appointment of this meeting had proceeded from the council alone, and the commissioners of the assembly viewed their commission as having expired in July, they protested that they met simply in consequence of missives addressed to them individually from the king, and not as having any commission from the Kirk. The meeting sat for eight days, and they examined the whole Book of Policy article by article.† Spottiswood mentions that he had in his possession the original manuscript which lay upon the table of the commissioners; and he describes in his history the marginal notations which they had made upon every separate article. Many of the principles and rules laid down in the book are described as agreed to by the meeting just as they stood. Some of them are slightly changed, mostly in the way of having a few words or some clause erased. And a very considerable number are marked as having been *referred* to further reasoning. Some also are described as requiring to be *suppressed*, and others as needing to have something else substituted in their room. The points marked in these ways, and which of course constituted the obstacle to the ratification of the Book of Policy, have reference in the main to church government, to the different kinds of office-bearers, to the patrimony of the Church, and to the power which a Christian magistrate may be permitted to exercise in the Church. Upon the whole, it was obvious from the notations of the commissioners that whatever hopes might be held out to the ministers to soothe them, the ratification of the book, which they had compiled with so much care, and which they longed so ardently to see acknowledged by the State, was not at all to be expected from the present rulers of the country.‡

Fate of the Book of Policy.

And so it turned out: for under one pretext or another, the application of the Church for the civil sanction of her favourite policy was always evaded. It hardly fared even so well with this scheme of ecclesiastical government, which is known under the designation of the Second Book of Discipline, as it had done with the first; for formerly, although the council did not formally sanction the document, yet not a few of them subscribed it as quite in accordance with their own views.* But now neither they nor the parliament sanctioned the book, nor yet did any number of the nobles express their approbation of its principles. There were frequent discussions both in the council and in parliament regarding it, and again and again did the assembly strenuously urge their claim that it should be ratified; but the objections to it on the part of the civil functionaries were too deep-seated to be overcome.†

From the time of Melvil's return to his native country, Beza had continued to take a deep and growing interest in the religious condition of Scotland. Having been consulted by the chancellor, Lord Glammis, a nobleman of great wisdom and integrity, with regard to some points in the Book of Policy, he wrote a treatise entitled "De triplici Episcopatu," which was translated into English, and exerted no small influence in recommending the principles of presbyterian polity. Melvil also corresponded with Beza on the subject, and his letters bring out very clearly the grounds of the keen opposition which was given to the Book of Discipline. In one letter, after expressing the persuasion that the king's own feelings were favourable to the Reformed Church and its general constitution, he says, regarding his favourites and advisers:—"They complain that, if pseudo-episcopacy be abolished, the state of the kingdom will be overturned; if presbyteries be established, the royal authority will be diminished; if the ecclesiastical goods are restored to their legitimate use, the royal treasury will be exhausted. They plead that bishops, with abbots and priors, form the third estate in parliament; that all jurisdiction, ecclesiastical as well as civil, pertains solely to the king and his council; and that all the ecclesiastical property should go into the exchequer. In many, this way of speaking and thinking may be imputed to ignorance; in more, to a flagitious life and bad morals; in almost all, to a desire of seizing such of the Church property as yet remains, and the dread of losing what they have already got into their possession. They also insist, that the sentence of excommunication shall not be held valid until it has been approved by the king's council, after taking cognizance of the cause. And they desire to have everything done by the authority of a single bishop and perpetual overseer of the churches, rather than by the common sentence of presbyters possessing equal authority." ‡

Next summer, James sent a letter by the hands of John Duncanson, the minister of his household,

* James Melvil's Diary, p. 62; Calderwood, vol. iii. p. 416. † Spottiswood, p. 289.
‡ Calderwood, vol. iii. p. 433.

* *Supra*, vol. i. p. 691; M'Crie's Life of Knox, vol. ii. p. 5; Dunlop's Collection of Confessions, vol. ii. p. 436.
† Spottiswood, p. 302; Hetherington, p. 46.
‡ Melvil, Theod. Bezæ; Id. November, 1579; Calderwood, vol. iii. p. 397; M'Crie's Life of Melvil, vol. i. pp. 153—155, 2nd edition.

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to the only meeting of the assembly which was held during the course of the year. The object of this communication was to urge upon the ministers the propriety of avoiding for the present all reference to their favourite scheme of policy, and to request them to confine their attention to the ordinary business of the Church. Various considerations were set before them to overcome the reluctance which it was known they would feel to postpone a measure considered by them so indispensable. The tender age of the king, the difficulties and embarrassments of public affairs, the need of every effort on the part of all to maintain peace and quietness throughout the realm, were adduced as reasons for the delay desired by his majesty. And the hope was held out to them that ere long, should circumstances become more favourable, their wishes might be gratified. The parliament was soon to meet, and the best qualified individuals connected with it would be appointed to take the subject into serious consideration.* "Whatsoever in the former conferences touching the policy of the Kirk was remitted, to be reasoned and decided by our estates in parliament, let it so rest, without prejudging the same by any of your conclusions at this time, seeing our parliament so shortly now approacheth, and that we are well pleased and content that before the same such matters as are not yet fully reasoned may be consulted upon, and prepared to pass in form of laws. And the meetest for that work shall be expressly employed, to the end that things conferred upon and agreed may be presented to our estates, to be approved in our parliament, and duly carried into effect, for the advancement of true religion, and the comfort of the members of the Kirk in our realm."†

Letter of James to the assembly.

The letter of his majesty engaged the serious attention of the assembly; and the effect of it was to prevent them from taking any very decided step with regard to the Book of Policy. They appointed commissioners, partly barons and partly ministers, to convene wherever the parliament should be held, for the purpose of presenting such articles and heads as they should consider suitable for the maintenance of God's glory and policy in the Kirk, and to crave with all humility and earnestness the ratification of the same. And they transmitted a written supplication to his majesty in the shape of a reply to his letter, in which they expressed their gratitude to God for his bountiful goodness towards the king and the realm in favouring them with the universal preaching of true doctrine; and then they urged upon him the duty of prosecuting to perfection the Reformation so auspiciously begun, by the establishment of a meet policy in the Kirk of God, not taken out of the cisterns of human traditions, but from the pure fountain of God's holy Word. That there were great difficulties in the way they allowed, but they reminded his majesty of the impediments which Zerubbabel and the Jews had to encounter in rebuilding the Temple of Jerusalem. And other examples they adduced, both from the Scriptures and from ecclesiastical history, of fervent faith and earnest zeal on the part of rulers and princes in carrying forward important reformations in the Church of God. And, in fine, they assured his majesty that the promotion of God's glory, and the establishment of true religion, would bring to him exceeding honour and perpetual renown. "All other glory at last shall decay, and all commendation that resulteth from other princely acts either is not of long endurance, or hath commonly mixed with it such things as be also worthy of blame. But the honour of this act shall endure for ever, and shall be fully approved by him whose judgment cannot be but equal and right, who is the eternal Lord of lords and King of kings, whom with most humble hearts and instant prayers we beseech to bless your majesty with continual and daily increase of his abundant blessings, as well spiritual as temporal, and to maintain in wealthy prosperity your princely state, to the praise and glory of his holy name, your assured salvation, comfort, and quietness of this country, the overthrow of the pow.. of Satan, and advancement of the kingdom of Jesus Christ."*

Reply of the assembly to his majesty's communication.

Not unfrequently the king, with advice of his secret council, had issued letters designed to arrest the execution of the acts of the General Assembly, and had summoned ministers before him, to answer for sentences of excommunication pronounced by them according to the rules of the Church. This practice the assembly considered as an unwarrantable encroachment upon their rights, and, therefore, whilst complaining of the injustice which they had already sustained, they craved that the civil power would never again suspend the execution of acts and sentences of the ecclesiastical courts. They also renewed the powers of the commissioners appointed to deal with Patrick Adamson for his conduct in regard to the bishopric of St. Andrew's; and further they authorised them to charge him with other offences, such as voting in parliament after having submitted to the assembly, and opposing the Book of Policy in the legislature after having agreed to it, along with his brethren, in the church courts in all points but four.† The written acquiescence of James Boyd, Archbishop of Glasgow, in the proceedings of the assembly for the reformation of the episcopal order, was presented to this meeting. In his letter he declared that, according to the duty of all faithful pastors, he submitted himself in all points.‡ Spottiswood says that his submission was not at all a voluntary act—that he was constrained to it by the

Other proceedings of the assembly.

* Row, p. 66.
† Calderwood, vol. iii. pp. 443, 444; Book of the Universal Kirk, p. 186.

* Calderwood, vol. iii. p. 456; Book of the Universal Kirk, p. 190.
† Calderwood, vol. iii. pp. 444, 447, 470.
‡ Spottiswood, p. 303.

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harsh procedure of Andrew Melvil; and that he was so much affected by this and another injury which he sustained about the same time from the hands of a cousin of his own, viz., the demolition of the House of Lockwood, that he fell into a state of mental depression, of which, not long afterwards, he died at Glasgow.

Unreasonableness of the charge brought against Melvil.

The charge of ingratitude brought against Melvil for his procedure in this case is exceedingly unreasonable. It is quite true that the Bishop of Glasgow took a leading part in bringing Melvil to Glasgow, and placing him in the situation of principal of the college. But it does not follow from this that Melvil was bound to regulate his procedure as a member of the church courts in accordance with the views of the bishop, however different his own convictions might be. Such an idea would be destructive of all independence of mind, and would render it impossible for one man to accept a situation offered to him through the instrumentality of another. In no walk of life ought a patron, or superior, or employer, or landlord, to be viewed as acquiring a right to control the conduct of the individual whom he selects; and the mere fact that the refusal to acknowledge such a right should in any case be converted into a charge of ingratitude, manifests an utter perversion of view as to the obligations connected with such relationships. Besides, it must be remembered that when Melvil came to Glasgow the obligation was not regarded as lying upon his side, but altogether upon the side of those to whose entreaties he yielded: there was earnest suit made for him from different parts of the country, and when he decided on going to Glasgow, he was acknowledged to be doing a great favour to his friends in that quarter, and proportionable disappointment was felt in the other places which had sued for his services. It is quite ridiculous, therefore, to denounce him as an ungrateful man, because he followed his own judgment, and not the judgment of the Bishop of Glasgow, in the course which he pursued as a member of the General Assembly. Besides, it is plain from the records of the Church, that Melvil was not the person entrusted with the task of procuring Boyd's subscription to the act of assembly passed at Stirling in 1578: this duty was devolved upon David Weemes, minister in Glasgow. And, further, the bishop lived two full years after the time when Melvil is alleged to have given him his death-blow; and he acted, too, under the authority of the General Assembly, as commissioner of Carrick, and also as one of a committee appointed to present articles to the king.*

Any expectations which the king's letter to the assembly in July, 1579, might have excited of the ratification by civil authority of the Book of Policy, were doomed to disappointment.† The parliament satisfied themselves with passing acts to the effect that those persons only were members of the Church of Scotland who professed the doctrine contained in the Confession of Faith; and they described the jurisdiction of the Church as consisting in the preaching of the Word, the ministration of the sacraments, and the correction of manners. The repeated disappointments which they had thus experienced through the continued evasion of their demands by the king and his council, impelled the Church to take a more decisive step than they had ever yet done. At the meeting of assembly held in Dundee in the summer of 1580, they declared that the episcopal function, as it was then commonly understood, had no sure warrant, authority, or ground in the Word of God; and, therefore, with one voice, they passed an act abolishing the office in the Kirk of Scotland, and charging all those persons who held it, to demit at once, and to desist, under pain of excommunication, from all ministerial duties, until they were admitted anew by the General Assembly.* This bold and sweeping measure was adopted by the assembly with perfect unanimity; not one individual,—although liberty was given to all to express their views,—lifting up his voice in defence of the episcopal office. As the doctrine of the Book of Policy regarding bishops was one of the parts of it which were most obnoxious to the court, this step of the assembly very plainly intimated that they were determined, whether with or without civil ratification, to pursue their own course. They also condemned the practice which had been introduced of appointing one minister to take charge of several congregations, as tending to the overthrow of all discipline and good order, and the deprivation of the souls of men of their true food; and they ordained that every several congregation should be provided with a minister of its own. And as the change made by Morton during his regency in the mode of collecting the thirds had been the chief cause of the existing pluralities, they complained to his majesty of the grievous hurt which the Church had sustained from that proceeding, and supplicated that the original act of parliament made with reference to the thirds might be again brought into operation; and they suggested that if all unnecessary pensions were revoked, there would still be a sufficient surplus accruing to his majesty from the thirds. Nor was the favourite Book of Policy forgotten by them; an earnest request was made that it might be established by an act of the privy council, until another parliament should be held, which might sanction and confirm it with due solemnity.

Decisive steps taken by the assembly.

Popular constitution of the assembly.

The General Assembly was in all respects a court of popular constitution, in which entire freedom of debate prevailed. The jealousy entertained by the members of everything like even a seeming en-

* Calderwood, vol. iii. pp. 445, 446; M'Crie's Life of Melvil, vol. i. p. 140; Book of the Universal Kirk, p. 190.
† Spottiswood, p. 302.

* Row, p. 71; Book of the Universal Kirk, p. 194; Calderwood, vol. iii. p. 471; James Melvil's Diary, p. 80.

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croachment upon their liberty was manifested on this occasion. It had been the practice from the time of the moderatorship of Arbuthnot, Principal of Aberdeen College, to appoint certain individuals, who were denominated assessors, to confer with the moderator in regard to the business of the assembly. It was feared by some that these assessors, in conjunction with the moderator, might contrive to exert too great a control over the affairs of the Church, and that thus in the end some species of tyranny or usurpation might be established, and the liberty of the members impaired. This feeling was expressed both at the meeting in July and October; but when the point was canvassed, the fear was judged to be visionary, and the assembly determined to continue the practice of appointing assessors, on account of the great advantages which attended it. Perfect freedom of debate is of the highest importance to church courts, and even a somewhat morbid jealousy of whatever might threaten to encroach upon it, may be pardoned.* And it is a fact that afterwards this very practice of appointing assessors, though attended with a preponderance of benefit for a time, was so perverted as seriously to infringe upon the liberties of the Church.†

Translation of Melvil to St. Andrew's.

Melvil had now occupied the place of principal in the university of Glasgow for about six years, with great honour to himself and signal benefit to the institution. He had introduced quite a new style of teaching, and had very much extended the range of subjects brought under the notice of the students. At this time the assembly, having succeeded in procuring the assent of parliament to a scheme for the reformation of the University of St. Andrew's, fixed their eyes upon Melvil as the individual best qualified to carry the scheme into effect, and they ordained, with the approbation and concurrence of his majesty, that he should remove from Glasgow to St. Andrew's, and take with him such individuals as he considered best qualified to co-operate with him in founding a theological school. Melvil was exceedingly averse to leave Glasgow, where the work of tuition, to which he was enthusiastically devoted, was prospering so much in his hands; but he submitted to the decision of the assembly, and removed to St. Andrew's in the beginning of winter, taking James Melvil, his nephew, along with him.‡ He was succeeded at Glasgow by Thomas Smeton, minister of Paisley, a man of great learning and excellence, and of a most amiable disposition. Not a few were doubtful of the propriety of transferring a minister from the charge of a congregation to the exercise of the doctoral office in a university; but the assembly decided that, for the weal and universal profit of the Church of God in the realm, the translation might take place, and, agreeably to the king's letter of appointment, they allowed Smeton to relinquish his pastoral duties.*

Preparation to institute presbyteries.

Hitherto the Presbyterian scheme of Church government had not fully developed itself in Scotland. There was a General Assembly, which was the first court organised for the transaction of business. There were also elderships in the several congregations, which had been brought into operation by the assembly's authority. And there were synodal conventions, which had been instituted at a still later period, comprehending large districts of country. But there were not yet any properly organised presbyteries: the rudiments of them existed in the chapters of dioceses, and in the exercises or weekly meetings of the ministers and elders of neighbouring parishes. At the meeting of 1579, the assembly had said, in answer to a question from the Synod of Lothian, "the exercise might be judged a presbytery." This year, in consequence of the assumption of the office of visitors by some individuals without authority, the assembly considering this a corruption tending to tyranny, and holding that such power should flow from a presbytery, appointed a committee to devise a "platt of presbyteries" applicable to the whole country, and to prepare a report against their next meeting.†

Dissatisfaction felt at the influence possessed by the king's favourites.

Much dissatisfaction prevailed in the country at this time in consequence of the influence which two favourites, Monsieur D'Aubigny, created Earl of Lennox, and Captain James Stewart, created Earl of Arran, had acquired over the mind of the king. Lennox was a Romanist, and the idea, first entertained by a few, at length took complete possession of the public mind, that he was an agent of the Duke of Guise, and of the Pope, sent over for the purpose of perverting the mind of the king, and thus accomplishing the overthrow of the Reformed Church. Many circumstances lent a high colour of probability to this supposition, and the minds of men became every day more excited, until something like a panic seized the nation. The pulpits resounded with denunciations of popery, and the conduct of the king in lavishing so many favours upon foreigners and Papists was loudly condemned.‡

Origin of the National Covenant.

With the view of calming the public excitement, the king sent for the ministers of Edinburgh, and told them of the exertions which he had been making for the conversion of his cousin, the Earl of Lennox, and of the consent which he had obtained from him to admit a Protestant minister into his house to instruct him. With the approbation of the king, Lindsay, minister of Leith, a man well skilled in the French tongue, and on whose mode-

* Book of the Universal Kirk, p. 162.
† Biographia Britannica, vol. i. p. 236; M'Crie's Life of Melvil, vol. i. p. 136.
‡ James Melvil's Diary, p. 83; Calderwood, vol. iii. p. 476.

* Book of Universal Kirk, p. 195; Register of Privy Seal, vol. xlvii. fol. 61.
† Book of the Universal Kirk, p. 192; Hetherington, p. 47; Scott's Apologetical Narration, p. 46.
‡ *Supra*, vol. ii. p. 163; Spottiswood, p. 308.

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ration and wisdom dependance could be placed, was appointed to this delicate office; and after a few weeks Lennox declared that he was convinced, made a profession of the Reformed faith, and openly, in the Church of St. Giles, renounced the errors of popery. This procedure on the part of Lennox, although his sincerity was suspected at the time, was probably the result of conviction, for he avowed himself a Protestant at his death; and it might have had the effect of completely allaying the excitement of the public mind, but for the fact that immediately afterwards certain dispensations from Rome were intercepted, by which Roman Catholics were allowed to promise, swear, subscribe, and do whatever else might be required of them, provided that in heart they continued firm, and did what they could secretly to advance the interests of the Romish faith.* These dispensations, which manifested an utter disregard of the most common principles of morality, and tended to the complete subversion of all confidence between men of different religious persuasions, fanned the flame of popular excitement and jealousy to an intenser heat than before; and the state of the public mind became such that the king saw something must be done immediately, in order to avert the alarming consequences which everything portended as likely to ensue. With this view he caused Mr. John Craig, whom he had nominated to be his minister, to draw up a Confession of Faith, abjuring all the corruptions of Rome, whether relating to doctrine or rites; and containing a clause by which the subscribers called God to witness that in their minds and hearts they agreed to the confession, and did not feign or dissemble in any sort. This confession was commonly called the King's Confession; it was also designated Craig's Confession; and, in the end, it came to be known by the name of the First National Covenant of Scotland. It is drawn up in the form of an oath. First of all belief is avowed in the true Christian doctrine, as expressed in the Confession of Faith of the Church of Scotland; then follows a long enumeration of the errors and corruptions of the Church of Rome, which the subscribers declare they condemn and detest; then, with special reference to the dispensations which had come from Rome, the subscribers, disavowing all double dealing, call the searcher of hearts to witness that their minds and hearts do fully agree with their confession, promise, oath, and subscription, as now made and given; and, finally, the subscribers, recognising his majesty as God's instrument for the maintenance of the Church and for the ministration of justice, protest, and promise, and swear, to defend his person and authority with their gear, bodies, and lives, against all enemies at home or abroad.†

This covenant was subscribed at Edinburgh on the 28th January, 1581, by the king and all his household, and an order was issued for a universal subscription of it throughout the realm. The General Assembly, too, at their very next meeting, stamped upon it the seal of their approbation, and described it as a Christian, true, and sound confession.* And they enacted that measures should be taken for promoting the subscription of it in every parish.

Covenant subscribed by the king and his court, and approved by the assembly.

The same desire to allay existing dissatisfactions, which led the king to originate and enforce the confession which went under his name, prompted him also to send a commissioner to the assembly, viz., the Laird of Caprington, with instructions regarding a point which had been under the consideration of the assembly at their previous meeting. His majesty declared that, with the advice of his council, and of ministers with whom he had conferred on the subject, he had caused a scheme to be prepared for the constitution of elderships or presbyteries, to bear rule over a number of parishes lying together; and he requested the assembly to take the matter into consideration, as it was calculated to effect a great improvement in the mode of exercising ecclesiastical discipline over all the realm. To this desire of the king the assembly heartily responded, praising God who had moved his heart to take such an interest in the Church. Accordingly, a number of individuals, who were best acquainted with the geographical features of the country, were appointed to consider the rolls presented by the king's commissioners; and, on the ground of the report prepared by them, it was decided that presbyteries should be immediately established in a number of places, each comprehending from twelve to twenty-four churches. The first seats of presbyteries were Edinburgh, St. Andrew's, Dundee, Perth, Stirling, Glasgow, Ayr, Irvine, Haddington, Dunbar, Chirnside, Linlithgow, Dunfermline; and others were to be constituted from time to time as experience dictated.†

Some presbyteries constituted.

Although these proceedings seemed to indicate a very favourable disposition on the part of the king towards the Church, yet there were other parts of his conduct which did not afford the same satisfaction to the assembly. Their claim in regard to the thirds he set aside, on the alleged and somewhat dubious ground that what they desired would neither prove so advantageous to themselves as they imagined, nor so productive of revenue to the sovereign for the common charges of government. And with regard to the Book of Policy, on which the affections of the assembly were so strongly concentrated, it was merely said that further conference would take place with the view of its being set forward and prepared for ratification.

Book of Policy finally sanctioned by the assembly.

* Strype's Annals, vol. ii. pp. 630, 631.
† *Supra*, vol. ii. p. 163; Spottiswood, p. 308; Row, pp. 68, 73; Calderwood, vol. iii. p. 50; Tytler, vol. viii. p. 67; Hetherington, p. 47.

* Calderwood, vol. iii. p. 526; Scott's Apologetical Narration, p. 46.
† Scott's Apologetical Narration, p. 48; Calderwood, vol. iii. p. 523.

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The truth is, the king was not at all disposed to relinquish episcopacy. He was willing that the assembly should have elderships or presbyteries; but he seems to have hoped that his concession of this point to them, would lead them to recede from the opposition which they were giving to the existence of bishops. Their views, however, were quite decided; and therefore they resolved, as they saw no certain prospect of obtaining a civil sanction to their beloved scheme of policy, to express their own entire approbation of it, and thus to give it all the sanction which it was in their power to impart. "Forasmuch as travels have been taken in framing the policy of the Kirk, and divers suits have been made to the magistrate for approbation thereof, which albeit yet have not taken the happy effect which good men would wish, yet, that posterity may judge well of the present age, and of the meaning of this Kirk, the assembly hath concluded that the Book of Policy, agreed to in divers assemblies before, shall be registered in the acts of assembly, and remain therein 'ad perpetuam rei memoriam,' and copies of it shall be taken by every presbytery."*

Character of the Second Book of Discipline.

The scheme of policy thus sanctioned by the General Assembly, though not by the State, and known under the designation of the Second Book of Discipline, was the result of much thought and of long protracted labours. James Melvil mentions in his Diary that every sentence of it was agreed to almost unanimously; there was no such thing as carrying any point by a mere plurality of votes. In proportion as any principle was found to be difficult, conference regarding it was prolonged, and prayer presented to God for direction; and finally, with one voice, with consent and unity of mind, a conclusion regarding it was adopted. It contained, therefore, a most correct exhibition of what was the mind of the whole Church at the period of its composition.†

Leading principles of the Second Book of Discipline.

The Second Book of Discipline was a far more thoroughly digested production than the first; more compact in its structure, and more precise in its definitions. The presbyterian scheme of ecclesiastical government is more fully developed in it, and scriptural authority is more decidedly claimed for it. A line of distinction is first drawn between civil and ecclesiastical power. As ministers are subject to the judgment and punishment of the magistrate in external things, if they offend; so ought the magistrates to submit themselves to the discipline of the Kirk, if they transgress in matters of conscience and religion. The government of the Church consists in three things—doctrine, discipline, and distribution; corresponding to which are three different kinds of office-bearers—preachers, rulers, and deacons. The bishop, as a pastor of pastors, is not recognised: bishop and pastor are one and the same, and spiritual oversight of a single congregation is the function belonging to all who hold this office. The doctor is distinguished from the pastor, his office being, either in congregations, or schools, or colleges, or universities, to expound the Word of God, and to explain what is difficult, without those practical applications which more especially belong to the pastor. Elders are the spiritual rulers of the Church, and the name includes both those who labour in word and doctrine, and those also who merely rule. "As the pastors and doctors should be diligent in teaching and sowing the seed of the Word, so the elders should be careful in seeking the fruits of the same among the people."* Deacons are office-bearers whose duty it is to receive and distribute the ecclesiastical goods; and in the discharge of their functions they must be guided by the judgment of the presbyteries or elderships. And all these office-bearers ought to be appointed by election and ordination, and in no case whatever should a person be intruded into any office contrary to the will of the congregation among whom he is to act or labour.

The church courts recognised by the Second Book of Discipline are the General Assembly, composed of representatives from all parts of the country; provincial synods, having authority over large districts; and presbyteries, comprehending a number of neighbouring parishes. From the lower of these courts cases, after being examined and decided, might be carried by appeal to the higher, till they reached the General Assembly, whose judgment was to be final. It is worthy of remark that the same definite distinction is not made between sessions and presbyteries, which is now universally recognised among Presbyterians. It was not considered necessary that each particular congregation, especially in landward districts, should have an eldership for its own government: it was conceived to be better that two, or three, or four particular churches should have a common eldership to superintend them jointly, and some of these elders were to be chosen from each church.†

The distinction between civil and ecclesiastical authority was drawn pretty accurately in the main, although there were some duties assigned to the magistrate which no man now conceives to belong to him, and others which very many in our times are persuaded lie quite out of his province. Not only was it declared to be his duty to prevent the Church from being invaded by false teachers and hirelings, but it was also conceived to be incumbent upon him to maintain the discipline of the Church, and to punish civilly those who refused to submit to its censures.‡

The conduct of the assembly, in proceeding to express their own final approbation of the Second

* Calderwood, vol. iii. p. 526; Book of the Universal Kirk, p. 218; Spottiswood, p. 302; Hetherington, p. 47.
† James Melvil's Diary, pp. 77, 78; M'Crie's Life of Melvil, vol. i. p. 136.

* Spottiswood, p. 294.
† M'Crie's Life of Melvil, vol. i. p. 121.
‡ Spottiswood, p. 298.

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Book of Discipline, and to enrol it in their records, while the king was still desirous that further conference should take place in regard to it between commissioners representing both parties, seems to have had the effect of widening the breach between his majesty and the Church. There was reason to believe that his late display of zeal against popery had been mainly occasioned by the wide-spread dissatisfaction which he saw was felt with the countenance he had shown to Romanists. And there were many whose fears suggested to them that, in conjunction with these Romanists, he was planning the overthrow of the Reformed Church. These were probably exaggerated alarms. Certain it was, however, that he and his ministers and favourites all disrelished the constitution of the existing Church in Scotland, and were desirous of making it thoroughly episcopal; and the recent procedure of the assembly made them more determined than ever to accomplish their purpose. The assembly, however, who were quite aware of the opposition they had to expect, were equally determined to maintain the principles which they had established; and thus a conflict ensued between episcopacy and presbytery, which threatened to be obstinate and protracted. Lennox and Arran employed every art to impress upon the king's mind the idea that such a scheme of ecclesiastical government as the ministers were setting up, was utterly inconsistent with the authority which should exist in a pure monarchy; and the ministers, on the other hand, were not only persuaded that their policy was grounded in Scripture, but they were also stimulated to more than ordinary exertion in its defence by the growing conviction that the Reformed faith itself was in danger of being overthrown, to make room for popery.*

Effect of the Church's procedure upon the king.

An occasion soon occurred for the commencement of hostilities between the supporters of the two systems of church government. At the death of Boyd, Archbishop of Glasgow, who had been for some time afflicted with mental depression, Lennox, whose influence over the king gave him almost unlimited power in the disposal of patronage, conceived the idea of appropriating to himself the revenues of the bishopric of Glasgow. With this view he made offer of the bishopric to sundry individuals, on the understanding that he himself was to enjoy the bulk of the revenues; but the offer was declined, as contrary to the regulations of the General Assembly. At length the emissaries of Lennox came in contact with Robert Montgomery, and contrived to form an engagement with him, the bargain being this—that as soon as he was admitted bishop, he should dispone the lands, lordships, and whatsoever belonged to the prelacy, to the duke and his heirs, for the yearly payment of one thousand pounds Scots, with some horse-corn, and poultry. And what made the case more flagrant, was the fact that this same Robert Montgomery had been so exceedingly zealous in support of the Book of Policy, that he had proposed to the assembly to censure upon the spot all who spoke in defence of the corrupted order of bishops. Hardly anything more base could be imagined. Even Spottiswood censures the conduct of Montgomery as vile, and such as merited opposition from the ecclesiastical authorities.*

Commencement of the contest between episcopacy and presbytery.

Proceedings were raised against Montgomery in the assembly which met in October. The grand charge against him was, that he had accepted the office of bishop, and made a simoniacal paction with the patron; but as the king refused to permit the mere acceptance of a bishopric to be treated as a fault, an accusation was drawn up touching his doctrine and life, on the consideration of which his majesty was quite willing that the assembly should enter.† At the close of the meeting the case was committed for trial to the presbytery of Stirling, with full power to hear and examine accusations; and Montgomery was charged, under pain of excommunication, to abstain from all attempts at securing the bishopric, and thus embroiling the Church in discord and confusion.‡ Supported, however, by the king and Lennox, and the council, he set the threat at defiance. Nay, he even made a violent attempt, in the month of March, aided by a number of the royal guards, to expel the minister from the pulpit of the church in Glasgow, and to take possession of it himself.§ The presbytery, resisting this forcible measure, were summoned to appear before the council at Stirling, in April, where also the synod of Lothian were cited in the same cause. An humble request was presented by the ministers to his majesty that he would not interfere with the Church in the execution of her own discipline; but at the same time they protested that they would perform their duty to the uttermost, and obey God rather than man. When summoned into the presence of the council they declined, as had been previously agreed at a consultation of brethren, to acknowledge the king's right to judge in such a case; but they were willing that his majesty, or any of his council, should hear the whole matter "extra judicium." Being dismissed for a little, they were not called in again, which led some of the brethren to fear that their departure might appear a desertion of the cause. Durie and Davidson were therefore sent to the clerk of council, to procure a copy of the declinature which had been presented by Pont. But the clerk denied that any such thing had been mentioned. When Davidson, however, declared that they would vindicate their conduct from the pulpit, where they had God's commission

Proceedings against Montgomery.

* Tytler, vol. viii. p. 103; M'Crie's Life of Melvil, vol. i. p. 175.

* Spottiswood, p. 316; Tytler, vol. viii. p. 104; Calderwood, vol. iii. p. 577; Scott's Apologetical Narration, p. 49.
† Spottiswood, p. 316.
‡ Row, p. 89.
§ Calderwood, vol. iii. p. 595; Tytler, vol. viii. p. 109.

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to speak, and would publish their wrongs to the world, the document was produced, and an extract of it given to them.*

The case was again brought under the consideration of the assembly in April. The country was in a state of high excitement, both on account of Montgomery's case, and also because it was known that a number of Romish priests had arrived. It was rumoured, too, that plans were on foot by which the king was to resign the crown to his mother, and then to receive it from her again—the object of this manœuvre being to destroy the validity of all that had been done for the Reformed faith. Decided measures were therefore resolved upon by the assembly against Montgomery, and they proceeded to carry them into effect, although a messenger-at-arms entered the house, and commanded the assembly to desist from their proceedings. The assembly, however, were determined to pronounce sentence of excommunication by the mouth of their moderator.† Montgomery himself became alarmed when he saw the resolution of the meeting, and, after conference with brethren appointed to meet with him, he expressed himself willing to submit to the authority of the Church. Soon, however, through the influence exerted over him by Lennox, he resumed his attitude of defiance, and, in spite of his suspension, preached as usual. He raised legal proceedings against the assembly, with the view of nullifying what they had done in his case. In these circumstances, the flame of excitement was stirred up to an intenser heat than ever. John Durie boldly sounded the note of alarm in the pulpit, and denounced Lennox and Arran as abusers of the king, with all that bold and fiery eloquence for which he was so remarkable, which so excited the king against him that he was immediately summoned before the council, and banished from Edinburgh. The presbytery of Glasgow, too, when met in obedience to the instruction of the assembly to give a decree against Montgomery, were commanded to desist; and when they refused, their moderator was dragged from the chair, smitten upon the face, so that one of his teeth was driven out, and then he was lodged for some days in prison. Despite all opposition, however, the presbytery carried out their purpose, and transmitted the requisite document to Edinburgh; on the reception of which the presbytery of Edinburgh—as enjoined by act of assembly—appointed John Davidson, a man of such ardent and fearless courage that he was styled by Lennox "a little devil," to pronounce the sentence of excommunication in the church of Liberton, of which he was minister. This duty Davidson performed on the Lord's-day following, which was the 10th June. A proclamation was immediately issued by the council, declaring this excommunication null and void, and the civil and ecclesiastical authorities were thus brought into direct collision.*

* Calderwood, vol. iii. p. 597; Records of Privy Council, April 12, 1582.

† Calderwood, vol. viii. pp. 601, 605, 611; James Melvil's Diary, p. 118.

Meeting of the General Assembly.

The ministers of the Church were not slow to muster their hosts to the battle. An extraordinary meeting of the General Assembly was summoned at Edinburgh on the 27th of June, at which Andrew Melvil, moderator of the preceding meeting, was appointed still to preside. In his opening discourse, he entered at once upon the consideration of the present position of the Church and nation. The bloody gully,† he declared, of absolute power was whetted for their destruction; and the object of their tyrannical oppressors was to pull the crown from Christ's head, and to wrench the sceptre out of his hands. A scheme had been formed for the demission of the crown to Mary, and the purpose of this measure was to render invalid all that had been done against popery, and to prepare the way for the restoration of that idolatrous system. The leading agents in this scheme were Beaton, Roman Catholic Bishop of Glasgow, and Lesley, Bishop of Ross. Had not Lesley written to the imprisoned queen, explaining their plans to her by means of a painting which exhibited a boy sitting at her feet, and receiving counsels from her to follow the example of his ancestors in religion and conduct? "This," exclaimed he, "will be called meddling with civil affairs, but these things tend to the wreck of religion, and therefore I rehearse them."‡

Consideration of Durie's banishment.

The first topic that came before the assembly was the banishment of Durie from Edinburgh; and the question was raised, in consequence of an application from himself for advice, whether he was bound to submit to the sentence of the king's council, so manifestly unjust. Great warmth prevailed in the meeting; and Davidson utterly objected to the proposal of even asking the king to repone a minister of Christ. But the assembly took a more moderate view of the subject, and decided that it was Durie's duty to leave Edinburgh for the present, though they expressed their perfect satisfaction with his doctrine and life, as sound and wholesome, upright and honest, and gave him licence to preach the Gospel wherever God in his providence might afford him opportunity. At the same time they forbade the presbytery of Edinburgh to declare Durie's pulpit vacant, or to take any measures for admitting another into his place, as any election would be considered null and void.

Redress of grievances sought from the king.

The main business of the assembly was at length taken up. A document was prepared containing a list of grievances, of which the assembly sought redress. They complained that his majesty, by the advice of evil counsellors, had

* Spottiswood, p. 320; Tytler, vol. viii. p. 114; Calderwood, vol. iii. pp. 622, 631; Hetherington, p. 49; Book of the Universal Kirk, p. 256.

† Knife or sword.

‡ Calderwood, vol. iii. p. 622; Tytler, vol. viii. pp. 114, 115; M'Crie's Life of Melvil, vol. i. p. 181.

usurped the spiritual power and authority which properly belonged to Christ, the only king and head of the Church, and that thus they were threatened with the erection of a new popedom in the person of the king. And in proof of the justice of what they said, and as examples of unwarrantable encroachment upon the spiritual domain, they mentioned the bestowment of benefices upon unworthy persons without the Church's admission; the prohibition of presbyteries, synods, and the General Assembly, from administering the discipline of the Church; the banishment of John Duric from his flock; countenance given to excommunicated persons; the disannulling by the council of the sentence of excommunication pronounced upon Robert Montgomery; the violent expulsion of the moderator of the Glasgow presbytery from his chair; the ejection of the minister of Glasgow from his pulpit on the very day of the communion by one of the king's guard; the imprisonment of a church officer for delivering letters entrusted to him by his ecclesiastical superiors, and a variety of other points. And the document concluded with beseeching his majesty most humbly, for the love of God, who had placed him upon his royal throne, and had hitherto wonderfully maintained and defended his authority, carefully to look upon these matters as became the lieutenant of God and a Christian king; and with the advice of men that feared God and tendered his grace's estate and the quietness of the realm, so to redress their grievances, that Christ above all might be acknowledged, his messengers without fear suffered to execute their office, the course of the Gospel advanced, and wrong-doers deterred from injuring the ministers and professors of God's Word.*

Deputation sent to his majesty.

A deputation, consisting of the Moderator, Erskine of Dun, the ministers of the king's house, Robert Pont, James Lawson, Thomas Smeton, David Lindsay, George Hay, Andrew Polwart, Peter Blackburn, Patrick Galloway, William Christison, James Melvil, Thomas Buchanan, Patrick Gillespie, John Porterfield, David Ferguson, and John Brand,† was appointed to proceed to Perth, and present these grievances of the Church to his majesty, at a meeting of the nobility to be held on the 6th of July. On their way to Perth, the deputation received not a few intimations of the dangerous nature of the service on which they were embarking. Sir James Melvil, after they reached the place of their destination, counselled his relative, Andrew Melvil, to depart at once from the town. But Andrew replied that he had no fear, and that come what would, their commission should be executed. When they were admitted into the royal presence, they read the remonstrance, and laid it upon the table. Arran immediately snatched up the document, and, with a furious countenance, exclaimed, "Who dare subscribe those treasonable articles?" Andrew Melvil at once stepped forward, and said, "We dare, and will subscribe them; and we will surrender our lives in the cause!" and, seizing a pen, he affixed his name to the document, and all the rest of the deputation followed his example. This intrepidity at once calmed the fury of Arran, the king remained silent, Lennox spoke in a conciliatory tone, and the ministers were dismissed in peace.*

The conflict, however, did not terminate here. During the brief interval between the meeting of assembly and the arrival of the deputation at Perth, Montgomery had been openly proclaimed at the Cross of Edinburgh, as Bishop of Glasgow, and his excommunication declared null and void. And, in like manner, after the protest of the Assembly was laid before the Council with so much intrepidity by the deputies, he appeared immediately in Edinburgh, with the determination of still maintaining his title to the bishopric. His presence in the city excited very great dissatisfaction, and he was commanded by the magistrates to depart. But he was hardly gone, when a proclamation was made at the Cross, declaring him to be a good Christian and a true subject, and charging all men to receive him as such, notwithstanding his pretended excommunication; and, accordingly, he at once returned. This was considered as an encroachment upon the privileges of the town, and a large meeting of merchants and craftsmen was held next day, along with the civic authorities, with the view of obliging him to depart; and the provost and magistrates accordingly decided that he should be expelled. Arran, sitting at the time in judgment with the lords of session, made an effort in his favour; but the lords declared that the measure he proposed was contrary to law. Montgomery was obliged therefore to retire; and so strong was the public indignation against him, that the provost, with the view of consulting his safety, sent him away by a private road, and he took refuge in Dalkeith.†

Displeasure of Lennox.

Lennox was exceedingly enraged at these proceedings, and being determined to take vengeance upon their authors, he procured authority from the king for holding a chamberlain's ayre, or court, on the 27th of August, for the purpose of inquiring into the late seditions at Edinburgh. And there can be little doubt that a heavy blow would have descended upon all who were in any way implicated in those transactions. But a sudden revolution took place, known by the name of the "*Raid of Ruthven*," which completely altered the position of affairs.‡ Lennox, lately so powerful, was obliged to leave the country, and passing through England, he retired to France; and Arran was debarred from all intercourse with the king. A proclamation was put forth by the lords concerned

* Book of the Universal Kirk, pp. 256, 257; Calderwood, vol. iii. p. 630; M'Crie's Life of Melvil, vol. i. p. 182.
† Calderwood, vol. iii. p. 627; Book of Universal Kirk, p. 255; Tytler, vol. viii. p. 118.

* Tytler, vol. viii. p. 118.
† Calderwood, vol. iii. p. 635.
‡ *Supra*, vol. ii. p. 178.

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in this remarkable enterprise, in which they justified the measures they had taken, on the ground of the tyranny and oppression practised by Lennox and Arran; the efforts which they had made to mislead and corrupt the king; the dangers to which their proceedings had exposed religion, and their interference with ministers of the Gospel in the discharge of their spiritual functions. "Finding ourselves in continual danger, and hourly looking for execution of the cruelties intended against us, we thought nothing better than to repair to his majesty, and remain beside him, removing the chief and principal authors of these enormities, until the truth be manifested to his highness and the estates; and that by common advice such speedy and substantious remedies may be provided, so that ministers of God's true religion may exercise their functions, as well in the free dispensation of the Word as in the administration of the sacraments, and the use of ecclesiastical censures and discipline." *

Meeting of the General Assembly.

When the General Assembly met in October, a commissioner appeared before them from the lords connected with the Raid of Ruthven, to explain the grounds upon which they had proceeded, and the objects they had in view, to obtain an expression of the assembly's approbation of their conduct, and to request that every minister might be enjoined to declare to his own flock the reasons of what they had done. Nothing could more plainly testify the great influence which the Reformed Church was known to possess in the country. The assembly, while they declared that they were not ignorant of the dangers to which religion had been exposed, yet considered it prudent, before expressing any opinion as to the conduct of the lords, to send a deputation to the king himself. Lindsay, Lawson, and the king's own ministers, were appointed to confer with his highness; and they reported that he acknowledged the peril with which religion had been threatened, and the indirect measures which had been employed to the detriment of it. He also acknowledged that there had been abuses in the commonwealth before the late enterprise of the nobility; and he considered that all good men ought to concur in averting danger from the Kirk, his person, estate, and in reforming the common weal.

When these sentiments of his majesty were reported to the assembly, they passed a resolution expressing approbation of the object which the lords had aimed at, and of the course which they had pursued for its attainment. This resolution embodied an account of the application made to them by the lords, and also detailed the reply which the king had given to the deputies sent to consult with him; and it concluded with appointing that all ministers should bring the subject before their congregations, with the view of explaining the grounds of the late enterprise, and justifying the steps which had been taken, as tending to effect the deliverance of the Church and the reformation of the commonwealth from abuses.*

For a considerable period after the Raid of Ruthven the Church enjoyed comparative peace. The king seemed to acquiesce heartily in the presbyterian government which had been set up, and to have abandoned the idea of attempting any innovations upon it. The ministers were highly gratified, and felt and expressed much thankfulness to his majesty; and they prosecuted the great ends of their calling with assiduity and faithfulness, undisturbed by outward dangers or internal commotions.

* Calderwood, vol. iii. p. 664.

* Calderwood, vol. iii. p 679; Hetherington, p. 50.

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CHAPTER XXXIX.

LITERARY HISTORY OF THE PERIOD.

Hector Boece.

THE honour of having been the first Scotsman who wrote the Latin language fluently, if not elegantly, belongs to HECTOR BOYCE, or BOECE, who was born at Dundee about the year 1465. He received the first rudiments of learning in his native town, and completed his education in the University of Paris. He was appointed a professor of philosophy in the College of Montaigu, where he gained the friendship of the celebrated Erasmus. On the establishment of King's College, Aberdeen, he was induced to resign his academical appointment, and to become principal of the new seminary. He was also appointed Canon of Aberdeen and Rector of Tyrie, in the same county; and in 1527, the year of the publication of his history, James V. bestowed upon him a pension of fifty pounds, which apparently was doubled two years later. In 1528, the magistrates of Aberdeen voted him a present of a ton of wine when the new wines should arrive, or, according to his option, the sum of twenty pounds Scots, "to help to buy him bonnets."

The earliest publication of Boece, the "Lives of the Bishops of Aberdeen," appeared in 1522. His most famous work, the "History of the Scots," was published five years later. Though by no means faultless as a specimen of Latinity, it displays a considerable degree of elegance, and speedily acquired a reputation which it has not been able to retain. His object seems to have been to clothe the rude chronicles of his native land in a classical dress, and to embellish the meagre lists of its kings with what he considered suitable characters and actions, without the slightest regard to facts. According to Bishop Lloyd, he put Fordun's tales "into the form of an history, and pieced them out with a very good invention—that part in which he chiefly excelled." He professes to have found in the Monastery of Icolmkill the works of certain Scottish historians, among others, of Veremundus, Archdeacon of St. Andrew's, and Cornelius Campbell,—who, according to Bishop Stillingfleet, never existed, except in Boece's fertile imagination. It is at least certain that not a single vestige of their writings is now to be found; and his work, once so much admired, is now remembered only as a receptacle for the wildest of the fables which used to be authoritatively received as constituting the earliest section of the annals of Scotland. It would be injustice, however, to the author to pass unnoticed his ardent patriotism and his love of freedom, by which he was honourably distinguished, at a period when the greater part of his contemporaries professed the most slavish maxims of submission. The reproach which the advocates of absolute authority have levelled at him redounds highly to his honour—that his principles of polity were no better than those of Buchanan.* It has been justly remarked by Maitland, that "in forming a final estimate of the literary character of Boece we must bear in mind that when scholarcraft—in this country at least—was rare, he was a scholar, and contributed by reviving ancient learning to dispel the gloom of the middle ages; and that while the history of his country existed only in the rude pages of the chroniclers who preceded him, or in the fading records of oral tradition, he embodied it in narrative so interesting, and language so beautiful, as to be worthy of a more refined age."†

Boece appears to have died at Aberdeen in 1536, when he must have attained the age of threescore and ten.

John Bellenden.

Boece's "History of Scotland" was translated into the Scottish language by JOHN BELLENDEN, Archdeacon of Moray, a favourite of James V.‡ This translation was published in 1536, and constitutes the earliest existing specimen of Scottish literary prose. Though somewhat free, it affords evidence of highly competent scholarship, and is distinguished by the fluency and neatness of its style, and the variety and occasional felicity of its phraseology. Bellenden also executed a translation of the first five books of Livy, and is reported by Bale to have written a treatise, "De Litera Pythagoræ." His translations were undertaken at the request of the king, and he was rewarded by a grant of £114 from the royal treasury, and the gift of the archdeaconry of Moray. He was subsequently appointed Canon of Ross, and received a grant for two years of the forfeited emoluments of two clergymen who were convicted of treason. But though a dignitary of the Church, and a friend of the reigning monarch, Bellenden, in his poetical epistle subjoined to his version of Boece's history, expresses himself in a strain of manly freedom highly creditable to his independence and public spirit, and depicts in bold and unequivocal terms the distinction between a king and a tyrant, and the miseries to which wicked princes have generally been exposed.

John Major.

The principal of St. Salvator's College, St. Andrew's, at this period, was JOHN MAJOR, or MAIR, the instructor of Buchanan and Knox, and one of the most vigorous thinkers of his time. He was educated both in England and in France, and for some time held the situation of a professor in the University of Paris. "In that situation," says Dr. M'Crie, "he acquired a more liberal habit of thinking and expressing himself on certain subjects than was yet to be met with in his native country, and in other parts of Europe. He had imbibed the sentiments concerning ecclesiastical polity maintained by John Gerson and Peter D'Ailly,

* Irving's Literary Scotchmen of the Last Four Centuries, vol. i. p. 5.

† Maitland's Biographical Introduction to Bellenden, p. xxxv.

‡ *Supra*, vol. i. p. 628.

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who so ably defended the decrees of the Council of Constance, and the liberties of the Gallican Church, against the arguments for the uncontrollable authority of the sovereign pontiff. He taught that a general council was superior to the Pope, and might judge, rebuke, restrain, and even depose him from his dignity; denied the temporal supremacy of the Bishop of Rome, and his right to inaugurate or dethrone princes; maintained that ecclesiastical censures, and even papal excommunications, had no force if pronounced on irrelevant or invalid grounds. He held that tithes were not of divine right, but merely of human appointment; censured the avarice, ambition, and secular pomp of the court of Rome, and of the episcopal order; was no warm friend of the regular clergy; and advised the reduction of monasteries and holidays.*

"His opinions respecting civil government were analogous to those which he held as to ecclesiastical polity. He taught that the authority of kings and princes was originally derived from the people; that the former are not superior to the latter collectively considered; that if rulers become tyrannical, or employ their power for the destruction of their subjects, they may lawfully be controlled by them, and, proving incorrigible, may be deposed by the community as the superior power; and that tyrants may be judicially proceeded against, even to capital punishment."†

Major's "History of the Nation of the Scots" is a work of no great merit; but his metaphysical writings, though now utterly neglected, like others of their time and kind, fully vindicate the fame which he enjoyed as one of the most acute and original teachers of the scholastic philosophy of the middle ages. It must be confessed, however, that many of the questions which he discusses are trifling and useless, and that his style is remarkably harsh and inelegant.

The Complaynt of Scotland.

The first original work in Scottish prose was published at St. Andrew's, in 1548, by an unknown author; it is entitled "The Complaynt of Scotland," and consists of a meditation on the distracted state of the country, and the vices of the various classes of the community. This work, of which an analysis has already been given,‡ is enlivened by a great deal of quaint fancy, and is exceedingly valuable on account of the minute illustration of manners and customs in which it abounds. The difference between the language of this treatise, and that employed by contemporary English writers, is very marked. "Radically identical with that which was spoken in the south, the Scottish language had by this time assumed decisively the character of a separate dialect. It retained much more of the antique than the English did, because it had not received nearly so thorough a development in literature, and wanted especially the cultivation which would have been given by a free use of literary prose. It had also contracted, through the provincial isolation of the country, many peculiarities which were neither old Saxon nor modern English; and those were now receiving continual accessions."* The following extract from this curious work, in the original spelling, may serve to show the state of the Scottish language at this period, as well as to afford a specimen of the characteristic provincial words and phrases with which the work abounds:—

"There eftir I heard the rumour of rammasche † foulis and of bystis that made grite beir,‡ quhilk past beside burnis and boggis on green bankis to seek their sustentation. Their brutal sound did redond to the high skyis, quhil the deep hou § cauernis of cleuchis ‖ and rotche craggis ansuert vitht ane high note of that same sound as thay beystis had blauen. It aperit be presumyng and presuposing, that blaberand eccho had been hid in ane hou hole, cryand hyr half ansueir, quhen Narcissus rycht sorry socht for his saruandis, quhen he was in ane forrest, far fra ony folkis, and there efter for love of eccho he drounit in ane drau vel. Nou to tel treutht of the beystis that maid sic beir, and of the dyn that the foulis did, ther syndry soundis hed nothir temperance nor tune. For fyrst furtht on the fresche fieldis the nolt maid noyis vitht mony loud lou. Baytht horse and meyris did fast nee, and the folis neckyr. The bullis began to bullir, quhen the schiep began to blait, because the calfis began till mo, quhen the doggis berkit. Than the suyne began to quhryne, quhen thai herd the asse rair, quhilk gart ¶ the hennis kekkyl, quhen the cokis creu. The chekyns began to peu when the gled quhissillit. The fox follouit the fed geise and gart them cry claik. The gayslingis cryit quhilk, quhilk, and the dukis cryit quaik. The ropeen of the rauynis gart the cras** crope. The huddit cranis cryit varrok, varrok, quhen the saunnis †† murnit, because the gray goul mau pronosticat ane storme. The turtil began for to greit, quhen the cuschet zoulit. The titlene followit the goilk, ‡‡ and gart hyr sing guk, guk. The dou §§ croutit hyr sad sang that soundit lyik sorrou. Robeen and the litil oran ‖‖ var hamely in vyntir. The jargolyne of the suallou gart the jay angil, ¶¶ than the merveis *** maid myrtht, for to mok the merle. ††† The leverok ‡‡‡ maid melody up hie in the skyis. The nychtingal al the nycht sang sueit notis. The tuechitis §§§ cryit theuis nek, quhen the piettis clattrit. The garruling of the stirlene gart the sparrou cheip. The lyntquhit sang counterpoint quhen the oszil zelpit. The grene serene sang sueit, quhen the gold spynk chantit. The redo schank ‖‖‖ cryit my fut, my fut, and the

* These sentiments are collected from his Commentary on the Third Book of the Master of Sentences, and from his Exposition of Matthew's Gospel: printed in Latin, at Paris—the former, anno. 1517; the latter, anno. 1518.

† Life of John Knox, vol. i. p. 8.

‡ *Supra*, vol. i. pp. 537—541.

* Spalding's History of English Literature.

† Singing (Fr. *ramage*).

‡ A shrill noise.

§ Hollow.

‖ Cloughs, deep valleys, or ravines in the hills.

¶ Forced, caused.

** Crows.

†† Swans.

‡‡ Cuckoo.

§§ Dove.

‖‖ Wren.

¶¶ Jangle.

*** Thrush.

††† Blackbird.

‡‡‡ Lark.

§§§ Lapwings.

‖‖‖ Fieldfare.

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oxee* eryit tueit. The herrons gaif ane vyild skrech as the kyl † hed bene in fyir, quhilk gart the quhapis ‡ for flevitnes fle far fra hame."

Compare with this the following description of the "New Manneris and the Auld of Scottis," extracted from Bellenden's translation of Boece's history, published in 1536:—

"Our eldaris howbeit thay war richt virtewis baith in weir and peace, war maist exercit with temperance; for it is the fontane of all virtew. Thay disjunit§ airly in the morning, with smal refectioun, and sustenit thair liffis thairwith quhil‖ the time of sowper; throw quhilk thair stomok was nevir surfetly chargit, to empesche thaim of uthir besines. At the sowpar thay war mair large; howbeit thay had bot ane cours. Thay eit, for commun, flesche half raw; for the saup is maist nurisand in that maner. All dronkatis, glutonis, and consumers of vittalis, mair nor was necessar to the sustentation of men, war tane, and first commandit to swelly thair fowth¶ of quhat drink thay plesit, and incontinent thairefter was drownit in ane fresche rever. * * * Now I belief nane hes sic eloquence, nor fouth of langage, that can sufficientlie declare, how far we, in thir present dayis, ar different fra the virtew and temperance of our eldaris. For quhare our eldaris had sobriete, we have ebriete and dronkines; quhare thay had plente with sufficence, we have immoderat cursis [courses] with superfluite; as he war maist noble and honest, that culd devore and swelly maist; and, be extreme diligence, serchis sa mony deligat coursis, that thay provoke the stomok to ressave mair than it may sufficientlie degest. And nocht allenarlie** may surfet dennar and sowper suffice us, above the temperance of oure eldaris, bot als to continew our schamefull and immoderit voracite with duble dennaris and sowparis. Na fishe in the se, nor foul in the aire, nor best in the wod, may have rest, but socht heir and thair, to satisfy the hungry appetit of glutonis. Nocht allenarly ar winis socht in France, bot in Spainye, Italy, and Grece; and, sumtime, baith Aphrik, and Asia socht, for new delicius metis and winis, to the samin effect. Thus is the warld sa utterly socht, that all maner of droggis and electuaris, that may nuris the lust and insolence of pepill, ar brocht in Scotland, with maist sumptuus price, to na les dammage than perdition of the pepill thereof: for, throw the immoderat gluttony, our wit and reason ar sa blindit within the presoun of the body, that it may have no knawledge of hevinly thingis; for the body is involvit with sic clowdis of fatnes, that, howbeit it be of gud complexioun be nature, it is sa oppresst with superfleu metis and drinkis, that it may nothir weild, nor yit ouir †† the self; bot, confessand the self vincust, gevis place to all infirmiteis, quhill it be miserably destroyit."

Long before this period, a considerable number of Scotchmen held situations in the continental universities, and had acquired a high reputation for talent and learning. But the disturbed state of Scotland during the era of the Reformation, the insecurity, the poverty, and want of employment, which they had to encounter at home, as well as the adventurous and enterprising spirit of their nation, greatly increased the number of expatriated Scotchmen, who, during the sixteenth and seventeenth centuries, were to be found teaching science and philosophy in every school of Europe. "The number of Scotchmen," says Dr. M'Crie, "who taught in these seminaries was great. They were to be found in all the universities and colleges; in several of them they held the honourable situation of principal, and in others they amounted to a third part of the professors."* The learned men who adhered to the ancient faith, and were expelled from their native land for their attachment to the Roman Catholic tenets, and the stern Presbyterians, who were ejected by James VI., equally found shelter and employment in the continental seats of learning.† The same period which saw these learned Scotchmen, Wilson, Scrymgeour, and the elder Barclay, received among the foremost scholars of Europe, witnessed three of their countrymen occupying professional chairs at Sedan, and two, if not three, at Leyden, at one and the same time. The accomplished John Cameron left Glasgow, sojourned successively at Bergerac, Sedan, Paris, Bourdeaux, Geneva, Heidelberg, Saumur, and Montauban, there to rest at last, everywhere delivering his learned prelections to admiring audiences. Thomas Dempster, the type of this class, a man of vast learning and proved ability, held office at different times in various colleges in England, France, Spain, and Italy; and in the course of his strange adventures met with four learned Scotchmen at Louvain, and a Scotch doctor at Tournay. He also speaks of a Scotch regent at the College of Navarre, at Paris, and of two Scotch professors at Montpellier.‡

One of the most distinguished of these adventurous scholars was FLORENCE WILSON, better known by his Latinized name of Florentinus Volusenus. He was born on the banks of the Lossie, near the town of Elgin, about the commencement of the sixteenth century, and received a part of his education in the University of Aberdeen. He subsequently prosecuted his studies in the University of Paris, where he acted for some time as tutor to a nephew of Cardinal Wolsey. In 1534 he set out for Rome, in the train of Jean du Bellay, Bishop of Paris, but was prevented by illness from proceeding further than Avignon. In addition to his bodily malady, he had to struggle with poverty,

Florence Wilson.

* Small hedge-sparrow. † Kiln. ‡ Curlews.
§ Breakfasted. ‖ Until. ¶ Full quantity, or fill.
** Not only. †† Oversee, rule.

* Life of Melvil, vol. ii. p. 279.

† There was a class of continental universities where no "test" was in use; and in Italy especially the scholar was encouraged to teach in his peculiar province, without exclusion of creed or country.—(Sir W. Hamilton's Discussions on Philosophy, p. 359; Preface to the Records of the University and King's College, Aberdeen, p. 81.)

‡ Ibid., p. 30.

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as his funds were now exhausted; but in this extremity he fortunately learned that the bishop of the diocese, the celebrated Cardinal Sadoleto, was anxious to find some properly qualified person to teach the public school of Carpentras, a town of France in the department of Vaucluse. He lost no time in proceeding to the episcopal residence, where the elegance of his manners, as well as his extensive literary acquirements, procured him a most favourable reception. The following letter from the cardinal to his nephew, Paolo Sadoleto, gives an interesting account of their first interview, and communicates several particulars of Wilson's life.

"Four days ago I had by chance gone into my library when already night, and was turning over some books very diligently, when my chamberlain announced there was some one who wished to speak to me. I inquire, Who is he? A person in a gown, was the answer. I order him to be admitted. He comes in. I ask what he may want, that he should come to me at such an hour? (For I was anxious to get quit of the man speedily, and return to my studies.) Then he, having entered on his introductory matter in very humble terms, conversed with such propriety, correctness, and modesty, as to produce in me a desire to question him particularly, and to become more intimately acquainted with him. So, having shut my book and turned round to him, I began my queries—of what country he might be, what was his profession, and for what purpose he came into this neighbourhood? Upon which he replies, 'I am a Scot.' 'What,' say I, 'do you come from that uttermost part of the earth?'—'Even so,' said he.—'Where then have you studied the liberal sciences?' (Which question I put to him because his discourse savoured of genius and elegant Latinity.)—'I applied myself to philosophical pursuits,' said he, 'first in my own country during many years; afterwards I studied at Paris, and had there under my tuition a brother's son of the Cardinal of York.* Subsequently, when the uncle's death occasioned the lad to be taken from me, I betook myself to Monseigneur du Bellay, Bishop of Paris, and was about to accompany him to Rome, had not a severe illness separated me from him on our journey.'—'What, then, do you look for here?' was my question.—'In the first place,' said he, 'a longing to come and see you, which I mainly desired, urged me hither; then, as it had been told me at Avignon, you were in want of some one to teach in your city-school, I thought of offering myself to you, in case I should be fit for the undertaking: not being indeed so desirous of the office as anxious to make myself agreeable to you; and having at the same time understood that whatever function I might enter upon near your person by your direction, or at your request, would redound to my praise.'

"What think you now? So much did he please me, that very early next morning I would send for Glocerius, the magistrate, and for Helia. I explained to them my expectations of the man, and related everything in regard to him that had so highly gratified me; for assuredly they had little chance of finding, in any native of Italy, this man's modesty, prudence, and propriety of address and appearance."

* The celebrated Cardinal Wolsey.

With the view of making farther proof of the attainments of his visitor, the cardinal invited the chief magistrates and several learned men to meet him at dinner. After the entertainment, various subjects connected with natural philosophy were discussed at the instigation of the cardinal, and Wilson displayed so much modesty, as well as knowledge, that all were charmed with him, and he was immediately appointed master of Carpentras School, with an annual salary of seventy crowns. Sadoleto, in concluding his narrative, expresses himself much gratified to find that his new friend was qualified to instruct his pupils in the Greek language.*

The accomplished scholar, thus highly commended, appears to have taken up his residence at Carpentras in the month of November, 1535; and it is probable that he remained there till 1546. His earliest publication was a theological tract, printed at Lyons in the year 1539. Conrad Gesner mentions that he met him in that city in the course of the following year, and expresses great hopes of the benefits which his learning would confer on the studious. In 1543, Wilson published the Latin "Dialogue on Tranquillity of Mind," on which his reputation chiefly rests. This treatise has always been admired, by those who take an interest in classical studies, for the elegance and beauty of its composition, as well as for the extensive learning and philosophic genius which it displays. In easy, graceful Latinity it has been thought by some not inferior to the writings of his more celebrated friend Buchanan. In the year 1546, Wilson formed the resolution of returning to his native country; and, from a letter addressed to him by Sadoleto, we learn that he had written asking the cardinal's advice respecting the course he ought to pursue in the religious dissensions which at that time distracted Scotland. Dr. Irving is of opinion that Wilson "cherished no violent antipathy towards the cause of the Reformation. The increasing defection from the popish Church he imputes in terms sufficiently plain to the pride, luxury, and negligence of the prelates; and three of the Italian reformers, Martyr, Ochino, and Lacisio, he mentions not merely without censure, but even with undissembled approbation. If he had returned to Scotland, and lived a few years longer, it appears highly probable that he would formally have renounced the gross errors and superstitions of the Church in which he had been educated."† But he was not permitted to reach his native land: in the course of his journey he was taken ill, and died at Vienne, in Dauphiny, about the close of the year 1546. Bartholomew Aneau, to whom he was

* Miscellany of the Bannatyne Club, vol. i. pp. 328, 329.
† Irving's Literary Scotchmen, vol. i. p. 32.

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personally known, speaks in high terms of Wilson's manners, as well as of his virtues; and commends him for his skill in the arts and sciences, and his knowledge, not merely of the classical languages of antiquity, but also of the modern tongues—French, Italian, and Spanish, which he had acquired, he adds, by a residence in the countries where they are spoken.* And Buchanan has commemorated his excellences in the following beautiful lines:—

"Hic Musis, Volusene, jaces charissime, ripam
Ad Rhodani, terra quam procul a patria!
Hoc meruit virtus tua, terra quæ foret altrix
Virtutum, ut cineres conderet illa tuos."

John Knox.

The name of the Apostle of the northern Reformation must not be omitted in the roll of learned Scotchmen who flourished at this period. The true eminence of this great man, however, lies in a different field, and his mind was steadfastly fixed on objects infinitely more important than either learning or literary fame. He did not view this as the sphere in which he was called to labour. "That I did not in writing communicate my judgment upon the Scriptures," says he, "I have ever thought myself to have most just reason. For considering myself rather called of my God to instruct the ignorant, comfort the sorrowful, confirm the weak, and rebuke the proud, by tongue and lively voice, in these most corrupt days, than to compose books for the age to come (seeing that so much is written, and by men of the most singular erudition, and yet so little well-observed), I decreed to contain myself within the bounds of that vocation whereunto I found myself especially called." † The life of KNOX is written in the history of his country, and as the leading events of it have already been related, they need not be recapitulated here. With regard to his writings, he published only one of the many sermons preached by him during his ministry, and that was extorted from him by peculiar circumstances. "It affords," says his biographer, "a very favourable specimen of his talents, and shows that if he had applied himself to writing, he was qualified for excelling in that department. He had a ready command of language, and expressed himself with great perspicuity, animation, and force. Though he despised the tinsel of rhetoric, he was acquainted with the principles of that art; and when he had leisure and inclination to polish his style, wrote with propriety, and even with elegance." ‡ In 1557, he published at Geneva his famous treatise entitled, "The First Blast of the Trumpet against the Monstrous Regiment of Women," directed principally against Mary of England and the queen-regent of Scotland. The principal proposition of the work is thus stated in the first sentence: "To promote a woman to bear rule, superiority, dominion, or empire above any realm, nation, or city, is repugnant to nature, contumely to God, a thing most contrarious to his revealed will and approved ordinance; and, finally, it is the subversion of all equity and justice." But the work by which he is best known as an author is "The History of the Reformation of Religion within the Realm of Scotland," printed after his death. As it was composed at intervals, amid the confusion of intestine strife, and the distractions of a busy life, it is undigested, almost fragmentary, altogether without method; and it has none of the calm, philosophic discrimination which holds the balance fairly between rival parties. But in spite of these defects, from the author's access to the various sources of information, and his remarkable power and skill in narrating events and delineating characters, the work still maintains its value as the source from which much of our knowledge of the ecclesiastical proceedings during the eventful era of the Reformation is derived. Although it is the production of a zealous partizan, who was himself a chief mover and main actor in the events which he has narrated, the accuracy of his statements has in the main been confirmed by the researches of later historians. As a fair specimen of this celebrated work, we may give the following characteristic description of the tumult at Edinburgh on St. Giles's-day, 1558:—

"Yet would not the priests and friars cease to have that great solemnity and manifest abomination which they accustomably had upon Saint Giles's-day:—to wit, they would have that idol borne, and therefore was all preparation necessary duly made. A marmoset idol was borrowed from the Gray friars (a silver piece of James Carmichael was laid in pledge). It was fixed with iron nails upon a barrow, called their *fertour*. There assembled priests, friars, canons, and rotten papists, with tabours and trumpets, banners and bagpipes; and who was there to lead the ring but the queen-regent herself, with all her shavelings, for honour of that feast! West about goes it, and comes down the High Street and down to the Canon-cross. The queen-regent dined that day in Sandie Carpetyne's house, betwixt the Bows, and so, when the idol returned back again, she left it and went in to her dinner. The hearts of the brethren were wondrously inflamed, and, seeing such abomination so maintained, were decreed to be revenged. They were divided into several companies, whereof not one knew of another. There were some temporisers that day, who, fearing the chance to be done as it fell, laboured to stay the brethren. But that could not be, for immediately after that the queen was entered in the lodging, some of those that were of the enterprise drew nigh to the idol, as willing to help to bear him; and, getting the fertour upon their shoulders, began to shudder, thinking that thereby the idol should have fallen. But that was provided and prevented by the iron nails, as we have said; and so began one to cry, 'Down with the idol! down with it!' and so without delay it was pulled down. Some brag

* Les Emblemes de Seigneur Andre Alciat de nouueau translatez en François, &c., Lyons, 1549; Miscellany of the Bannatyne Club, vol. i. p. 330.

† Preface to his Sermon.

‡ Life of Knox, vol. ii. p. 277.

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made the priests' patrons at the first, but when they saw the feebleness of their god—for one took him by the heels, and dashing his head to the causeway, left Dagon without head or hands, and said, 'Fy upon thee, thou young Saint Giles, thy father would have tarried four such!'—this considered, we say, the priests and friars fled faster than they did at Pinkie Cleuch. There might have been seen so sudden a fray as seldom has been seen among that sort of men within this realm; for down goes the cross; off goes the surplice; round caps corner with the crowns. The Gray friars gaped; the Black friars blew; the priests panted; for such a sudden fray came never among the generation of Antichrist within this realm before. By chance there lay upon a stair a merry Englishman, and seeing the discomfiture to be without blood, thought he would add some merriness to the matter, and so he cried over a stair, 'Fy upon you, whoresons, why have you broken order? Down the street ye passed in array, and with great mirth. Why flee ye, villains, now without order? Turn and strike every one a stroke for the honour of his god! Fy, cowards, fy! ye shall never be judged worthy of your wages again!' But exhortations were then unprofitable, for after that Bel had broken his neck there was no comfort to his confused army.

"The queen-regent laid up this amongst her other mementoes, till that she might have seen the time proper to have revenged it. Search was made for the doers, but none could be deprehended, for the brethren assembled themselves in such sort, in companies, singing psalms and praising God, that the proudest of the enemies were astonied."

It must be noticed that there is a marked difference between the style of Knox and the vernacular language employed by his contemporaries. The Reformer, during his residence in England, had acquired the English orthography and mode of expression. Hence one of his controversial opponents attacked his style as being affectedly and unpatriotically English. "Gif ye," says Ninian Winzet, "throw curiositie of novationis hes forzet our auld plane Scottis, quhelk zour mother lernit zow in tymes cuming, I sall wrytt to zow my mynd in Latin, for I am nocht acquyntit with zour Southeroun." *

Besides various letters and other publications suited to the circumstances of the country, Knox, a few months before his death, published a vindication of the Reformed religion, in answer to a letter written by a Scotch Jesuit called Tyrie. "His practical treatises," says Dr. M'Crie, "are among the least known, but most valuable of his writings. In depth of religious feeling, and in power of utterance, they are superior to any works of the same kind which appeared in that age. The thoughts are often original, and always expressed in a style of originality possessing great dignity and strength, without affectation or extravagance. His defence of predestination, the only theological treatise of any size which was published by him, is written with perspicuity, and discovers his controversial acuteness, with becoming caution, in handling that question." *

* Life of Knox, vol. ii. p. 277 (note).

George Buchanan.

GEORGE BUCHANAN, the fellow-student and friend of Knox, but less deeply immersed in the political and ecclesiastical struggles of this period, found time to earn for himself an imperishable reputation, both as a writer of prose, and as the best Latin poet of his age. It has been stated, indeed, by a competent authority, † that since the fall of Rome there has hardly been any one who has written Latin with an excellence so complete and uniform; and he is admitted, even by those who most keenly dislike his opinions, to have been not only a man of eminent and versatile genius, but one of the finest and most correct classical scholars that ever appeared in Christendom. He was born about the beginning of the year 1506, at a farmhouse called the Moss, situate in the parish of Killearn, and county of Stirling. He was educated both at Paris and St. Andrew's; and, during the prosecution of his studies, appears to have suffered much from the privations of poverty. In 1529 he was appointed a professor in the College of St. Barbe, where he taught grammar for about three years. He next undertook the superintendence of the education of the young Earl of Cassillis, "a youth of the most promising talents, and of an excellent disposition;" and, after a residence of five years in France, they both returned to Scotland. Buchanan had by this time adopted the tenets of the Reformers, and while residing at the seat of his pupil, in Ayrshire, he composed a little poem called "Somnium," in which he denounced the impudence and hypocrisy of the Franciscan friars, and expressed his own dislike of a monastic life. This satire rendered him extremely obnoxious to the ecclesiastics, but does not seem to have proved any barrier to the royal favour, for about this period James V. appointed him tutor to one of his natural sons, who bore his own name, and has in consequence been generally confounded with the celebrated James Stewart, who afterwards became Earl of Moray and Regent of Scotland. The Franciscans were naturally indignant at the promotion of the person who had so severely satirised them, and endeavoured to undermine his influence by representing him to the king as a heretic and a man of depraved morals. James, however, was well aware of the real character of the friars, and, at this period of his reign, was by no means disposed to lend himself to the promotion of their views. He therefore commanded the poet to renew his attack on his clerical enemies. Buchanan accordingly applied himself to the composition of the poem entitled "Franciscanus,"—one of the most biting satires ever written, and which rendered him ever after the object of the implacable hatred of the popish clergy. At the beginning of 1539, a fierce

* Life of Knox, vol. ii. p. 279.
† Spalding's History of English Literature, p. 193.

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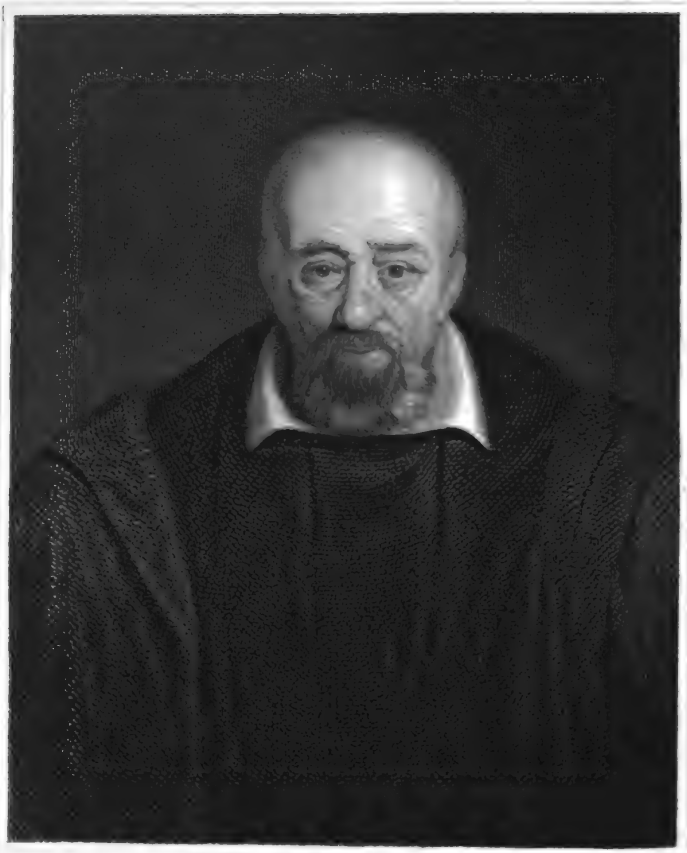

Engraved by J. Cochran

GERVASE HOLCMAN

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persecution began against the adherents of the Reformed faith; five individuals, accused of Lutheranism were committed to the flames, and the obnoxious poet was apprehended and committed to prison. Having learned that Cardinal Beaton had offered James a sum of money as the price of his blood, Buchanan, dreading that the avarice of the king might induce him to consent to his condemnation, made his escape through the window of the apartment in which he was confined; and after encountering new dangers from the freebooters on the Borders, and the contagion of a pestilential disease then raging in the north of England, he succeeded in reaching London in safety. He soon after passed over to France, and through the influence of his friend Andrew Govea, a native of Portugal, he was appointed professor of Latin in the College of Guienne. He resided at Bourdeaux three years, during which he composed four tragedies, together with various other poems. On leaving Bourdeaux he returned to Paris, where he obtained the situation of regent in the College of Cardinal le Moine. In 1547, Andrew Govea, having been appointed by the King of Portugal to preside over the recently founded University of Coimbra, succeeded in inducing Buchanan—with his brother Patrick and several other eminent scholars, including two Scotchmen, John Rutherford and William Ramsay—to accompany him to Portugal, which at this time was almost the only country in Europe free from internal commotions. The death of Govea, however, in the following year, deprived Buchanan and his associates of his protection, and three of their number were thrown into the dungeons of the Inquisition. After an imprisonment of nearly two years and a half, Buchanan was sent to a monastery, for the purpose of being converted to popery by the instructions of the monks. In this confinement he began his great work, the translation of the Psalms, which, however, was not completed till after his return to his native country. He was at length restored to liberty, and after a short visit to England he returned to France about the beginning of 1553, and was appointed a regent in the College of Boncourt. Two years later he was engaged by the celebrated Comte de Brissac to superintend the education of his son, and spent the following five years with his pupil, alternately in Italy and France. A civil war having broken out in France, Buchanan returned to his native country. In spite of his decided attachment to the Protestant doctrines, he was favourably received at the Scottish court, and was appointed to assist the youthful Queen Mary in her classical studies. Every afternoon she read with her tutor a portion of Livy, and he dedicated to his royal mistress his admirable version of the Psalms, as well as one of the most finished and beautiful of his productions, the Epithalamium composed on her first nuptials. This accomplished princess was evidently by no means insensible of his claims upon her favour, for on the death of the Abbot, Quintin Kennedy, in 1564, she bestowed upon Buchanan the temporalities of Crossraguel Abbey, which amounted in annual value to the sum of five hundred pounds Scots. Two years later, the office of Principal of St. Leonard's College, St. Andrew's, was conferred upon him by the Earl of Moray. About the same time he prepared for the press a miscellany, entitled "Fratres Fraterrimi," consisting of a collection of pungent satires against the Romish Church; and in the year 1567 he published another collection, consisting of "Elegiæ, Silvæ, Hendecasyllabi." His poetical and classical pursuits did not prevent him from taking a deep interest in the struggle now going on between the Romanists and the adherents of the Reformed faith. He sat as a member of various assemblies, was appointed one of the commissioners for revising the Book of Discipline, and was chosen moderator of the General Assembly which met at Edinburgh on the 25th of June, 1567. After the murder of Darnley, and the deposition of the unfortunate Mary, Buchanan joined the party of Regent Moray. He was present at the conference which was held at York, and subsequently at Westminster, for the purpose of investigating the charges brought against the queen, and composed in Latin a violent attack upon her character and conduct, entitled "Detectio Mariæ Reginæ," which was laid before the commissioners at Westminster, and was afterwards industriously circulated by the English court. In 1570, Buchanan was appointed one of the preceptors of the young king, then only four years of age. Patrick Young and the two abbots of Cambuskenneth were associated with Buchanan in this important situation. Young, who was of a mild disposition, and unwilling to offend the future dispenser of public favour, treated his royal pupil with great lenity. But Buchanan was a stern disciplinarian, as well as a man of independent spirit, and discharged the duties of his office with a strictness and severity which left an indelible impression on the mind of the king. Long after his accession to the English throne, James was accustomed to say of a person who held a high office at his court, that "he ever trembled at his approach, it minded him so of his pedagogue." * The proficiency which the young monarch attained in classical learning is the best proof of the fidelity and success with which his studies were conducted. It has been justly said that Buchanan made him a scholar, and nature had destined him for a pedant.

* "Sir Mungo had been early attached to the court in the capacity of whipping-boy, as the office was then called, to King James VI., and, with his majesty, trained to all polite learning by his celebrated preceptor, George Buchanan. The office of whipping-boy doomed its unfortunate occupant to undergo all the corporeal punishment which the Lord's anointed—whose proper person was of course sacred—might chance to incur in the course of travelling through his grammar and prosody. Under the stern rule, indeed, of George Buchanan, who did not approve of the vicarious mode of punishment, James bore the penance of his own faults, and Mungo Malagrowther enjoyed a sinecure; but James's other pedagogue, Master Patrick Young, went more ceremoniously to work, and appalled the very soul of the youthful king by the floggings which he bestowed on the whipping-boy when the royal task was not suitably performed."—*Sir Walter Scott.*

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The following anecdotes, which are given by Dr. Irving in his Life of Buchanan, may serve to show the mode in which the learned tutor discharged the duties of his important office:—

"The king having taken a fancy for a tame sparrow, which belonged to his playfellow, the Master (afterwards Earl) of Mar, solicited him without effect to transfer his right; and in endeavouring to wrest it out of his hand, he deprived the poor little animal of life. Erskine having raised due lamentation for its untimely fate, the circumstances were reported to Buchanan, who lent his young sovereign a box on the ear, and admonished him that he was himself a true bird of the bloody nest to which he belonged.

"A theme, which had one day been prescribed to the royal pupil, was the conspiracy of the Earl of Angus and other noblemen during the reign of James III. After dinner James was diverting himself with Mar, and as Buchanan, who in the meantime was intent on reading, found himself annoyed by their obstreperous mirth, he requested the king to desist; but as no attention was paid to the suggestion, he threatened to accompany his next suggestion with something more formidable than words. James, whose ear had been tickled by the quaint application of the apologue mentioned in the theme, replied that he would be glad to see who would *bell the cat*. His venerable preceptor, who might have pardoned the remark, was perhaps offended with the mode in which it was uttered; he threw aside his book with indignation, and bestowed upon the delinquent that species of scholastic discipline which is deemed most ignominious. The Countess of Mar, being attracted by the wailing which ensued, hastened to the scene of his disgrace, and taking the precious deposit in her arms, she demanded of Buchanan how he presumed to lay his hands on the Lord's anointed? To this interrogation he is said to have replied in a very unceremonious antithesis, which does not admit, in this delicate age, of the distinct specification which it received in the less scrupulous days of Dr. Mackenzie."

"One of the earliest propensities which James discovered," says Dr. Irving, "was an excessive attachment to favourites; and this weakness, which ought to have been abandoned with the other characteristics of childhood, continued to retain its ascendancy during every stage of his life. His facility of complyingwith every request alarmed the prophetic sagacity of Buchanan. On the authority of the poet's nephew, Chytraeus has recorded a ludicrous expedient which he adopted for the purpose of correcting his pupil's conduct. He presented the young king with two papers, which he requested him to sign; and James, after having slightly interrogated him respecting their contents, readily appended his signature to each, without the precaution of even a cursory perusal. One of them was a formal transference of the royal authority for the term of fifteen days. When Buchanan had quitted the royal presence, one of the courtiers accosted him with his usual salutation; but to this astonished person he announced himself in the new character of a sovereign, and with that happy urbanity of humour for which he was so distinguished, he began to assume the high demeanour of royalty. He afterwards preserved the same deportment towards James himself; and when the latter expressed his amazement at such extraordinary conduct, Buchanan admonished him of his having resigned the crown. This reply did not tend to lessen the monarch's surprise, for he now began to suspect his preceptor of mental derangement. Buchanan then produced that instrument by which he was formally invested, and, with the authority of a tutor, proceeded to remind him of the absurdity of assenting to petitions in so rash a manner."

As might have been expected in one who was so ardent a lover of freedom, one of Buchanan's chief objects in his system of instruction was to inspire the youthful monarch with a hatred of tyranny. In the dedication to a short Latin tragedy, entitled "Baptistes, sive calumniæ tragœdia," which was written in November, 1576, when James was just out of his twelfth year, he says, "But this more especially seems to belong to you, which explains the torments and miseries of tyrants, even when they seem to be in the most flourishing state, which I esteem not only advantageous, but even necessary for you now to understand, that you may begin early to hate what you should always avoid. I desire also that this book may be a witness to posterity, that, if at any time you act otherwise, by the influence of wicked counsellors, or the wantonness of power getting the better of education, you may impute it not to your preceptors, but yourself, that slighted their good advice. God grant you a better fate, and (as your favourite Sallust has it) render beneficence natural to you by custom, which I sincerely wish and hope with many others." Again, in the dedication of his more celebrated work, entitled "De Jure Regni apud Scotos," which was written three years later, he says he thought good to publish it, that it might be a standing witness of his affection towards James, and admonish him of his duty to his subjects. "Many things persuaded me that this my endeavour should not be in vain; especially your age, not yet corrupted by prave opinions, and inclination far above your years for undertaking all heroical and noble attempts, spontaneously making haste thereunto; and not only your promptitude in obeying your instructors and governors, but all such as give you sound admonition; and your judgment and diligence in examining affairs, so that no man's authority can have much weight with you, unless it be confirmed by probable reason." "I do perceive also," continues Buchanan, "that you, by a certain natural instinct, do much abhor flattery, which is the nurse of tyranny, and a most grievous plague of a kingdom; so as you hate the court solecisms and barbarisms, no less than those that seem to censure all elegancy do love and affect such things, and

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everywhere in discourse spread abroad as the sauce thereof, those titles of majesty, highness, and many other unsavoury compellations. Now, albeit your good natural disposition and sound instructions, wherein you have been principled, may at present prevent you from falling into this error, yet am I forced to be something jealous of you, lest bad company, the fawning foster-mother of all vices, draw aside your soft and tender mind into the worst part, especially seeing I am not ignorant how easily our other senses yield to seduction. This book, therefore, I have sent to you to be not only your monitor, but also an importunate and bold exactor, which, in this your tender and flexible years, may conduct you in safety from the rocks of flattery, and not only admonish you, but also keep you in the way you are once entered into; and, if at any time you deviate, it may reprehend and draw you back, the which if you obey, you shall, for yourself and all your subjects, acquire tranquillity and peace in life, and eternal glory in the life to come. From Stirling, January 10, 1579."

About the same time that he became tutor to the king, Buchanan obtained the honourable situation of keeper of the privy seal, which entitled him to a seat in parliament. Meanwhile, in spite of his numerous and important avocations, and the precarious state of his health, he found leisure to compose various works, both in prose and verse. In a satirical tract, called the "Chameleon," written in the Scottish language, he exposes the fickle and unprincipled character of the famous secretary, Maitland of Lethington, whose final desertion to the queen's party he seems to have highly resented. He also drew up "Ane Admonitioun direct to the trew Lordis Mantenaris of the Kingis Graces Authoritie," in which he earnestly adjured them to protect the young king from the dangers to which he was exposed on the death of Regent Moray. But by far the most important work which he prepared at this time was his profound and masterly compendium of political philosophy, entitled "De Jure Regni apud Scotos," which was first printed at Edinburgh in 1579. It is in the form of a dialogue between the author and Thomas, the son of Sir Richard Maitland; and though professedly relating to the rights of the Scottish crown, it comprehends a very able and spirited exposition of the general principles of government. Sir James Mackintosh has termed this treatise the "incomparable tract, 'De Jure Regni,' in which the principles of popular politics, and the maxims of a free government, are delivered with a precision and enforced with an energy, which no former age had equalled, and no succeeding has surpassed."* "The three great sources of a free spirit in politics," says Mr. Hallam,† "admiration of antiquity, zeal for religion, and persuasion of positive right, which separately had animated La Boetie, Languet, and Hottoman, united their streams to produce in another country the treatise [De Jure, &c.] of George Buchanan, a scholar, a Protestant, and the subject of a very limited monarchy. This is a dialogue elegantly written, and designed first to show the origin of royal government from popular election, then the right of putting kings to death according to Scripture, and the conditional allegiance due to the crown of Scotland, as proved by the coronation oath, which implies that it is received in trust from the people. The following is a specimen of Buchanan's reasoning, which goes very materially farther than Languet had presumed to do. 'Is there then,' says one of the interlocutors, 'a mutual compact between the king and his people?'—*M.* Thus it seems.—*B.* Does not he who first violates the compact, and does anything against his own stipulations, break his engagement?—*M.* He does.—*B.* If, then, the bond which attached the king to his people is broken, all rights he derived from the agreement are forfeited?—*M.* They are forfeited.—*B.* And he who was mutually bound becomes as free as before the agreement?—*M.* He has the same rights and the same freedom as he had before.—*B.* But if a king should do things tending to the dissolution of human society, for the preservation of which he has been made, what name should we give him?—*M.* We should call him a tyrant.—*B.* But a tyrant not only possesses no just authority over his people, but is their enemy.—*M.* He is surely their enemy.—*B.* Is there not a just cause of war against an enemy who has inflicted heavy and intolerable injuries upon us?—*M.* There is.—*B.* What is the nature of a war against the enemy of all mankind?—*M.* None can be more just.—*B.* Is it not lawful in a war justly commenced, not only for the whole people, but for any single person, to kill an enemy?—*M.* It must be confessed.—*B.* What then shall we say of a tyrant, a public enemy, with whom all good men are in eternal warfare? may not any one of all mankind inflict on him every penalty of war?—*M.* I observe that all nations have been of that opinion; for Theba is extolled for having killed her husband, and Timoleon for his brother's, and Cassius for his son's death."*

It need not be matter of surprise that tenets such as these should have excited fierce opposition, and that in the course of a few years the principles which Buchanan had so boldly enunciated should have been attacked by various writers both at home and abroad; among others by his countrymen, Blackwood, Winzet, and Barclay, all of whom were zealous Roman Catholics, and subsequently by Sir Thomas Craig, the celebrated lawyer, and Sir George Mackenzie, the able but profligate tool of the court in their prosecution of the Covenanters. Two years after Buchanan's death, the Scottish parliament formally condemned his Dialogue and History, and, under a penalty of two hundred pounds, commanded every person who possessed copies to surrender them within forty days, in order that they might be purged of "the offensive

* Mackintosh's Defence of the French Revolution, p. 308.
† Literature of Europe, vol. ii. p. 37.

* Hallam's Literature of Europe, vol. ii. p. 96.

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and extraordinary matters" which they contained. Twenty years later the privy council of Scotland issued a proclamation prohibiting all subjects, of whatever rank or degree, from transcribing or circulating any copies of a manuscript translation of the Dialogue. And in 1683 this treatise had the honour of being condemned to the flames by "the loyal and orthodox" University of Oxford, along with the political works of Milton and other liberal writers.

The last production which Buchanan lived to complete was his "History of Scotland," which issued from the press in the year 1582. This great work is divided into twenty books; the first three contain a kind of introductory dissertation respecting the geographical situation of the country, the nature of the soil and climate, the ancient names and manners, and the primitive inhabitants, together with a series of quotations from the Greek and Latin authors. The historical narrative properly commences with the fourth book. In the earlier part of the history he has unfortunately adopted too many of the fables of his predecessor Boece. As Dr. Robertson justly remarks, "instead of rejecting the improbable tales of chronicle writers, he was at the utmost pains to adorn them, and has clothed with all the beauties and graces of fiction those legends which formerly had only its wildness and extravagance."* The sketch of the earlier reigns is brief and rapid, but after the accession of King Robert Bruce the narrative becomes much more copious and interesting. By far the largest proportion of the work is taken up with the history of the eventful period of the Reformation; and as the author was deeply engaged in many of the transactions which he relates, his narrative has no doubt been tinctured by his passions and prejudices, and must be regarded as the production of a zealous partizan rather than of a calm and impartial spectator. His style is clear, correct, and elegant, and is held to unite the excellences of Livy and Sallust; while the moral and political reflections with which the work is enriched are profound and masterly. Mr. Hallam eulogizes the work as written with strength, perspicuity, and neatness; few modern histories, he says, are more redolent of an antique air.† Le Clerc declares that Buchanan has written better than any one else in prose and verse;‡ that is, has written prose better than any one who has written verse so well, and the converse. Thuanus remarks that although much of his time had been spent in scholastic occupations, yet his history might be supposed the production of a man whose whole life had been exercised in the political transactions of the State; the felicity of his genius and the greatness of his mind having enabled him so completely to remove every impediment incident to an obscure and humble lot. And, in the opinion of Bishop Burnet, "his style is so natural and nervous, and his reflections on things are so solid, that he is justly reckoned the greatest and best of our modern authors."*

Buchanan's reputation, however, rests mainly on his poems, which are justly declared to unite more than any other compositions of their kind originality of matter with classic elegance of style. The most celebrated of them is his "Translation of the Psalms," which Le Clerc has pronounced incomparable, though it must be admitted that it is very unequal, and is frequently diffuse. One of the most celebrated of his lyrical pieces is the exquisite Ode on the Month of May. Mr. Hallam is of opinion that his best poem is that on the Sphere, in which he descants on the absurdity of the Pythagorean system. Joseph Scaliger and Henry Stephens placed Buchanan at the head of all the poets of his age; and all France, Italy, and Germany, says Maittaire, have since subscribed to the same opinion, and conferred that title upon him.†

Buchanan did not long survive the publication of his History. In the month of September, 1581, his friends, Andrew Melvil, Principal of St. Mary's College, St. Andrew's, James Melvil, and his own nephew, Thomas Buchanan, Provost of the Collegiate Church of Kirkhill,—having heard that the "History of Scotland" was in the press, and the author unwell, passed over to Edinburgh to pay him a visit. Their interview with the venerable scholar is thus graphically described by James Melvil, in his well-known Diary:—"When we came to his chalmer, we fand him sitting in his chair, teaching his young man that servit him in his chalmer to spell *a, b, ab; e, b, eb*, &c. After salutation, Mr. Andro says, 'I see, sir, ye are nocht idle.'—'Better this,' quoth he, 'nor [than] stealing sheep or sitting idle, quhilk is as ill.' Thereafter he schew [showed] us the Epistle Dedicatorie to the king, the quhilk, when Mr. Andro had read, he tauld him that it was obscure in some places, and wanted certain words to perfyt the sentence. Says he, 'I may do na mair for thinking on another matter.'—'What is that?' says Mr. Andro.—'To die,' quoth he; 'but I leave that and manie ma [more] things for you to help.'"

After some conversation respecting Blackwood's reply to Buchanan's treatise "De Jure Regni," the visitors proceeded to Arbuthnot's printing-office, to inspect the work which had excited such high expectations. They found the printer had proceeded in his labour as far as the passage relating to the burial of David Riccio, and being afraid that the freedom with which the historian had spoken of that event might give offence to the king, and lead to the suppression of the book, they requested Arbuthnot to suspend the printing till they should see the author. On returning to his house they found him in bed, "and asking him how he did, 'Even going the way of weilfare,' says he. His kinsman then pointed out the obnoxious passage, and suggested that it should be softened, lest it

* History of Scotland, vol. i. p. 5.
† Literature of Europe, vol. i. p. 511; vol. ii. p. 257.
‡ Bibliothèque Choisie, t. viii.

* Irving's Literary Scotchmen, vol. i. p. 91.
† Literature of Europe, vol. ii. p. 147.

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might induce the king to prohibit the entire work. 'Tell me, man,' was the intrepid reply of the veteran scholar, 'if I have tauld the truth.'—'Yes,' says Mr. Thomas, 'I think sa.'—'I will bide his fead [feud, enmity] and all his kin's, then,' quoth he. 'Pray, pray to God for me, and let Him direct all.' So by the printing of his chronicle was finished, that maist learned, wyse, and godly man ended this mortal life." *

He died on the 28th of September, 1582, in the seventy-sixth year of his age, and was interred in the Gray Friars' Church-yard, Edinburgh. His funeral took place at the public expense; and, according to Calderwood, was attended by "a great company of the faithful." †

Ninian Winzet.

One of the most learned and able defenders in Scotland of the old creed was NINIAN WINZET (pronounced *Winget*), who was born at Renfrew, in the year 1518. Nothing is known with certainty of his education, or the mode in which his early years were spent; but about the year 1551 he was appointed master of Linlithgow School, a situation which he continued to hold for ten years. In the year 1561 he was deposed from his office by the Protestants, who were of opinion that they could not safely leave the grammar-schools under the charge of popish masters. "At the command," he says, "of Dean Patrick Kinloquhy, preacher in Linlithgow, and of his superintendent, gentle reader, when I, for denying only to subscribe your fantasy and faction of faith, was expelled out of that, my kindly town, and fra my tender friends thair, whose perpetual kindness I hoped that I had conquest [acquired] by the spending of about ten years of my most flourishing age, not without manifest utility of your commonwealth, and by all appearance had obtained sic [such] favour of them as any sic man might have of any community. I thought I had no cause to be ashamed. But to rejoice and glorify my God (according to St. Peter's rule), for that I suffered not as a wicked person or an evildoer, but as an unfeigned and faithful Christian." ‡

After his expulsion from his office, Winzet prepared three controversial tracts, in which he discusses, among other subjects, the vocation of the clergy, and endeavours to prove that Knox and his brethren had, according to the rules of the canon law, no proper calling to minister in the Word and sacraments. Soon after the publication of these tracts, he sent to the press his "Last Blast of the Trumpet," in which the same opinions are maintained. But the Reformers had not yet learned the principles of religious toleration, and while this work was in the press, a magistrate and several attendants visited the printing-office, and seized and suppressed all the copies that could be found. The printer was fined and imprisoned; and the author, finding he could no longer remain in his native land with safety, sought refuge in Flanders. In the course of the following year he published his "Buke of four scoir thre Questions tuching Doctrine, Ordour, and Maneris," together with a translation into his native language of the work of Vincentius Lirinensis, "Against the Profane Novations of Heresies." To his version of this well-known treatise, Winzet prefixed a long dedication to the queen, dated at Antwerp, 2nd of December, 1563. He appears to have translated, also, the sixth book of Optatus, Bishop of Milevis, in Numidia, against the Donatists,—a treatise of Tertullian against heresy,—and a discourse of Renatus Benedictus, "concerning Composing Discords in Religion." In the year 1565 he removed to France, and, according to a somewhat doubtful authority, took the degree of A.M. at Paris, and was there elected one of the procurators in that university. He is said to have also visited Italy, but he ultimately found a retreat in Germany, where he closed a long and chequered life. In the year 1576 he was nominated by the Pope abbot of a Scotch monastery of the Benedictine order, at Ratisbon. He also received the degree of D.D. His monastic government has been highly commended, not only on account of his restoration of the dilapidated buildings of the abbey, and the improvement of its revenues, but because of his efforts to increase the strictness of its discipline.

His attention to the duties of his new office did not abate his controversial ardour, for his two most elaborate works were produced after his ecclesiastical preferment was conferred upon him. They were both written in the Latin language, and were dedicated to the Duke of Bavaria. The first, which is entitled "Flagellum Sectariorum," or the "Scourge of Sectaries," contains an exposure of the manifold evils arising from heresy and schism. The other is a political treatise, intended as an answer to the celebrated work of Buchanan, "De Jure Regni apud Scotos," and, as might be expected, strenuously supports the sacred and inviolable rights of kings. Winzet survived the publication of these two works for the space of ten years. He died 21st September, 1592, at the age of seventy-four. Winzet was undoubtedly an able, learned, and honest man. His courage and sincerity are strikingly shown by the boldness of his animadversions on the corrupt state of the Roman Catholic Church in Scotland, and by the indignant language in which he denounces the simony, luxury, sloth, and licentiousness of the clergy. In his Tractate addressed to the queen, pastors, and nobility—to quote one passage out of many—he thus handles the churchmen:—

"Your dumb doctrine in exalting ceremonies only, keeping in silence the true Word of God necessary to all men's salvation, and not resisting manifest errors, to the world is known. What part of the true religion by your slothful dominion and princely estate is not corrupted or obscured? Have not many, through lack of teachment, in

* Diary of James Melvil, p. 121, Wodrow Society's Edition.

† Dr. Irving's Memoirs of the Life and Writings of George Buchanan; and Literary Scotchmen, vol. i. pp. 67—97.

‡ Ibid., p. 101.

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mad ignorance misknown the duty which we all owe to our Lord God, and so in their perfect belief have sorely stammered? Were not the sacraments of Christ Jesus profaned by ignorants and wicked persons, neither able to persuade to godliness by learning nor by living? Of the which number we confess the most part of us of the ecclesiastical state to have been, in our ignorant and inexpert youth unworthily by you admitted to the ministration thereof. Were ye commanded in vain of God by the mouths of his prophets and apostles to watch attently and continually upon your flock, and know diligently the same by face? Or gave the princes of the earth yearly rents (as the disciples in the beginning sold their lands and gave the prices thereof unto the apostles), to the end that every one of you might spend the same upon his dame Dalila, and bastard brows? And albeit it chance oft to the infirmity of man that he fall asleep when he should most wake, and be given to pastime when he should most diligently labour; but yet, oh merciful God! what deadly sleep is this that has oppressed you, that in so great uproar, tumult, and terrible clamour, ye wake not forth of your dream? Awake! awake! we say, and put to your hand stoutly to save Peter's ship." *

Even in his address to the "Calvinian Preachers," though he upbraids them for demolishing the monasteries, instead of reforming them, he does not hesitate to admit the gross abuses to which the monastic life had led.

"Ye misknow not the monastic life to have stood specially in the renouncing of the world, and pleasures of the body, not only from unlesum [unlawful] whoredom, but from marriage sometime to them lesum, to the intent that they might thereby more easily wait on prayer and godly study; not refusing honest corporeal exercise, by example of Saint Paul, to sustentation of their bodies. Yet—notwithstanding in our days the same was abused among many in idleness and wealthy life, and cloaked with glistening ceremonies of garments and such like, more than in true religion—why have ye shorn away in this matter the wheat together with the vetches? Why have ye knocked down the monasteries, and principal policy of this realm, and counselled the rents thereof unjustly to be appropriated to others? Of the which monasteries every one, by a godly reformation, besides a company to wait on prayer, might have been a college of godly learning, to the support of poor students." †

One of the most distinguished supporters of the Roman Catholic Church in Scotland at this period was the celebrated JOHN LESLEY, Bishop of Ross. He was born on the 29th of September, 1527, and was the son of a priest, probably of Gavin Lesley, rector of Kingussie. He received his education at King's College, Aberdeen, where he took the degree of A.M. In the twentieth year of his age he became a canon of the cathedral churches of Aberdeen and Elgin. He afterwards proceeded to the continent, and spent several years in the prosecution of his studies at Paris, Poictiers, and Toulouse. At Paris he took the degree of LL.D., and read lectures on the canon law for nearly a year. On his return to his native land in April, 1554, he was nominated professor of the canon law in the University of Aberdeen, and was subsequently appointed parson of Oyne and Mortlach, prebendary and canon of the cathedral church of Aberdeen, and official of that diocese. "I did accept," he says, "the office judicator of the diocese of Aberdeen, wherein I travelled ten yeres, and how I did behave myselfe therein I report myselfe to the testimonie of the countrie; for besides the ministration of justice in mine owne office, I assisted the sheriffe of the shire with my counsell for execution of justice according to the lawes, and employed alsoe other whyles great travells in compoundinge and agreeinge of differences betwixt parties proceedinge either of deadly feads, or other debates for lands or goods, which is the right office of a judge, as saith the jurisconsult." *

Bishop Lesley.

On the death of Francis II., the first husband of Queen Mary, Lesley was dispatched to France by the leaders of the Roman Catholic party, for the purpose of counteracting the efforts of the Prior of St. Andrew's, and prepossessing the youthful sovereign in favour of their cause. He appears to have discharged his mission with fidelity and zeal, and, at the same time, to have recommended himself to the good graces of the queen. Shortly after her return to her own dominions, he was admitted an ordinary judge of the Court of Session; the abbacy of Lindores was also conferred upon him; he was nominated a member of the privy council, and on the bishopric of Ross becoming vacant early in 1565, the queen likewise secured to him this high preferment. To the fortunes of his unhappy sovereign Lesley adhered with unshaken fidelity. After her flight into England, he acted as one of her commissioners during the conferences which were held at York, and subsequently at Westminster, and was afterwards appointed her ambassador to the English court. He was deeply implicated in the various intrigues and plots which were from time to time concocted for Mary's restoration to liberty and to her throne; and his zeal for the service of his royal mistress repeatedly subjected him to imprisonment, and exposed him to considerable personal danger. He was ultimately allowed to retire into France in the month of January, 1574. In the following year he was sent by the queen on a mission to Rome, where he received a very gracious reception from the reigning Pope, Gregory XIII. During his three years' residence at the papal court he prepared for the press his "General History of Scotland," which was published at Rome in the year 1578. Having received the appointment of papal nuncio at the imperial court, Lesley travelled through Germany,

* Edition 1835, pp. 5—7. † Ibid., p. 110.

* Lesley's Negotiations, p. 7; Irving's Literary Scotchmen, vol. i. p. 124.

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and remained for some time at Prague, where the Emperor Maximilian was then residing. After visiting the Duke of Bavaria, and other Roman Catholic princes of the empire, he proceeded towards the coast of France adjacent to Britain, with the view of promoting an intrigue for the restoration of the Romish Church in Scotland, through the influence of the Earl of Atholl. This scheme having failed, in consequence of the sudden death of the earl in April, 1579, Lesley took up his residence in France, where he was soon afterwards appointed by the Cardinal de Bourbon, Archbishop of Rouen, suffragan and vice-general of that diocese. He continued to discharge the duties of this office for the space of fourteen years. The civil war between the Roman Catholics and the Protestants was then raging in France, and Lesley took an active part in encouraging the citizens of Rouen to resist the assaults of the Huguenots, who invested that city in 1591. As a reward of his services, he was appointed by Clement VIII. to the vacant bishopric of Constance in Normandy; but he appears to have derived no advantage from this preferment. The distracted state of affairs in France induced him to quit that country and seek refuge in Flanders. In the letter which Queen Mary wrote to Philip on the day before her execution, she entreated him to recompense the faithful services which had been rendered to her by the Bishop of Ross, and Philip accordingly directed the Prince of Parma, governor of the Netherlands, to bestow upon Lesley the first bishopric that should become vacant in those provinces, and in the meantime to provide for him a suitable maintenance. A pension of fifty crowns a month was accordingly assigned to him, and a strenuous effort was made by the nobility and councillors of state to procure for him the vacant archbishopric of Mechlin. But all his schemes of ambition were cut short by his death, which took place at Brussels, 31st May, 1596, in the sixty-ninth year of his age.

Lesley was undoubtedly an able and accomplished man, but his acquirements were those of a lawyer and a statesman rather than of a theologian. His principal work is his Latin History of Scotland, which, though elegantly written, and supplying in its later portion a good deal of important information, is far inferior to the work of Buchanan. It terminates with the year 1562, and is divided into ten books, the first seven of which are merely an abridgement of the fabulous narration of Hector Boece. He also published an edition of his History in the Scottish language, but extending only from the death of James I. to the year 1561. This work is not a mere transcript of the original sketch, but contains a number of minute details and domestic occurrences, which he probably found it difficult to clothe in classic attire. It contributes, therefore, some few particulars to the materials of our national history; but, as the editor remarks, a still higher value is attached to it "as a specimen of pure and vigorous composition, in his native language, by one of the most able and accomplished Scotchmen of the sixteenth century." Lesley is also the author of a work, in ten books, concerning the "Origin, Manners, and Affairs of the Scots;" of an acute but unscrupulous defence of Queen Mary; of a tract on female government, in answer to Knox's "Blast of the Trumpet against the Monstrous Regiment of Women;" and of a religious treatise entitled "Pious Consolations for an Afflicted Mind," which he composed during his confinement in the Tower of London, and transmitted to Queen Mary, who derived so much comfort from it that she translated a portion of it into French verse. A similar work, which he prepared soon after, and sent to her on the 1st of October, 1573, was also highly appreciated.*

Adam Blackwood.

Adam Blackwood, another zealous defender of Queen Mary, was born at Dunfermline in the year 1539. As his father was killed in battle before he himself had reached his tenth year, and his mother died soon after, overwhelmed with grief, his grand-uncle, Robert Reid, Bishop of Orkney, and president of the Court of Session, took charge of his education, and sent him to the University of Paris, where he made considerable progress in classical studies; and at a subsequent period applied himself to mathematical and philosophical pursuits. He resided two years in the University of Toulouse, and soon after his return to Paris published in 1574 a poem on the death of the infamous Charles IX.; and in the following year his first two books on the connection between religion and government. The province of Poictou had been assigned to Queen Mary for the payment of her dowry; and, on the recommendation of James Beaton, Archbishop of Glasgow, she bestowed upon Blackwood the office of a counsellor or judge of the parliament of Poictiers. After taking up his residence in that city, he published a reply—the earliest that appeared—to Buchanan's masterly dialogue, "De Jure Regni." Though this treatise displays no inconsiderable amount of talent and learning, it has now sunk into oblivion. After the death of Queen Mary, he published a long account of her death, and a zealous vindication of her character, entitled, "Martyre de la Royne d'Escosse," &c. The writer who could compose a panegyric on the bloodthirsty monster Charles IX., the promoter of the St. Bartholomew Massacre, was not likely to feel any hesitation in undertaking the defence of Mary's most ambiguous or even criminal actions; and not contented with employing the most unblushing falsehoods to vindicate her conduct, Blackwood has exhausted the vocabulary of invective and abuse in heaping the most scurrilous charges upon her enemies, especially upon Queen Elizabeth and John Knox. The former he places among the vilest of the human race, and the latter he accuses of the most revolting crimes, and describes him as a true monster and apostle of Satan, an apostate

* Literary Scotchmen, vol. i. pp. 122—146.

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and an incestuous person.* Besides these, his best known works, Blackwood is the author of a small volume of poems, and a collection of pious meditations in prose and verse. He died in 1613, at the age of seventy-four. An elegant edition of his works, in Latin and French, was published in Paris in 1644.

James Melvil.

In this enumeration of the Scottish prose literature of this period mention must be made of the autobiography of SIR JAMES MELVIL, the prudent and moderate statesman, and faithful adherent of Queen Mary; and of the "Chronicles of Scotland," written by ROBERT LINDSAY of Pitscottie, and extending from the accession of James II. to the middle of the reign of Mary. But the literary pretensions of this prolix and undigested record do not rank high, though its general tediousness is occasionally relieved by passages of graphic and picturesque narration.

Lindsay of Pitscottie.

Poets.

The intestine broils by which Scotland was at this time distracted were peculiarly unfavourable to the cultivation of the Muses, and the Scottish poets of this age were few in number and far inferior in poetical genius to their predecessors. One of the best known of these versifiers is SIR RICHARD MAITLAND of Thirlstone, or Lethington, who, as Dr. Irving remarks, is entitled to the remembrance of posterity, both as a cultivator and as a preserver of Scottish poetry. He belonged to an old and distinguished family, and was born in the year 1496. At an early period of life he lost his father, who fell on the 9th of September, 1513, at the fatal field of Flodden. He received his education at the University of St. Andrew's, and afterwards in France, where he remained several years, in order to prosecute the study of the laws. On his return to his native country, he is said to have recommended himself to the favour of James V., but it is not known what office he held at the court of this accomplished monarch. In the year 1554, he was nominated an extraordinary lord of session, and on the 13th of November following was admitted by the title of Lethington.† He was soon after appointed one of the auditors of the treasurer's accounts, and on two occasions acted as a commissioner to adjust the differences with England regarding the Borders. In the discharge of this duty he displayed great prudence and sagacity, and his conduct was highly lauded by the English commissioners. Some time between the years 1559 and 1561 Sir Richard was deprived of his sight, as we learn both from an entry in the Records of the Court of Session* and from his poem on the arrival of Queen Mary in Scotland (A.D. 1561), in which he thus pathetically alludes to this calamity:—

Sir Richard Maitland.

"And though that I to serve be not sa abil
As I was wont, becaus I may not see,
Yet in my hairt I shall be firm and stabil."

This melancholy deprivation did not, however, incapacitate him from business, for in 1561 he was admitted an ordinary lord of session; and, in 1562, he was also nominated Lord Privy Seal, and a member of the privy council. But in 1567 he resigned his office of Keeper of the Seal in favour of his second son, John, the ancestor of the Earls of Lauderdale. As became his judicial office, Sir Richard took no active part in the civil war which raged between the adherents of the king, and of his mother; but he was, nevertheless, involved in the sufferings inflicted upon the unsuccessful party. His eldest son, the able but unscrupulous Secretary Maitland, was ultimately a zealous partizan of the queen; and as Lethington had been temporarily granted to him by his father, the king's party laid waste the lands, seized the castle, and retained forcible possession of the estate till the year 1581, when it was restored to its venerable owner. His patience and resignation under this grievous wrong may be learned from his poem entitled "Solace in Age:"—

"Now me to spulyie† some men nocht spares;
To tak my gear na captaine cares,
They are sae bald;
Yet time may come may mend my sairs,‡
Tho' I be auld.

"Some now by force of men of weir,§
My house, my lands, and my gear,
Fra me they hald;
Yet as I may shall mak gude cheer,
Tho' I be auld.

"Sae weel is kend‖ my innocence
That I will nocht for myne offence
Flyte like ane skald;¶
But thank God, and tak patience:
For I am auld."

In 1571 a still more painful calamity befell the aged knight by the death, at the age of twenty-two, of his youngest son, Thomas, the author of several Latin poems, but better known as one of the interlocutors in the masterly dialogue of Buchanan, "De Jure Regni." Two years later, the eventful career of his eldest son came to a melancholy termination;** and his only remaining son, John, who was made prisoner with his brother, was closely confined in Tantallon Castle. After the downfall of Morton, however, he was restored to liberty, and in 1581 was appointed by James VI. an ordinary lord of session. The infirmities of advanced age had now unfitted the venerable Sir Richard for the discharge of all the duties of his office, and

* In spite of Blackwood's notorious mendacity, his statements are quoted by Miss Strickland, in her recent "Life of Queen Mary," as if they were entitled to implicit credit.

† By the original constitution of the Court of Session the king had the power of naming three or four lords from his great council of parliament, who might, as extraordinary members, sit and vote with the ordinary judges (Act 1537, c. 40). But the numbers allowed by this act was so far exceeded that seven, and in some cases even eight, extraordinary lords appear in the same sederunt. This abuse gave rise to great complaints, and it was finally put an end to by an act of the legislature, passed 10th George I., c. 19. —(See Poems of Sir Richard Maitland, published by the Maitland Club, Introductory Notice, p. xxxi.)

* Poems of Sir Richard Maitland, published by the Maitland Club, Introductory Notice, p. xxxiv.

† Spoil. ‡ Sores. § War. ‖ Known. ¶ Scold. ** *Supra*, vol. ii. p. 145.

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the lords of session, in 1584, "granted him immunity and license to attend when he pleased." But his bodily infirmities increased to such an extent, that in little more than a month after this indulgence had been conceded to him, he was compelled to resign his seat on the bench. On his final retirement from public life he was permitted to exercise the unusual privilege of resigning in favour of a particular person, and of reserving to himself, during his life, the fees and profits of the office. His protracted life was now near a close: full of years and honours, he died on the 20th of March, 1586, in the ninetieth year of his age. His wife, who was a daughter of Thomas Cranston, of Corsby, a younger branch of the noble family of Cranston, and had been the faithful sharer of his joys and sorrows for sixty years, died on his funeral-day. Sir Richard Maitland has been highly lauded for his benevolence and patriotism, as well as for his learning and piety. His poems, which appear to have been all written after he had reached his sixtieth year, are characterised by shrewdness and good sense, rather than by warmth of fancy and brilliancy of imagination. They are pervaded too by a love of justice and hatred of oppression, and breathe a fine spirit of benevolence and philanthropy; but they are chiefly valuable on account of the light which they cast upon the manners and customs of the age. The memory of this amiable old man deserves no less to be cherished on account of the good service which he has rendered to the literature of his native country, in preserving from oblivion many beautiful specimens of the genius of the poets of the fifteenth and sixteenth centuries. He appears to have commenced his collection of ancient Scottish poetry about the year 1555, and to have continued his labour of love for many years. His collection consists of two volumes, a folio and a quarto: the former contains 176 different poems; the latter, consisting of ninety-six pieces, is in the handwriting of his youngest daughter, Mary, and must have been finished very shortly before the death of the venerable knight. Of these precious volumes, which are now deposited in the Pepysian Library, in Magdalene College, Cambridge, the learned Pinkerton thus speaks:—"The prodigious influence, and great and universal acquaintance of Sir Richard Maitland, joined to his being a tolerable poet, and a man of curiosity and taste himself, afford his collection every possible advantage. Hence it may be looked upon as the chief treasure of ancient Scottish poetry."* On account of his eminence as a collector of the poems of his predecessors, his name has been assumed as the designation of a modern literary club, formed for the purpose of rendering the unpublished writings of the early Scottish authors more accessible to the general reader. One of the earliest works printed by this society was their patron's "History of the House of Setoun," which, up to that time, had remained in manuscript; and they shortly after issued a collected edition of his poetical works, some specimens of which had been previously published by Pinkerton and Sibbald.

* Preface to Ancient Scottish Poems, p. vii.

Perhaps the most curious and interesting of Sir Richard's poems are his satirical pieces, in which he lashes the follies and vices of his age. His "Satire on the Toun Ladyes" gives a minute and amusing description of the female dress and manners of that period, and may be compared with Lindsay's "Supplication against Syde Tails," probably written not long before:—

"Sum wives of the burrows-toun
Sa wonder vane are and wantoun,
In warld they watt* not what to wear,
On clathes they wair† monie a croun,
And all for new fangleness of geir.‡

"Their gowns are costlie and trimlie trails;
Barrit with velvous§ sleeve, neck, and tails,
And their foreskirt of silks seir,
Of finest camroche their fak-sails,‖
And all for new fangleness of geir.

"And of fine silk their furrit clokes,
With hingand sleeves like geill-pokes;
Na preaching will gar them forbeir
To wear all things that sin provokes,
And all for new fangleness of geir.

"Their wyliecots man weill be hewit,
Broiderit richt braid, with pasmentis sewit.¶
I trow, wha wald the matter speir,
That their gudmen had cause to rue it,
That ever their wives wear sic geir.

"Their woven hose of silk are schawin,
Barrit abone with tasteis drawin;
With gartens** of ane new manner
To gar their courtliness be knawin;
And all for new fangleness of geir.

"Sometimes they will beir up their gown,
To schaw their wylecot hingen down;
And sometimes baith they will up beir,
To schaw their hose of black or brown;
And all for new fangleness of geir.

"Their collars, carcats, and hals beeds,††
With velvet hats high on their heads,
Cordit with gold like ane younker,
Broiderit about with goldin threads,
And all for new fangleness of geir.

"Their shoon‡‡ of velvet, and their mulls;§§
In kirk are not content of stuills,‖‖
The sermon when they sit to hear;
But carry cushions like vain fulls,
And all for new fangleness of geir.

"They say wives are so delicat
In feeding, feasting, and bankat,¶¶
Some not content are with sic cheer
As weill may suffice their estate,
For new fangleness of cheer and geir.

"And some will spend mair, I hear say,
In spice and drogs on ane day,
Nor wald their mothers in ane year;
Whilk will gar mony pack decay
When they sa vainlie waste their geir.

"Therefor, young wives, especialliie
Of all sic faults hald you free;
And moderately to live now leir***
On meat, and claith accordingly;
And not sa vainlie waste your geir

* Wot. † Spend. ‡ Attire. § Velvet.
‖ An upper garment, or robe, of fine cambric, from *fask*, a fold or ply of anything.
¶ Embroidered with any costly material.
** Garters. †† Beads for the hause or throat.
‡‡ Shoes.
§§ Slippers usually made of fine cloth or velvet, and embroidered. ‖‖ Stools. ¶¶ Banquet. *** Live.

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"Leif,* burgess men, ere all be lost
On your wives to mak sic cost,
Which may gar all your bairns bleir; †
Sche that may not want wine and roast
Is able for to waste some geir.

"Between them, and nobles of blude
Na difference but ane velvet huid; ‡
Their camroche curches are as dear;
Their other claithes are as gude,
And they as costlie in other geir.

"Of burgess wives though I speak plain,
Some landwart ladies are as vain,
As by their claithing may appeir;
Wearand gayer, nor them may gain:
On ouir vain claiths wastand geir."

"There is nothing new under the sun:" Maitland's "Complaint aganes the Lang Law-sutes," shows at how early a period the long complained of abuses arising out of protracted legal proceedings originated:—

"Sair is the recent murmur and regret
Amang the lieges risen of the lait,
Thro' all the countrie baith of rich and puir;
Plenand § upon the Lords of the Sait,
That their lang process may no man endure.

"The Barons say that they have far mair spendit
Upon the law, or their mater was endit,
Nor ‖ it was worth: therefore richt sair they rue
To found ane plea that ever they pretendit;
But left it to their heiris to pursue.

"The puir folk say that they, for falt of spending
Man leave the law, it is sae lang in ending;
Lang process them to poverty has brocht:
For of their skaith by law can get na mending,
That they are fain to gree ¶ for thing of nocht.

"Some gives the wyte** that there is on the Sessioun,
Some not sae cunning, nor of sae gude discretioun,
As there before into that room has been;
Whilk, doing justice, keepit their profession;
Of whom their was nae cause for to complain.

"Now ye that are nocht of this Sait content
Pass to the Prince; to him your cause lament;
And him exhort, and pray affectiouslie,
That in that Sait he wald nae man present,
In time to come, but they that are worthy!

"Gude cunning †† men, that are wise and discreet;
Practitioners gude, and for that senate meet;
Men of gude conscience, honestie and fame;
That can with wit and truth all matters treit;
And has by prudence purchased ane gude name.

"And syne gar call the College of Justice,
All their dependers, and others that are wise,
And try the cause of law the langsomeness;
And gar them soon some gude order devise
To further justice, and shorten the lang process," &c.

As a pendant to this complaint respecting the "law's delay," take the poet's description of the "Evills of New-found Laws."

"Lord God how lang will this law last,
By whilk some trew men are oppreat;
Of housis and landis dispossest
Without ane cause?
Some sair are drest,
Some sair molest,
By new-found laws.

"For lack of justice some getts wrang,
And some by traitouris tyrannis strang;
Some in the Sessioun lyis ou'r lang,
And hulie ‡‡ speeds;
Sair is the sang
Puir folks amang
That justice needs.

"By mein of court some getts land,
Thinking that conqueis* ay sall stand;
Tho' courts has been changeand
As does the moon;
That some haveand
Ane wark in hand,
And leif it soon.

"Think ye that are sa proud oppressiours,
Tho' ye in court have intercessours,
That God will thole † sa great transgressiours
Unpunischet be?
For God's disgressiours,
And wrang possessiours,
Repent sall ye."

Maitland's poem, entitled "Against Oppressioun of the Commouns," as Pinkerton justly observes, "does the highest honour to the philanthropy of the author, and merits praises superior to any that genius can procure." The oppression of the commons inveighed against in this piece, seems to have been occasioned chiefly by their exchanging spiritual for temporal exactors of tithes. "Everything in the Book of Discipline that repugned to the corrupt affections of the nobility," says John Knox, "was termed in their mockage 'devout imaginations.' Some of them had greedily grippet the possessions of the Kirk, and others thought they would not lack their parte of Christ's cote. There were nane mair unmerciful to the puir ministers than were they that had the grittest rentes of the kirkes. But, according to the auld proverbe, 'The bellie has nae ears.'" Maitland denounces in indignant terms the exactions of the landlords and lay proprietors of tithes, and entreats the lords and lairds to show kindness and liberality to their tenants.

"It is grit pitie for to see
How the commons of this countrie
For thift and reif, ‡ and plaine oppressioun,
Can naething keip in thair possessioun
Whairof that thay may mak ane lyfe;
Yet nane will punische that transgressioun;
Till nocht be left to man nor wyfe.

"Some with deir farme are herriet § haill,
That wont to pay but penny maill;
Some by thair lordis are oppreat,
Put frae the land that thay possessed;
Sair ‖ service has some herriet soon;
For carrage als ¶ some has no rest,
Tho' thair ain wark sould ly undone.

"Sum commons that has been weel stakit
Under kirkmen are now all wrakit; **
Sin that the teind, and the kirk landis
Came in grit temporal mennis handis;
Thay gar the tennents pay sic sowmes ††
As thay will ask, or wha gane standis
Thay will be put soon frae thair rowmes.

"The teind ‡‡ whilk tennents had before
Of thair ain mailings, corn, and store,
Thair laird has taen it our thair heid;
And gars them to his yaird it leid;
But thair ain stock thay dare not steir,
Tho' all thair bairns sould want breid,
Till thay have led thair teind ilk yeir. §§

* Leave. † Cry till their eyes be red. ‡ Hood.
§ Complaining. ‖ Than. ¶ Agree.
** Blame. †† Skilful. ‡‡ Slowly.

* Gain. † Endure. ‡ Robbery.
§ Robbed, cleaned out. ‖ Sore. ¶ Also.
** Wrecked. †† Sums. ‡‡ Tithes.
§§ The tithes which the farmers used to purchase from the monks were now held by the landlord, who compelled his tenants to convey them to his barnyard, before they were permitted to cart home their own corn.

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"Sic extortioun and taxatioun
Was never seen into this natioun
Taen of the commons of this land,
Of whilk sum is left waste liand,
Beaus few may sic changes beir;
Mony has whips now in thair hand
That wont to have baith jak and speir. *

"Whairthro the haill communite
Is brocht now to sic povertie;
For they that had gude hors and geir,
Has scanthe now ane crooket meir; †
And for thair saddils they have sods;
They have nae weapons worthe for weir;
But maun defend with stanes and clods.

"Thairfor, my lordis, I yow pray
For the puir commons find some way;
Your land to thame for sic price geif, ‡
As on thair mailing they may leif, §
Sufficientlie to thair estait;
Syne thame defend that nane thame grief;
That they may serve you ayre and lait.

"Riche commons are richt profitable
Whan thay, to serve thair lord are able,
Thair native cuntrie to defend
Frae thame that hurt it wad pretend;
For we will be ower few ane nummer
Gif commons to the weir ‖ not wend;
Nobils may not beir all the cummer.

"Help the commons baith lord and laird!
And God thairfore sall you rewaird;
And gif you will not thaim supplie,
God will you plaig thairfor justlie,
And your successioun after you,
Gif they sall have nae mair pitie
On the commons nor ye have now."

The border thieves, taking advantage of the distracted state of the country during the contests between the Protestants and Romanists—especially after the death of Regent Moray—"made continual herships, stouthis, and reifis upon the peaceable subjects dwelland in the inncountries [inland counties]." In the year 1570 they made an incursion into Lauderdale, and carried off the whole movable property belonging to Sir Richard and his tenants, on the lands of Blythe and Tullos. According to a statement drawn up by the worthy knight himself, the freebooters carried off thirteen score of milk ewes, with their lambs, nine yeld ewes, seven score of wedders, and an equal number of hogs, seventeen cows, six stirks, fourteen draught oxen, four stots, with "ane dun horse of thrie yeir auld." The poet revenged himself upon these reivers by a poem "Aganis the Theivis of Liddisdail," in which he describes with considerable humour the habits of these "minions of the moon."

"Of Liddisdale the common theifs
Sae pertlie stealis now and reifs,¶
That nane may keip
Horse, nolt, nor sheep; nor yet dare sleep,
For their mischiefs.

"They plainly throw the country rides,
I trow the meikle devil them guides!
Where thay onsett;
Aye, in their gait ** there is nae yett ††
Nor dure them bides. ‡‡

"They leave richt nocht, wharever they ga;
There can na thing be hid them fra.
For, gif men wald
Their houses hald, than wax they bald
To burn and slay.

"Thai * theifs have neirhand † herriet haill
Ettrick forest and Lauderdaill;
Now are they gane
In Lothiane; and spairis nane
That thay will wail. ‡

"Thai lands are with stouth § sa socht
To extreme povertie are brocht.
Thai wicked scowis ‖
Has laid the plowis,¶ that nane, or few, is
That are left oucht.

"But ** common taking of blak maill,
They that had flesh, and breid, and nail,
Now are sae wrakit,
Maid puir and nakit, fain to be slakit
With watter-kail. ††

"Thai theifs that steills and tursis hame, ‡‡
Ilk ane of thame has ane to-name; §§
Will of the Lawis;
Hab of the Schawis; to mak bare wa's,
They think na schame.

"They spuilye puir men of thair packs, ‖‖
They leif thame nocht on bed, nor backs;
Baith hen and cock,
With reill and rok,¶¶ the Lairds Jock
All with him tak's.

"They leif not spindill, spoone, nor speit,***
Bed, bowster, blanket, sark, nor scheet.
Johne of the Parke
Rypes ††† kist and ark; ‡‡‡ for all sic wark
He is richt meit.

"He is weil kend, Johne of the Syde,
A gretar theif did never ryde.
He nevir tyres,
For to brek byres; ou'r muir and myres,
Ou'r gude ane gyide.

"Thair is ane, callit Clement's Hob,
Frae ilk puir wyfe reiffis her wob. §§§
And all the laif, ‖‖‖
Whatever thay haif; the devil resave
Thairfor his gob. ¶¶¶

"So sic grit stouth whae'er wald trow it,
But gif sum great man it allowit?
Richt sair I trew,
Tho' it be trew; thair is sae few
That dar avow it.

"Of some great men they have sic gait,
That redy are thame to debait;
And will up weir
Thair stolen geir; that nane dar steir
Thame, air nor lait. ****

"What causes thiefs us ou'r-gang,
But want of justice us amang?
Nane takes care,
Tho' all forfair; nae man will spair
Now to do wrang.

"Of stouth tho' now they cum gud speid,
That nather of men nor God hes dreid,
Yet, or I dee,
Some sall thame see, hing on a tree
Till they be deid."

* Many who were formerly accustomed to appear armed in the field, were now obliged to betake themselves to the humblest employment.

† Mare. ‡ Give. § Live.
‖ War. ¶ Robs. ** Road.
†† Gate. ‡‡ Door them hinders.

* These. † Almost. ‡ Select. § Theft.
‖ Larvæ (fig). ¶ Ploughs. ** Besides.
†† Broth made with vegetables, without meat.
‡‡ Pack up and carry off.
§§ Nick-name, or *nom de guerre*. Owing to the Borderers being divided into large clans bearing the same surname, individuals were usually distinguished by some epithet derived from their place of residence, personal qualities, or descent.
‖‖ Wallets.
¶¶ Both the spinning instrument and the yarn.
*** Spit. ††† Searches. ‡‡‡ Meal chest.
§§§ Web. ‖‖‖ Rest. ¶¶¶ Mouth.
**** Early or late. These border freebooters were frequently protected by the great barons.

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The poems which follow are valuable chiefly on account of the striking picture which they give of the distracted state of the country, torn by the incessant and bloody contests between "king's men" and "queen's men;" the corruption which prevailed at court; and the miseries endured by the commons, who were oppressed and robbed by the barons at their pleasure; "kirkmen cled lyk men of weir;" the laws openly trodden under foot, or perverted for the oppression of the poor; all mirth and gladness banished from the land. Such is the view which Maitland gives of his native country in his poems "On the Miseries of the Time," "On the Troublous Times," "Satire on the Age," "Against the Wars," "Against Discord amang the Lords," and "Lament for the Disorders of the Countrie."

SATIRE ON THE AGE.

"Where is the blythness that has been
Baith in burgh and landwart seen
Amang lordis and ladies schein,*
Dancing, singing, game, and play?
But weill I wat nocht what they mein;
All merriness is worne away.

"For now I hear na worde of Yule
In kirk, on cassay,† nor in skuill;
Lordis lettis their kitchings cule
And draws them to the abbay;
And skant has ane to keip their mule;
All houshalding is worne away;

"I saw no gysaris ‡ all this yeir;
But kirkmen cled lyk men of weir,
That never cummis in the queir.§
Lyk ruffians is their array;
To teach and preach that will not leir; ‖
The kirk gudes they waste away.

"Kirkmen affore were gude of lyfe,
Preachit, teachit, and staunchit stryfe;
They fearit nather sword nor knyfe,
For love of God the suith to say:
All honorit them baith man and wyfe;
Devotion was nocht away.

"Our fathers wyse were, and discreit,
They had baith honour, men, and meit,
With love they did their tennents treit;
And had aneuch in press to lay;
They wantit nather malt nor wheat;
And merriness was nocht away.

"And we hald nather Yule nor Pace,
But seek our meit from place to place;
And we have nather luck nor grace;
We gar our landis doubill pay;
Our tennents cry, 'Alace! alace!
That routh and pittie is away!'

"Now we have mair, it is weill kend,
Nor our forbears ¶ had to spend;
But far less at the yeirs end;
And never has ane merrie day;
God will na ryches to us send,
Sa lang as honour is away.

"We waste far mair now lyke vain fuillis,
We and our paige to turs our muillis,
Nor they did than that haid grit Yuillis;
Of meit and drink said never nay:
They had lang furmes ** where we have stuillis,
And merriness was nocht away;

"Of our wanthrift †† sum wytes ‡‡ playes,
And sum their wantoune vain arrayis;
Sum the wyte on their wyfes layes,
That in the court wald gang sa gay;
And care nocht wha the merchand payis
Till pairt of land be put away.

"The kirkmen keeps na professioune;
The temporall men commits oppressioune,
Puttand the puire from their possessioune;
Na kynd of feir of God have they,
They cummar * baith the kirk and sessioune,
And chases charitie away.

"When ane of them susteinis wrang
We cry for justice, heid and hang;
But when our neichbouris we our-gang
We lawbour justice to delay;
Affectioune blindis us sa lang,
Alle equitie is put away.

"To mak actis we have sum feill;
God watt gif that we keip them weill!
We cum to bar with jack of steill,
As we wald bost † the judge and 'fray;
Of sic justice I have na skeill,
Where reull and ordour is away.

"Our laws are lichtleit ‡ for abusioune;
Sumtyme is clokit with collusioune;
Whilk causes of bluid the great effusioune,
For na man spairis now to slay;
What bringis cuntries to confusioune
But where that justice is away?

"Wha is the wyte, § wha can schew us?
Wha but our nobillis that sould know us,
And till honorabill deidis draw us!
Let never comouneweill decay;
Or els sum mischeif will befaw us,
And nobillness we put away.

"Put our awin lawis to executioune
Upon transgressouris mak punitioune
To cruell folk sick na remissioune;
For peace and justice let us pray;
In dreid sum strange new institutioune
Cum, and our custome put away.

"Amend your lyfes, ane and all,
And be war of ane suddan fall;
And pray to God, that maid us all,
To send us joy that lasteis ay;
And let us nocht to sin be thrall;
But put all vyce and wrang away."

NA KYNDNES AT COURT WITHOUT SILLER. ‖

"Sometime to court I did repair,
Therein some errands for to dress;
Thinkand I had some friends thair
To help fordwart my business;
But, nocht the less,
I fand nathing but doubilness;
Auld kindnes helps nocht ane hair.

"To ane grit court-man I did speir; ¶
That I trowit my friend had been,
Because we war of kin sa near;
To him my matter I did mene;
But, with disdane,
He fled as I had done him tene;
And wald nocht bide my tale to heir.

"I wend, that he, in word and deed,
For me, his kynsman, sould have wrocht;
But to my speech he tuke na heed;
Nearnes of blude he set at nocht;
Than weel I thocht,
When I for sibness ** to him socht,
It was the wrang way that I geid. ††

"My hand I put into my sleeve,
And furth of it ane purse I drew;
And said I brocht it him to give;
Baith gold and silver I him schew; ‡‡
Than he did rue
That he unkindlie me misknew,
And hint the purse fast in his neif. §§

* Bright. † Causeway. ‡ Masquers.
§ Choir. ‖ Learn. ¶ Forefathers.
** Benches. †† Unthrift, extravagance. ‡‡ Blames.

* Cumber. † Threaten. ‡ Despised.
§ Blame. ‖ Money. ¶ Inquire.
** Relationship. †† Went. ‡‡ Shewed.
§§ Fist.

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"Frae time he gat the purse in hand
He kyndlie cousin callit me,
And bade me gar* him understand,
My business all haillalie;
And sware that he
My true and faithfull friend sould be
In court as I please him command.

"For whilk better it is, I trow,
Into the courte to get supplé
To have ane purse of fine gold fou,†
Nor to the hiest of degree,
Of kyn to be;
Sic alters our nobilitie.
Grit kynrent helps lytill now.

"Therefore, my friends, gif ye will mak
All court men yours as ye wald,
Gude gold and silver with you tak;
Than to get help ye may be bald;
For it is tauld,
Kindness of court is coft and sald,‡
Nearness of kyn, na thing thay rak."§

"LAMENT FOR THE DISORDERS OF THE COUNTRIE.

"O Lord our sin has done the tein,
That plaigit thus has this countrie;
I trow was never heard nor seen,
In Scotland greater miserie:
Great evil in to this land we see
A slauchter, hership, theft and reif;
Destruction of all policie,
And all manner of maist mischief.

"Now wardlie wisdom is deceit,
And falset haldin policie;
Richt few from guill can now debait,
So great is the hypocrisie:
Some will speak fair and friendfullie,
For proffitt wald dissaive their brother;
Sa rife‖ is infidelitie,
Ane kinsman skant may trow ane other.

"Amang the Lordis syn the great strife,
Misrule in all this regioun;
Whilk has gart mony lose their life,
And troublit burges and baroun:
Craftsmen and commons are put doun
By theft, reif, and continual weir;¶
Neir herreit is our principal town,
Our merchands daylie wastund geir.

"Frae some is taen baith house and land,
Wrangouslie as the manner shaws;
Whom doing wrang they never fand,
But for all cryme will bide the laws:
Baith of their deeds and their saws,**
Yet are they spulyet of their rent,
Wha has this done the Great God knows,
Wha grant them grace for to repent.

"Some has their place brunt in gleid,
Their guids spulyet haillalie;
Their servants slain, some brunt to deid,
Them selves taen uncourteouslie,
And haldin in captivitie;
Wha wald have for ane missive bill,
Obeyit the auctoritie,
And count at my Lord Regent's will.

"Alas, it is ane cairfull case,
That our Lords cannot agree;
Whilk for to do give they had grace,
Wald stench his great iniquitie:
Ane thing there is that troublis me,
Thocht some wald fain mak gude concord,
Yet ay for ane there is twentie,
To hound†† muteine and saw‡‡ discord.

"But we sould rather all lament,
Thir plaigs perturbing us sae sair;
And of our sins us repent,
With firm purpose to sin nae mair;
Syne pray to God baith late and air
To tak frae us this cruel scurge.
And frae his mercie staunche our cair,
And of all weir this country purdge.

"My Lordis all that are divydit,
Could ye aggre it were the best;
And gar this realm be godly guidit,
All things to be with wisdom dreat;
Than better micht ye put to rest,
This land that now is furthe of ordour,
And tham releive that are oppresst,
The theifis stanch and rewl the bordour.

"Sen ye are of ane nation all,
Ilk ane of other have pitie;
Ye wait* not yet what may befall,
Sik chanche has been richt hastelie,
May gar you think that unitie,
Sall to you all be profitabil,
And needfull that ye friends be,
Ye ken your courts are never stabil.

"Wha ever get the upper hand,
Of their reward they know nathing;
Nor yet how lang that they sall stand
To have the rewl of Queen or King:
And specialie, when they are young,
Therefore ye sould tak richt gude gaird,
Of lasting feid† how on you bring,
Uncertain syne of your rewaird.

"O Lord, sik grace send to us here
All Scottis men for to aggre;
Ilk ane to bruik‡ their land and geir,
That them pertenis richteouslie;
Syne perfyte justice we may see,
In courts, consistorie, and sessioun,
Craftsmen and commons may peaciablie
Their living win without oppressioun."

"The Laird of Lethingtoun's Counsell to his Son, being in the Court," was in all probability addressed to his eldest son, the famous Secretary Maitland. In its shrewdness and knowledge of the world, it bears some resemblance to the counsels which Polonius gave to his son Laertes, in "Hamlet."

"My son, in court gif thou pleisis remain,
This my counsel into thy mynd imprent:
In thy speaking luik that thou be nocht vain;
Behald and hear, and to thy toung tak tent;
Be no liar, else thou art schent;
Found thee on treuth, gif thou would weill betide;
To govern all and rule be nocht our bent:
He rules weill that weill in court can guide.

"Be nocht ane scorner, nor fainyeit flatterer,
Nor yet ane roundir§ of invented tales;
Of it thou hears be nocht ane clatterer;
Fall nocht in plee for thing that lyttil vaillis:
Haive nocht to do with other men's failiis;
Fra wicked men thou draw thee far on side;
Thou art ane fuill gif thou with fuilis daillis:
He rules weill that weill in court can guide.

"Bewair whom to thy counsel thou reveal,
Sum may seem true and yet dissemblers be;
Be of thy promise and condition leil;
Waist nocht thy guid in prodigalitie;
Nor put thine honour into jeopardie;
With folk disfamit nather gang nor ryde;
With wiltull men to argue is follie:
He rules weill that weill in court can guide.

"Be no dyser nor player at the cairts,
But gif it be for pastyme, or small thing;
Be nocht blawin with winds of all airts,‖
Constance in gude of wisdom is ane sign;
Be wise and tentie, in thy governing,
And try them weill in whom thou wilt confide;
Sum fair words will give, wald see thee hing:¶
He rules weill that weill in court can guide.

* Make. † Full. ‡ Bought and sold.
§ Reck, regard. ‖ Abundant. ¶ War.
** Sayings. †† Stir up. ‡‡ Sow.

* Wot. † Feud. ‡ Enjoy.
§ Propagator. ‖ Quarters. ¶ Hang.

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"Attour* all things ay to thy prince be true
In thocht, and deed, in word, in wark, and sicht;
Fra tressonabill company eschew;
Thy prince honour, and proffeit at thy micht;
Set ay forwart the puir baith day and nicht;
And let na thing the common weill clyde;
And at all time maintein justice and richt:
He rules weill that weill in court can guide.

"Press nocht to be exalted above uther,
For gif thou do, thou sall be sair invyit;
Great perill is to tak in hand the ruther,†
Till first that thy experience be tryit:
Think, at the last thy doing will be spyit,
Thocht thou with slicht wald cover it and hyde;
And all thy craft shall at the cross be cryit:
He rules weill that weill in court can guide.

"Thocht thou in court be with the heichest plaicit,
In honour, office, or in dignitie,
Think that sumtime thou may be fra it chaissit;
As some has been before, and yet may be;
Needful it is, therefore, to gang warlie,
That rukleslie thou snapper‡ nocht, nor slyde;
Ken aye thyself best in prosperitie:
He rules weill that weill in court can guide.

"Bewar in giffing of ane hie counsel
In matters grit, and counsel speciallie;
Whilk, by the working of the warld, may faill,
Thocht it seem never sa appeirantlie;
Behald the warldis instabilitie;
That never still into ane stait dois byde;
Bot changing ay, as dois the moone and see:
He rules weill that weill in court can guide.

"Gif with the pepill thou wald lovit be,
Be gentle, lawlie, and meik in thy estait;
For an thou be uncourteus, proude and hie,
Than all the warld shall thee detest and hait:
Flee fainying, flattering, falsheid, and dissait;
Invent nathing that may the realme devyde,
Or shall occasioun trouble and debait:
He rules weill that weill in court can guide.

"Grund§ all thy doing upon suithfastnes;
And hald thee ay gude company amang;
Gather na geir with craft and wretchitnes;
Preiss nocht to conqueis‖ ony thing with wrang;
Evill-gottin gudis lastys never lang:
Thocht all war thyne, within this warld sa wyde,
Thou sall fra it, or it fra thee sall gang:
He rules weill that weill in court can guide.

"Above all thingis, I thee exhort and pray,
To pleis thy God set all thy busie cuire,
And syne thy prince serve, luif weill and obey;
And, as thou may, be helpand ay the puire;
Sen¶ erthlie things will nocht ay endure,
Thairfoir in hevin ane place for thee provide,
Whair thair is joy, rest, gloir, and all plesour;
Unto the whilk eternal God us guide."

In the year 1568, when the prevailing pestilence compelled men from the dread of infection to abandon their usual employments, George Bannatyne, a citizen of Edinburgh, compiled a volume of miscellaneous Scottish poetry, which is surpassed in real value and importance by no other existing collection. To this "Ballat Buik" we are indebted for the preservation of the poems of ALEXANDER SCOTT, "the Anacreon of old Scottish poetry," as Pinkerton, with somewhat exaggerated praise, has termed him. He flourished about the year 1560, but nothing is known of his birth or connexions, the nature of his employment, or the events of his life. From some detached hints scattered through his works, he appears to have been a layman and a friend to the Reformation. The local allusions contained in his poem on the "Justing of Adamson and Syme" have given rise to the conjecture that he resided in Dalkeith. From various other passages it is certain that much of his life was spent, if not in the city, at least in the neighbourhood of Edinburgh.* One of his poems alludes to his wife. He is usually placed at the head of the early minor Scottish poets. His compositions, which are nearly all of an amatory character, display considerable elegance and harmony; and his style, compared with that of his poetical contemporaries, is remarkably terse and precise. "Without displaying," says Mr. David Laing, "either the same energy and inventive powers, or the depth of feeling and the comprehension which distinguish the works of his more illustrious predecessors, Scott's poems, independent of their poetical merit, are interesting from the many curious allusions which they contain to the existing state of manners, sentiments, and public affairs. He manifests no fondness for those abstract personifications which seem to have delighted the fancy of the author of the 'Cherrie and the Slae;' but he is equally remarkable with Montgomery for fluency and copiousness of expression:—and Scott occasionally shows a considerable knowledge of human nature. His love-poems possess a singular degree of sweetness and elegance for the period in which they were written; and some of his lyric pieces are peculiarly graceful and harmonious. Indeed, for general elegance and simplicity, for correctness, and for facility in versification, Scott's verses may be compared with those of any English poet of the same age."†

Alexander Scott.

The following specimens of the poems of this Scottish Anacreon may serve to show the justice of Mr. Laing's commendation.

"IN PRAIS OF THE TWA FAIR ENE OF HIS MISTRESS.

"Thow well of vertew, floure of womanheid,
And patrone unto patiens,
Lady of lawty baith in word and deid,
Rycht sobir, sweit, full meik of eloquens,
Baith gude and fair: to your magnificens
I me commend, as I have done before,
My sempil heart for now and evirmore.

"For evirmore I sall you service mak,
Sen, of before, into my mind I made,
Sen first I knew your ladyschip, but lak,
Bewtie, youth of womanheid ye had,
Withouten rest my heart couth nocht evade.
Thus am I yours, and aye sinsyne have been
Commandit by your gudly twa fair ene.

"Your twa fair ene maks me oft ayis to sing,
Your twa fair ene maks me to sych also,
Your twa fair ene maks me grit comforting,
Your twa fair ene is wyt of all my wo,
Your twa fair ene may no man keip them fro,
Withoutin rest that gets a sicht of them,
Thus of all vertew weir ye now the name.

"Ye beir the name of gentilness of blude,
Ye beir the name, that mony for ye deis,‡
Ye beir the name, ye are baith fair and gude,
Ye beir the name, that farrer than yow seis,
Ye beir the name, fortune and you agreis,
Ye beir the name of lands of lenth and breid,§
The well of vertew and floure of womanheid."

* Above. † Rudder. ‡ Stumble.
§ Ground. ‖ Acquire. ¶ Since.

* Scott's Poems, Introductory Notice, p. xi.
† Ibid., pp. xiii, xiv.
‡ Dies. § Long and broad.

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"TO HIS HEART.

"Hence, hairt, with her that must depart,
And hold thee with thy soverain;
For I had leifer* want ane hairt,
Nor have the hairt that does me pain.
Therefor go, with thy love remain,
And let me live thus unmolest;
See that thou come not back again,
But byde with her thou lovest best.

"Sin she that I have servit lang
Is to depairt so suddenly,
Address† thee now, for thou sall gang
And bear thy lady company;
Fra she be gone, hairtless am I;
For why? thou art with her possesst,
Therefor, my hairt! go hence in hy,‡
And byde with her thou lovest best.

"Tho' this belappit body here
Be bound to servitude and thrall,
My faithfull hairt is free inteir,§
And mud to serve my lady at all.
Would God that I were perigall,‖
Under that redolent rose to rest.
Yet at the leist my hairt thou sall
Abyde with her thou lovest best.

"Sin in your garth¶ the lilly whyte
May not remain amang the laif,**
Adew the flour of haill delyte!
Adew the succour that may me save!
Adew the fragrant, balmy suaif††
And lamp of ladies lustiest,‡‡
My faithfull heart she sall it have,
To byde with her it lovest best.

"Deplore, ye ladies clear of hue,
Her absence, sen she must depart,
And specially ye lovers true,
That wounded be with love's dart;
For some of you sall want ane hairt
As well as I; thairfor at last
Do go with myn, with mynd inwart,
And byde with her thou lovest best."

"RONDEL OF LUVE.

"Lo what it is to luve,
Lerne ye that list to pruve;
By me, I say, that no ways may
The grund of greif remuve.
But still decay, both nycht and day;
Lo what it is to luve.

"Luve is ane fervent fyre,
Kindillit without desyre,
Schort plesour, lang displesour;
Repentance is the hyre;
Ane pure tressour, without measour;
Luve is ane fervent fyre.

"To luve and to be wyis,
To rege with gude advyis;
Now thus, now than, so gois the game,
Incertaine is the dyce;
Their is no man, I say, that can
Both luve and to be wyis.

"Flee always from the snair,
Lerne at me to beware;
It is ane pane and dowbill trane
Of endless wo and cair;
For to refrane that danger plane,
Flee always from the snair."

As a specimen of a different style of writing, we give a few stanzas of his "New Year Gift to the Quene when she came first Hame," which presents a curious and instructive view of the state of Scotland at the commencement of Queen Mary's reign:—

"Gar stanche all stryfe, and stabill* thy estaits
In constance, concord, charité, and luve;
Be busie now to banish all debates
Betwixt kirkmen and temporal men does move;
The pulling doun of policie reprove.
And let perversit prelattis leif perquier;
To do the best besekand† God above
To give thee grace against this gude new year.

"At cross gar cry by open proclamation,
Under grit pains, that neither he nor sche‡
Of Halve Writ have ony disputation,
But letterit men or learnit clerks thereto;
For lymmer lads and little lassies lo
Will argue baith with bishop, preist, and freir,
To dantoun this, thow hes aneuch to do;
God give thee grace against this gude new year.

"But wyte the wicked pastours wald not mend
Their vicious living, all the warld preservyis
They tuke na tent their traik sould turn till end,
Thay were sa proud in their prerogatyvis;
For wantonnes they wald not wed na wyves,
Nort yet live chaste, but chop and change thair cheir;
Now to reform thair filthy litcherous lyvis,
God give thee grace against this gude new year.

"Thay brocht thair bastardis with the skrufe they skraip,
To blende thair blude with barrouns by ambitioun;
Thay purchest pithless pardons frae the Pape,
To cause fond fulis confide he has fruition
As God, to give for sinns full remission,
And sauls§ to save from suffering sorrows seir;
To sett aside sic sorts of superstitioun,
God give thee grace against this gude new year.

"They lost baith benefice and pension that mareit,
And whs eat flesh on Fridays was fyre-fangit,‖
It maid nae miss what maidens they miscareit;
On fasting days they were nocht brint nor hangit:
Licence for luthrie fra their lord belangit,
To give indulgence as the devil did leir;¶
To mend that menyé has sae monye mangit
God give thee grace against this gude new year.

"They lute** thy lieges pray to stokis and stanes,
And paintit paipers, wattis nocht what they mein;††
They bud them bek and bynge‡‡ at deid mens banes;
Offer on kneis to kiss, syne saive their kin:
Pilgrimes and palmaris past with them betwene,
Sanct Blais, Sanct Boit, blate bodeis een to bleir:§§
Now to forbid this grit abuse has bene,
God give thee grace against this gude new year.

"They tyrit God with trysillis tumo trentalis,‖‖
And dauft him with daylie dargeis,¶¶
With owkhe abitis,*** to augment their rentalis
Mantand mort mumlingis, mixt with monye leis,
Sic sanctitude was sathanis sorcereis,
Christis sillie schiep, and sobir flok, to smeir;
To ceiss all sindrye sectis of hereseis,
God give thee grace against this gude new year.

"With mess nor matynes nowayis will I mell,
To judge them justhe passis my ingyne,
They gyde nocht ill that governis weill them sell,
And lelalie on lawtie layis their lyne:
Dowtis to discus, for doctouris are devyne,
Cunning in clergie to declair them cleir;
To ordour this, the office now is thyne,
God give thee grace against this gude new year.

"The epistolls and evangelis now are prechit,
But sophistrie or ceremoneis vane;
Thy pepill, maist pairt, truelie now are techit,
To put away idolatrie prophaine:

* Rather. † Make ready. ‡ Haste.
§ Entirely. ‖ Competent, able. ¶ Garden.
** Rest. †† Embrace. ‡‡ Most beautiful.

* Establish. † Beseeching.
‡ Man nor woman. § Souls.
‖ Fanged or seized by the fire, *i.e.* burned as heretics.
¶ Learn. ** Let, allowed.
†† Coloured prints, of which they understood not the meaning.
‡‡ Bow.
§§ To blear the eyes of simple persons—to impose on their credulity.
‖‖ A service of thirty masses performed for the dead.
¶¶ Daily dirges.
*** Weekly obits, or the service performed for the dead.

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But in some hartis is gravit new agane,
Ane image callit cuvatyce of geir; *
Now, to expell that idol stands up plane,
God give thee grace against this gude new year.

"For some are sene at sermonis seem sae halye,†
Singand Sanct Davidis psalter on their buiks, ‡
And are but biblists fairsing full their bellie,
Backbytand nychtbours, noyand them in nuiks,
Rugging and raifand § up kirk-rentis lyke ruiks,
As werrie waspis against God's word makis weir, ‖
Sic Christianis to kiss with chanteris kuiks,
God give thee grace against this gude new year." &c.

ALEXANDER ARBUTHNOT, Principal of King's College, Aberdeen, was born in the year 1538. He was descended from a respectable family in the Mearns, which was afterwards ennobled by Charles I. According to Archbishop Spottiswood, he was educated in the University of St. Andrew's, and afterwards in France, where he spent five years in studying law under the celebrated Cujacius. He returned to his native land with the view of following the profession of an advocate, but he afterwards relinquished this intention, and applied himself to the study of theology. After entering into holy orders, he was presented to the living of Arbuthnot and Logie Buchan. In the year 1569, he was appointed Principal of King's College, Aberdeen, in the room of Alexander Anderson, who, along with several of the professors, was removed from office on account of his refusal to sign the Confession of Faith. "By his diligent teaching and dexterous government," says Spottiswood, "he not only revived the study of good letters, but gained many from the superstitions whereunto they were given." He was repeatedly chosen Moderator of the General Assembly, and was on various occasions appointed by his brethren to discharge most important and delicate duties. Some have supposed that he is to be identified with Alexander Arbuthnot, who at this period held the office of king's printer, but of this there is no satisfactory evidence. His death, which took place at Aberdeen on the 10th of October, 1583, at the premature age of forty-five, appears to have been regarded as a great calamity to the Scottish Church, and to the national literature. His contemporary, James Melvil, has pronounced Arbuthnot one of the most learned men in Europe at that time, and represents him as "a man of singular gifts of learning, wisdom, godliness, and sweetness of nature." And Spottiswood, who cannot be suspected of partiality for a leader of the Presbyterian party, has thus delineated his character:—"He was greatly loved of all men, hated of none; and in such account for his moderation with the chief men of these parts, that without his advice they could almost do nothing, which put him in a great fasherie,¶ whereof he did oft complain. Pleasant and jocund in conversation, and in all sciences expert; a good poet, mathematician, philosopher, theologian, lawyer, and in medicine skilful, so as in every subject he could promptly discourse, and to good purpose." *

Alexander Arbuthnot.

† Covetousness of money, avarice. † Holy.
‡ Books. § Tearing and riving.
‖ War. The allusion is to the grasping avarice of the barons, who seized the church lands, and were most rigorous in exacting the payment of tithes. ¶ Trouble.

In 1572 Arbuthnot published at Edinburgh a work entitled, "Orationes de Origine et Dignitate Juris," which was honoured with an encomiastic Latin poem by Thomas Maitland. His poetical reputation rests on two poems, which have been preserved in the Maitland Collection. We give a few stanzas from the most important of these, entitled "The Miseries of a Puir Scolar:"—

"I hate thraldome, yet maun I binge and beck,
And jouk and nod some patroun for to please;
I luve freedom, yet maun I be subject;
I am compellit to flatter with my feys.†
I me torment some other for till ease
Wha of my travale scantlie is content.
What marvel is tho' I murne and lament?

"I love larges and liberalitie,
Yet povertie to spend does mak me spair;
I hate averice and prodigalitie,
To get sum gear yet maun I have great cair.
In vanitie syn I maun it outwair—
Woun by ane wretche and into waistrie spent.
What marvel is tho' I murne and lament?

"I love delight, and wrappit am in woe;
I love pleasure, and plungit am in pane;
I list to rest, yet maun I ryde and go;
And when I list to flie I maun remain.
With warldlie care a gentil hart is slane.
I feel the smart, and dare not mak my plaint.
What marvel is tho' I murne and lament?

"I hate flatterie, and into words plane
And unaffectit language I delight;
Yet maun I leir to flatter, gloss, and fayne,
Whether I list to speak or yet to wryte;
Or else men shall not count me worth a myte,
I shall be reckinit rude or negligent.
What marvel is tho' I murne and lament?

"Scorning I hate, yet maun I smile and smirk
When I the mokks of other men behold;
Yea, oft-times maun I laugh, suppose I irk,
When bitterlie their tauntis they have tould.
And sometime als whether I nyl or wald, ‡
And scorn for scorne to gif I maun tak tent.
What marvel is tho' I murne and lament?

"With temperance I wald use meat and drink,
And has all surfat-banquet in despite;
And yet at feast and banquet maun I wink,
And at them haunt where I have no delight;
I use the evil, and has withall the wyte;
Tho' body bow, yet does the heart dissent.
What marvel is tho' I murne and lament?

"All costly claiths I count not worth ane preine, §
Which does but foster pride and vanitie;
Yet dare I not in common place be seen,
'Less I be clothit somewhat gorgeouslie;
And be I not, then men shall talk of me,
And call me owther wretche or indigent.
What marvel is tho' I murne and lament?

"With heart and mind I love humilitie,
And pauchtie pride richt sair do I detest,
But with the high yet maun I heichlie be,
Or with that sort I shall no sit in rest;
This warld has made the proverb manifest:
Wha is a sheep the wolf will soon him rent.
What marvel is tho' I murne and lament?

"I hate all shameless gloriositie,
And me delight in modest shamefastnes,
Yet shall I not be countit worth ane flie,
Without I speak of all mater by guess;
Gloir and brag out, and take a face of brass,
Nathing misknow under the firmament.
What marvel is tho' I murne and lament?

* Spottiswood's History of the Church of Scotland, vol. ii. p. 319; Irving's Lives, vol. ii. p. 176. † Foes.
‡ Will or not. § Pin.

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"I love justice, and would that everie man
Had that which rightly does to him pertain;
Yet all my kin, allya, or my clan,
In right or wrang I maun always maintene;
I maun applaud when they their matters mene,
Tho' conscience thereto do not consent.
What marvel is tho' I murne and lament?

"In poetrie I preis to pas the time,
When careful thoughts with sorrow ailyes me;
But if I mell with meter or with ryme,
With rascal rymers I shall rakint be;
They shall me bourdin als with mony lie,
In charging me with that which never I meant.
What marvel is tho' I murne and lament?

"I wald travel, and idleness I hate,
If I could find some gude vocation;
But all for naught: in vain lang may I wait,
Or I get honest occupation;
Letters are lightliet in our nation;
For learning now is neither life nor rent.
What marvel is tho' I murne and lament?"

ALEXANDER MONTGOMERY, the author of the "Cherrie and the Slae," is regarded as one of the most popular of the early Scottish poets; but the information respecting his life and character which has been transmitted to our times is exceedingly scanty. According to Timothy Pont, he was born at Hazelhead Castle, in the county of Ayr. If this statement be correct, it is probable that he was a younger son of the proprietor of that estate, who was a cadet of the noble family of Eglinton; but it appears to be at variance with the following line in his poem entitled "The Navigatioun:"—

Alexander Montgomery.

"As for myself, I am ane German borne."

Nothing is known of his early years and training, beyond a statement made by his poetical antagonist, Polwart, that he was sent "into Argyle some lair to leir"—some learning to learn. He is commonly described as a captain, and it may therefore be presumed that he had followed the profession of a soldier. He appears to have been at one period in the service of the Regent Morton, and to have been afterwards employed in some capacity or other by the king. His services were rewarded, in 1583, by an annual pension of five hundred marks. In 1586 he received the royal license to travel for five years in France, Flanders, Spain, and other countries. He was detained for some time in a foreign prison; and it appears that the payment of his pension had been unjustly withheld—"to his great hurt, hinder, and prejudice; whereas his good service merited rather augmentation than diminishing of the said pension." But the former grant was renewed and confirmed by a writ of the privy seal, dated at Holyrood House, 21st March, 1588. He was afterwards, however, involved in a tedious lawsuit in the court of session respecting the payment of his pension; and from the indignant language in which he addresses the judges, he seems to have felt deeply aggrieved by the law's proverbial delay. From the following sonnet it would appear that Montgomery had his full share of the misfortunes which so often befall his poetical brethren:—

"If loss of guids, if greatest grudge or grief,
If povertie, imprisonment, or pane,
If for guidwill ingratitude agane,
If languishing in languor but relief,
If debt, if dolour, and to become deif,
If travell tint,* and labour lost in vane,
Do properlie to poets appertane,
Of all that craft my chance is to be chief.
With August, Virgil wantit his reward,
And Ovid's lute as luckless as the lave:
While Homer lived his hap was very hard,
Yet when he died seven cities for him strave:
Tho' I am not like one of them in arte,
I pingle them perfythe in that parte."

In another sonnet addressed to a brother poet, Robert Hudson, he thus describes his situation:—

"My best beloved brother of the band,
I grein † to see the sillie smiddy smeik: ‡
This is no lyfe that I live up-a-land
On raw red herring reistit in the reik.§
Syne I am subject sometyme to be sick,
And daylie deeing of my auld disease,‖
Ait¶ bread, ill ale, and all things are ane eik,
This barme and blaudry buists up all my bees."

Several of Montgomery's shorter pieces are found in the Bannatyne Collection, and must, therefore, have been written before the year 1568. Three of his poems—"Echo," the "Flyting," and the "Cherrie and the Slae"—are quoted in "Ane Schort Treatise conteining some Ruleis and Cautelis to be observit and eschewit in Scottis Poesis," published by King James in the year 1584. The time of the poet's death is uncertain, but it must have taken place before 1615, as the title-page of an edition of his works published in that year avers that the "Cherrie and Slae" had been revised not long before the author's death.

The poems of Montgomery display a considerable amount of elegance and fancy, though not always under the guidance of good taste. His versification is remarkably harmonious, and when freed from their antique spelling, many of his poems might easily be mistaken for compositions of the present day. His fame chiefly rests on the "Cherrie and the Slae,"** a poem of considerable length, and which, in spite of not a few faults, deserves the popularity which it has attained. It must be admitted, however, that the allegory is harsh and obscure, as is evident from the widely different interpretations which have been given of it. According to one critic, "the object of the poem is to represent the wishes, hopes, reasonings, and attempts of a lover, the mistress of whose passion was by her rank and her personal excellences exalted greatly above his condition." According to another, "the allegory of the poem is that moderate pleasures are better than high ones." While Dr. Irving, with greater probability, conjectures that "the genuine explanation of the allegory may perhaps be, that virtue, though of very hard attainment, ought to be preferred to vice: virtue is represented by the cherry, a refreshing fruit growing on a tall tree, and that tree rising from a formidable precipice; vice is represented by

* Lost. † Long. ‡ The smithy smoke.
§ Dried in the smoke.
‖ This old disease appears to have been the gravel.
¶ Oat. ** Sloe.

the sloe, a fruit which may easily be plucked, but is bitter to the taste."* The opening stanzas of this poem present a fair example of the author's descriptive powers:—

"About ane bank where birds on bewis †
Ten thousand times their notes renews,
Ilk hour into the day;
The merle and mavis ‡ might be seen,
The progne and the philomene,§
Whilk causit me to stay.
I lay and leant me to ane bus ‖
To hear the birds' beir;
Their mirth was sa melodius
Thro' nature of the yeir:
Sum singing, sum springing
With wings into the sky;
So trimlie and nimblie
Thir ¶ birds they flew me by.

"I saw the hurcheon ** and the hair,
Wha fed among the flowers fair,
Were happing to and fro;
I saw the cunning and the cat,
Whose downs with the dew was wat,
With mony beists mo:
The hart, the hynd, the dae, the rae,
The foumart,†† and the fox,
Were skipping all fra brae to brae
Amang the water brox;
Sum feeding, sum dreiding
In case of sudden snairs,
With skipping and tripping
The hauntit all in pairs.

"The air was sa attemperate,
But ‡‡ ony mist immaculate,
But purefeit and cleir:
The flowers fair were flourischit
As Nature had them nurishit,
Baith delicate and deir;
And every blume on branch and bewch
So prettily were spread,
And hang their heads out ower the heuch, §§
In May's colour cled;
Sum knopping, some dropping
Of balmy liquor sweet,
Distelling and smelling
Thro' Phoebus hailsum heit.

"The cuckoo and the cuschat ‖‖ cryde,
The turtle on the other syde
Na pleasure had to play;
So schil in sorrow was her sang,
That thro' her voice the roches rang,
For Echo answerit ay;
Lamenting sair Narcissus' case,
Wha starvit at the well,
Wha with the shadow of his face
For luve did slay himsel:
Whiles weeping and creeping
About the well he baid;
Whiles lying, whiles crying,
But it na answer made.

"The dew as diamonds did hing
Upon the tender twists ¶¶ and ying,
O'er-twinkling all the trees;
And aye where flowers flourishit faire
There suddainly I saw repaire,
In swarmes, the sounding bees,
Some sweetly has the hony socht
Till they were cloggit sore,
Some willingly the waxe has wrocht
To heep it up in store:
So heeping with keeping,
Into their hyves they hide it;
Precyselie and wyselie
For winter they provyde it.

"To pen the pleasures of that park,
How every blossome, branche, and bark
Against the sun did shine,
I leave to poetis to compyle
In staitlie verse and lofty style:
It passis my ingyne.
But as I mused myne allane,
I saw ane river rin
Out ouir ane craggie rock of stane,
Syne lichtit in ane lin,*
With tumbling and rumbling
Amang the rocks round,
Dewalling and falling
Into that pit profound."

Montgomery is the author of a considerable number of sonnets constructed on the Italian model, and it is highly probable that his taste was formed by the study of the Italian poets. The "Flyting" between Montgomery and Sir Patrick Hume, of Polwart, seems to have been written in imitation of the Flyting between Dunbar and Kennedy, and contains every epithet of scurrility and abuse which a fertile imagination could devise, although it seems to have been merely an effort of ingenuity, not the result of a real quarrel. Montgomery's miscellaneous poems are numerous, and some of them possess considerable merit. He has also written many devotional pieces, and has versified several of the Psalms. In conjunction with some other writers, "principals of English poesy in their time," he offered to execute a complete version.† As a specimen of his religious poetry we may give his third sonnet, and a few stanzas from his "Godly Prayer."

"Iniquitie on earth is so increast;
All flesh but few with falsit is defyld,
Givin ow'r of God with gredynes beguyld;
So that the puir, but pitie are oppreat.
God in his justice dou na mair digest
Sik sinful suyn with symonie defyld,
But must revenge, their vyces are so vyld,
And pour down plagues of famine, sword, and pest.
Aryse, O Lord, deliver from the lave ‡
Thy faithful flock before that it infect.
Thou sees how Satan sharps for to dissave
If it were able even thyne auin Elect.
Sen conscience, love, and charitie all laiks,
Lord, short the season, for the Chosin's saiks."

"A GODLY PRAYER (OR LAMENTATION).

"I've sinn'd, Father, be merciful to me;
I am not worthy to be call'd thy chylde,
Who stubburnely have look't so long astray,
Not lyk thy son, but lyk the prodigue wyld.
My sillie saul § with sin is so defyld
That Satan seeks to catch it as his pray.
God grant me grace that he may be begyl'd.
Peccavi, Pater, miserere mei. ‖

"I am abash'd how I dare be sa bald
Before thy godly presence to appeir,
Or hazard anes ¶ the hevins to behald,
Wha am unworthy that the earth suld beir,
Yet damn me nocht whom thou has bocht so deir.
Sed salvum me fac, dulcis Fili Dei. **
For out of Luke this lesson now I leir.
Peccavi, Pater, miserere mei.

"If thou, O Lord, with rigour woldst revenge,
What flesh befor thee faultles suld be fund?
Or who is he whose conscience can himself clenge,
But by his birth to Satan he is bund?

* Montgomery's Poems, Biographical Notices, p. xix.
† Boughs. ‡ The blackbird and thrush.
§ Swallow and nightingale. ‖ Bush.
¶ These. ** Hedgehog. †† Badger.
‡‡ Without. §§ Ravine. ‖‖ Woodpigeon.
¶¶ Boughs.

* Waterfall.
† Montgomery's Poems, Biographical Notice, p. xxii.; Blackwood's Magazine, vol. iii. p. 180.
‡ Rest. § Soul.
‖ I have sinned, Father be merciful to me.
¶ Once. ** Save me, O beloved son of God.

Yet of thy grace thou took away that grund,
And sent thy Son our penalty to pay,
To save us from that hiddious, hellish hund.
Peccavi, Pater, miserere mei.

"I hope for mercy though my sinnes be huge;
I grant my gylt, and gronos to thee for grace.
Though I suld flie where sall I find refuge?
In hevin, O Lord?—there is thy dwelling place,
The earth thy footstool; yea, in hellis, alace
Down with the dead, but all must thee obey,
Therefore I cry while I have tyme and space,—
Peccavi, Pater, miserere mei.

"O gracious God, my gyltines forgive,
In sinners' death since thou dost not delyte,
But rather that they suld convert and live,
As witnessis thy sacred, holy wryte.
I pray thee, then, thy promise to perfyte
In me; and I sall with the Psalmist say,
To pen thy praise and wondrous works indyte:
Peccavi, Pater, miserere mei."

John Rolland.

JOHN ROLLAND, a native of Dalkeith, or at least a resident in that town, translated out of prose into Scottish verse the celebrated collection of tales, entitled "The Seven Sages," or "The Seven Wise Masters of Rome," one of the most popular works of fiction of the middle ages. This translation was made in 1560, but was not published till 1578. Rolland was the author of another poetical work, entitled "The Court of Venus," which is alluded to in his prologue to the "Seven Sages," and must therefore have been completed previous to the year 1560, although it was not printed till 1575. This poem is so rare that the copy in the British Museum is the only one known to be extant. It is divided into four books, and is written in stanzas of nine lines. Mr. Laing says it is a prolix and uninteresting allegory, and is an evident imitation—both in the subject and his manner of treating it, no less than in the measure—of "The Palace of Honour," by Bishop Douglas. Nothing whatever is known of the character or life of the author.

Alexander Hume.

Another Scottish poet who flourished at this period was ALEXANDER HUME, the second son of Patrick, fifth baron of Polwarth, in Berwickshire. He was born about the year 1560, and was educated first at St. Andrew's and afterwards in France, where he resided four years, in all probability pursuing the study of law at one of the universities of that country. After his return to Scotland he followed the legal profession for three years, but abandoned it in disgust at the corrupt and venal practices which at that period disgraced the Scottish courts of law. He ultimately went into the Church, and in the year 1598 was appointed minister of Logie, near Stirling, where he continued till his death, on the 4th of December, 1609. He has sometimes been erroneously supposed to have been the author of the "Flyting" addressed to Montgomery; but this poem was the production of his elder brother Patrick.

The poems of Hume are marked by a quick perception and deep feeling for the beauties of external nature, and his selection of poetical images is generally pleasing and judicious. His works everywhere evince a purity of sentiment, and breathe the aspirations of a humble and truly pious heart, which cannot fail to command respect.

In the following specimen of his poetry, describing the successive appearances of nature during a summer's day, there is a train of images, says Mr. Campbell, that seems peculiarly pleasing and unborrowed—the pictures of a poetical mind, humble but genuine in its cast. The various objects characteristic of a Scottish landscape are painted with truth and clearness, and a calm devotional feeling pervades the poem. Some of the customs spoken of, however, such as the use of "callour wine in caves," and "sallads steep'd in oil," are suited to the climate of France, where the poet spent four years, rather than of Scotland.*

"THANKS FOR A SUMMER'S DAY.

"O perfect light, which shaid † away
The darkness from the light,
And set a ruler o'er the day,
Another o'er the night;

"Thy glory, when the day forth flies,
More vively does appear,
Nor ‡ at mid-day into our eyes
The shining sun is clear.

"The shadow of the earth anon
Removes and drawis by,
Syne § in the east, when it is gone,
Appears a clearer sky.

"Whilk ‖ soon perceive the little larks,
The lapwing and the snipe,
And tune their song, like Nature's clerks,
O'er meadow, muir, and stripe.

"But every bold nocturnal beast
No longer may abide,
They hie away, both maist and least, ¶
Themselves in house to hide.

* * * *

"The golden globe incontinent
Sets up his shining head,
And on the earth and firmament
Displays his beams abread.**

"For joy the birds with boulden †† throats,
Against his visage sheen ‡‡
Take up their kindly music notes,
In woods and gardens green.

"Upbraids §§ the careful husbandman,
His corn and vines to see,
And every timeous ‖‖ artizan
In booths works busily.

"The pastor quits the slothful sleep,
And passes forth with speed,
His little camow-nosed ¶¶ sheep,
And rowting kye *** to feed.

"The passenger from perils sure,
Goes gladly forth the way;
Brief, every living creature
Takes comfort of the day.

* * * *

"The misty reek, ††† the clouds of rain,
From tops of mountain skails, ‡‡‡
Clear are the highest hills and plain,
The vapours take the vales.

* Preface to Hume's Hymns and Sacred Songs, p. vii.
† Shaded. ‡ Scottice for *than*. § Then.
‖ Which. ¶ Largest and smallest.
** Abroad. †† Emboldened. ‡‡ Shining.
§§ Uprises. ‖‖ Early. ¶¶ Flat-nosed.
*** Lowing kine. ††† Fog. ‡‡‡ Pours off.

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"Begaired* is the sapphire pend†
With sprainga‡ of scarlet hue;
And preciously, from end to end,
Damasked white and blue.

"The ample heaven, of fabric sure,
In clearness does surpass
The crystal and the silver, pure
As clearest polish'd glass.

"The time so tranquil is and clear,
That no where shall ye find,
Save on a high and barren hill,
The air of passing wind.

"All trees and simples, great and small,
That balmy leaf do bear,
Than they were painted on a wall,
Nor more they move or steir.§

"The rivers fresh, the callour‖ streams,
O'er rocks can swiftly rin,¶
The water clear like crystal beams,
And makes a pleasant din.

* * * *

"Calm is the deep and purple sea,
Yea, smoother than the sand;
The waves that woltering** wont to be,
Are stable like the land.

"So silent is the cessile air,
That every cry and call,
The hills and dales, and forest fair,
Again repeats them all.

"The clogged busy humming bees,
That never think to drown,††
On flowers and flourishes of trees,
Collect their liquor brown.

"The sun, most like a speedy post,
With ardent course ascends;
The beauty of our heavenly host
Up to our zenith tends.

* * * *

"The breathless flocks draw to the shade,
And freshure‡‡ of their fauld;
The startling nolt,§§ as they were mad,
Run to the rivers cald.

"The herds beneath some leafy trees,
Amidst the flow'rs they lie;
The stable ships upon the seas
Tend up their sails to dry.

"The hart, the hind, the fallow deer,
Are tapish'd‖‖ at their rest;
The fowls and birds that made thee beare¶¶
Prepare their pretty nest.

"The rayons dure*** descending down,
All kindle in a gleid;†††
In city, nor in burrough town,
May nane set forth their head.

"Back from the blue pavemented whun,‡‡‡
And from ilk plaster wall,
The hot reflexing of the sun
Inflames the air and all.

"The labourers that timely rose,
All weary, faint, and weak,
For heat down to their houses goes§§§
Noon-meite and sleep to take.

* Drest out. † Arch. ‡ Streaks.
§ Stir. ‖ Cool. ¶ Run.
** Tumbling. †† To drone, or to be idle.
‡‡ Freshness. §§ Oxen. ‖‖ Carpeted.
¶¶ Beare, probably means music. *To beare*, in old Scotch, is *to recite*. Wynton, in his Chronicle, says, "As I have heard men beare on hand."
*** Hard, or keen rays. ††† Fire.
‡‡‡ Whinstone.
§§§ In old Scottish poetry little attention is paid to giving plural nouns a plural verb.

"The callour* wine in cave is sought,
Men's brothing† breasts to cool;
The water cold and clear is brought,
And sallads steeped in ule.‡

"With gilded eyes and open wings,
The cock his courage shows;
With claps of joy his breast he dings§
And twenty times he crows.

"The dove with whistling wings so blue,
The winds can fast collect,
Her purple pens turn many a hue
Against the sun direct.

"Now noon is gone—gone is mid-day,
The heat does slake at last,
The sun descends down west away,
For three o'clock is past.

* * * *

"The rayons of the sun we see
Diminish in their strength,
The shade of every tower and tree
Extended is in length.

"Great is the calm, for everywhere
The wind is setting down,
The reek‖ throws up right in the air,
From every tower and town.

* * * *

"The mavis and the Philomeen,¶
The sterling whistles loud,
The cushats** on the branches green,
Ful quietly they crood.††

"The glomin‡‡ comes, the day is spent,
The sun goes out of sight,
And painted is the occident
With purple, sanguine bright.

"The scarlet nor the golden thread,
Who would their beauty try?
Are nothing like the colour red,
And beauty of the sky.

* * * *

"What pleasure then to walk and see,
Endlang§§ a river clear,
The perfect form of every tree
Within the deep appear.

"The salmon out of cruives‖‖ and creels,¶¶
Uphailed into scouts;***
The bells and circles on the weills,†††
Through leaping of the trouts.

"O sure it were a seemly thing,
While all is still and calm,
The praise of God to play and sing
With trumpet and with shalm.

"Through all the land great is the gild‡‡‡
Of rustic folks that cry;
Of bleating sheep, fra they be fill'd,
Of calves and rowting kye.

"All labourers draw hame at even,
And can to others say,
Thanks to the gracious God of Heaven,
Quhilk§§§ sent this summer day."

The names of Thomas and Robert Hudson, Christian Lindsay, William Fowler, John Burel, Balnevis, Clapperton, Robert Semple, and various

* Cool. † Burning. ‡ Oil.
§ Beats. ‖ Smoke. ¶ Thrush and nightingale.
** Wood-pigeons.
†† A very expressive word for the note of the cushat, or wood-pigeon.
‡‡ Evening. §§ Along.
‖‖ Places for confining fish; generally placed in the dam of a river. ¶¶ Baskets.
*** Small boats, or yawls. ††† Wells.
‡‡‡ Throng. §§§ Who.

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other poets who flourished in Scotland about the close of the sixteenth century, have been handed down to the present day, but the greater part of their writings have perished. THOMAS HUDSON is the author of an English translation of Du Bartas' "Historie of Judith," which was undertaken at the request of King James, and published in 1584. ROBERT HUDSON was a court poet, and a person of some influence; but his works, with the exception of one or two sonnets, have all perished. Montgomery addressed to him several of his sonnets, and appears to have relied upon his friendship with misplaced confidence, if we may credit CHRISTIAN LINDSAY, who, in a spirited sonnet,—the only one of his poems which has been preserved,—thus upbraids Hudson with his treachery:—

"Oft have I heard, but after fund it true,
That courtiers' kyndness lasts but for a while:
Fra once your turns be sped, why then adieu!
Your promeist friendship passes in exyle.
But, Robene, faith ye did me not beguyle:
I hopit aye of you as of the lave.
If thou had wit, thou wald have mony a wyle,
To mak thyself be knawin for a knave.
Montgomery, that sic hope did once conceive
Of thy guidwill, now finds all is forgotten:
Tho' nocht but kindness he did at thee crave,
He finds thy friendship as it ripes is rotten.
The smeikie smeiths cares not his passit travel,
But leaves him lingering, deeing of the gravel."

Several anonymous pieces of considerable merit have been preserved in the Bannatyne Collection. Two of these, a poem "In Praise of the Worthy Knycht, Sir Penny," and "The Wooing of Jock and Jenny," are peculiarly interesting on account of the light which they cast upon the manners and customs of the period:—

"Rycht fain wald I my quentans * mak
With SIR PENNY; and what ye why?
He is a man will undertak
Lands for to sell, and ale to buy;
Therefor me think rycht right fain wald I
With him in felloship to repair;
Because he is in company
Ane noble guide baith late and air.†

"SIR PENNY for till hald in hand
His company they think so sweet;
Sum gives na care to sell his land
With gude SIR PENNY for to meet;
Because he is a noble spreit,
Ane furthy ‡ man and forsèand;
There is no matter to end complete
Till he set to his seal and hand.

"SIR PENNY is a vailyeant man,
Of meikle strength and dignitie;
And evir sen § the warld began
In to this land autoreist ‖ is he;
With king and queen may ye nocht see
They treat him aye sa tenderly,
That there can na thing endit be
Without him in their company?

"SIR PENNY is a man of law,
Wit ye weill, baith wise and war,¶
And mony reasons can furth shaw
When he is standand at the bar;
Is nane sa wise can him defar
When he proponis furth ane plea,
Nor yet sa hardy man that dar
SIR PENNY tyne ** or disobey.

"SIR PENNY is baith sharp and wise;
The kirks to steir * he takes on hand;
Disponar he is of benefyis.
In to this realm, o'er all the land,
Is none so wicht dar him ganestand;
So wisely can SIR PENNY wirk,†
And als ‡ SIR SYMONY his servand,
That now is guider of the kirk.

"If to the court thou makes repair,
And thou have matters to proclame,
Thou art unable weil to fare,
SIR PENNY an thou leave at hame.
To bring him furth think thou na schame,
I do ye weil to understand;
Into thy bag beir thou his name,
Thy matter comes the better till hand.

"SIR PENNY now is made ane owle,
They wirk him meikle tray and tene;
They hald him in till he hair-mowle, §
And makes him blind of baith his een; ‖
Thereowt he is but seyndill ¶ seen,
Sa fast theirain they can him steik **
That poor commons can nocht obtene
Ane day to byd with him to speik."

"THE WOOING OF JOCK AND JENNY.

"Robeyns Jock came to woo our Jenny
On our feast evin, when we were fou; ††
She brankit fast, and made her bonny, ‡‡
And said, 'Jock, come ye for to woo?'
She burneist her baith breast and brow,
And maid her clear as ony clock; §§
Then spak her dame, and said, 'I trow
Ye come to woo our Jenny, Jock.'

"Jock said, 'Forsooth, I yearn full fain
To lout ‖‖ my head, and sit doun by you.'
Then spak her mother, and said again,
'My bairn has tocher-gude to gie you.'
'Té, hé,' quoth Jenny, 'keek, keek,¶¶ I see you:
Mother, yon man maks you a mock.'
'Why say ye sae? now leeze me o' you.'
'I come to woo your Jenny,' quoth Jock.

"'My bairn,' she says, 'has of her awin
Ane goose, ane grice,*** ane cock, ane hen,
Ane calf, ane hog, ane fute-braid sawin,†††
Ane kirn, ane pin, that ye weill ken,
Ane pig, ‡‡‡ ane pot, ane raip there ben,
Ane fork, ane flaik, ane reell, ane rock; §§§
Dishes and dublaris nine or ten.
Come ye to woo our Jenny, Jock?

"'Ane blanket, and ane wecht,‖‖‖ also
Ane schule,¶¶¶ ane sheet, and ane lang flail,
Ane ark,**** ane almry,†††† and ladles two,
Ane milk-syth with ane swine-tail,
Ane rusty whittle ‡‡‡‡ to shear the kail.
And wheel, ane mell §§§§ the beir ‖‖‖‖ to knock,
Ane cog, ane caird wantand ane nail.
Come ye to woo our Jenny, Jock?

"'Ane furme,¶¶¶¶ ane furlet, ane pot, ane peck,
Ane tub, ane barrow with ane wheilband,
Ane turs, ***** ane troch, and ane meal seck,
Ane spurtil †††††† braid, and ane elwand.'
Jock took Jenny by the hand,
And cried, 'Ane feast!' and slew ane cock,
And made a bridal upaland.
'Now have I got your Jenny,' quoth Jock.

* Acquaintance. † Early. ‡ In comfortable circumstances. § Since. ‖ Possessed of authority. ¶ Wary. ** Lose.

* Manage. † Work. ‡ Also. § Covered with mould. ‖ Eyes. ¶ Seldom. ** Shut. †† Tipsy.

‡‡ Tripped away hastily, and dressed herself to the best advantage.

§§ Clear as a beetle—a proverbial expression.

‖‖ Stoop. ¶¶ Look. *** Young pig.

††† Corn sufficient to sow a certain quantity of ground.

‡‡‡ An earthenware vessel. §§§ Distaff.

‖‖‖ An instrument used in winnowing corn.

¶¶¶ Shovel.

**** Wooden chest for containing oatmeal.

†††† Wooden press. ‡‡‡‡ Rusty knife. §§§§ Mallet.

‖‖‖‖ Barley. ¶¶¶¶ Bench. ***** Truss.

†††††† A stick used in making porridge.

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"'Now, dame, I have your bairn marreit,
Suppose ye mak it nevir sa teuch,*
I let you wit she is nocht miscarreit,
It is weill kend I have eneuch;
Ane crookit gleyd fell our ane heuch,
Ane spade, ane speit, ane spur, ane sock,
Withouttin oxin I have a pleuch,
To gang together Jenny and Jock.

"'I have ane halter, and eik ane heck,†
Ane cord, ane creel,‡ and als ane cradle,
Five fidder of raggis to stuff ane jack,§
Ane auld pannel of ane laid saddle,
Ane pepper-polk made of a padell,
Ane spounge,‖ ane spindle wantand ane nok,
Twa lusty lips to lick ane ladle,
To gang together Jenny and Jock.

"'Ane brechame,¶ and twa broches fine,
Weill bucklit with a bridle rein,
Ane sark** made of the Linkome twine,
Ane gay green cloak that will not stain;
And yet for mister I will nocht fain,
Five hunder fleas now in a flock,
Call ye nocht them ane jolly menyé,
To gang together Jenny and Jock?'

"'Ane trene truncheour,†† ane ramhorn spoon,
Twa buitts of barkit blasnit leather,
All graith that gains to hobbill shoon,‡‡
Ane thrawcruk to twine ane tether,
Ane bridle, ane girth, and ane swine bladder,
Ane maskene-fat,§§ ane fetterit lock,
Ane sheep weill keepit fra ill weather,
To gang together Jenny and Jock.

"'Tak thir‖‖ for my part of the feast;
It is weill knawin I am weill bodin;
Ye may nocht say my part is least.'
The wife said, 'Speed, the kail are soddin,
And all the lifferoch is fust and loddin;¶¶
When ye have done, tak hame the brock.'***
The roast was teuche sa were they bodin,
Syne gaid together Jenny and Jock."

In Bannatyne's Collection there are several poems ascribed to a poet named ROBERT SEMPLE, whom several writers have sought, on very slender evidence, to identify with the Scottish peer of that name, who succeeded to the title in 1572. It is well known, however, that Lord Semple continued to profess the Roman Catholic religion; while the poems of Robert Semple contain the most unequivocal proofs of having been written by a Protestant. There is some reason to believe that Semple, the poet, was a captain in the army; and he speaks of himself as having been present at the siege of Edinburgh Castle, in 1573. It appears from a sonnet addressed by Montgomery to Robert Hudson, that Semple was not exempt from the ordinary misfortunes of poets:—

Robert Semple.

"Ye knaw ill guyding genders mony gees,
And specially in poets: for example,
Ye can pen out twa couple an ye pleis—
Yourself and I, old Scot and Robert Semple." †††

* Tough.
† Wooden erection from which horses eat hay and straw.
‡ Basket.
§ A quantity of rags to quilt his coat of mail.
‖ Probably a fob, or purse, which closes with a spring.
¶ Horse-collar.
** Shirt made of the Lincoln twine—a sort of cloth so called.
†† Wooden trencher.
‡‡ Instruments requisite for mending shoes.
§§ Brewing vat.
‖‖ These.
¶¶ Our mess is sufficiently boiled and thickened.
*** Remnants.
††† Montgomery's Poems, p. 15.

In Birrel's Diary, under the date January 17, 1568, it is mentioned that "Ane play was made by Robert Semple, and performed before the Lord Regent and divers others of the nobility." It has been conjectured that the play referred to is the comedy of "Philotus," the only existing specimen of the early Scottish drama that has any appearance of having been composed about that period. But there is no evidence that Semple was the author of this piece, and it is well known that various other plays, which were written and acted during the sixteenth century, were never printed, and have not survived to our day.*

We must not omit to mention a singular work which appeared at this period, termed "A Compendious Book of Godly and Spiritual Sangs, collectit out of sundrie parts of the Scripture, with sundrie of other Ballats chainged out of profaine Sangs for avoiding of Sinne and Harlotrie." This collection, as stated in the preface, was for the use of "young persons and sic [such] as are not exercisit in the Scriptures, who will sooner consave the true Word nor when they hear it sung in Latin, the whilk they wot not what it is. But when they hear it sung, or sing it themselves, into their vulgar tongue with sweet melodie, then shall they love their God, and put away profane and unclean sangs." The Scottish people have from a very early period been passionately fond of popular songs, and there is abundant evidence that this taste was peculiary prevalent at the era of the Reformation. In the words of Hume of Logie, in the preface to his "Hymnes or Sacred Songs," "in princes' courts, in the houses of great men, and at the assemblies of young gentlemen and young damsels, the chief pastime is to sing profane sonnets and vain ballats of love, or to rehearse some fabulous feats of Palmerin Amadis, or other such like reveries." It seems to have occurred to some well-meaning but ill-judging friends of religion and morality, that if they could succeed in substituting religious poems for the songs in common use, many of which were of a profane and licentious character, they would contribute not a little towards the reformation of national manners and morals. They accordingly proceeded to compose a number of "godly and spiritual" songs and ballads, as closely resembling the profane originals as possible in structure of verse and in style of imagery, and intended to be sung to the same tunes. In this way, "John, come kiss me now," "The bonny broom," "I'll never leave thee," "Ye'll never be like my auld gudeman," and various other amatory tunes, were "married" to spiritual hymns and songs, unobjectionable no doubt in sentiment, but beyond measure dull and prosaic. This practice, it seems, did not give universal satisfaction, for Mr. Geddes, minister of Wick, notices an objection which was raised by "some inconsiderate persons" to this blending of the sacred with the profane:—"O, say they, we remember some of

Gude and Godly Ballads.

* "Philotus: a Comedy," published by the Bannatyne Club.

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these airs or tunes were sung heretofore to amorous sonnets, wherein were some obscene expressions. To this I answer, first, That in this practice I have the precedent of some of the most pious, grave, and zealous divines in the kingdom, who, to very good purpose, have composed godly songs to the tunes of such old songs as these, 'The bonny broom,' 'We'll all go pull the heather,' and such like, and yet without any challenge or disparagement. Secondly, It is alleged by some, and that not without some colour of reason, that many of our airs or tunes are made by good angels, but the letters or lines of our songs, by devils. We choose the part angelical, and leave the part diabolical. Thirdly, It is possible and probable that these vain, profain men, who composed those naughty, amorous sonnets, have surreptitiously borrowed those grave, sweet tunes from former spiritual hymns and songs; and why may not we again challenge our own, plead for restitution, and bring back to the right owner, applying those grave airs again to a divine and spiritual subject? Lastly, we find Paul, the great Apostle of the Gentiles, sanctified some sentences and verses of Greek poets, converting them into spiritual maxims; and why may not we (finding the measures of a melodious tune or air indifferent in themselves) consecrate and apply them to a sacred poem?"* In spite of this ingenious apology for the practice referred to, there is reason to fear that these spiritual parodies, from the indecent allusions which many of them suggested, their unseemly mixture of images sacred and profane, and the irreverent familiarity with which they addressed the Deity, were calculated to do more real harm to religion than the evil which they were intended to put down.† The following may be taken as a fair specimen of these "Gude and Godly Ballads:"—

"John, come kiss me now;
John, come kiss me now;
John, come kiss me by and by,
And mak nae mair adow.

"The Lord thy God I am
That, John, does thee call.
John represents the man
By grace celestiall.

"My prophets call, my preachers cry,
John, come kiss me now;
John, come kiss me by and by,
And mak nae mair adow."

"Who is at my windo, who, who?
Goe from my windo, goe, goe.
Wha calls there so lyke ane strangere?
Goe from my windo, goe, goe.

"Lord, I am here ane wratchit mortall,
That for thy mercy does cry and call
Unto thee, my Lord celestiall.
See who is at my windo, who, who?

"How daris thou for mercy cry,
Sa lang in sin as thou does lye?
Mercy to have thou art not worthie.
Goe from my windo, goe.

"With richt humble heart, Lord, I thee pray
Thy comfort and grace obtaine I may;
Shaw me the path and ready way
In at thy door for to goe," &c.

"Till our Gudeman, till our Gudeman,
Keep faith and love till our Gudeman.

"For our Gudeman in heven does ring
In glore and bliss without ending,
Where angels ever sing Osan!
In laude and praise of our Gudeman.

"Our Gudeman desires three things:
Ane heart wherefra contrition springs,
Syne love him best our souls that wan,
When we were lost fra our Gudeman.

"And our Gudeman that ever was kind
Requires of us ane faithful mind,
Syne charitable be with every clan
For love onlie of our Gudeman," &c.

[To the air of "Leave thee, leave thee!—I'll never leave thee."]

"Ah, my love! leave me not,
Leave me not, leave me not;
Ah! my love, leave me not
Thus, mine, alone.

"With ane burden on my back;
I may not bear it, I'm so weak;
Love! this burden from me tak,
Or else I am gone.

"With sins I'm laden sair;
Leave me not, leave me not,
With sins I am laden sair,
Leave me not alone."

The following lines are said to have been sung to the tune of "Hey, tutti tatti," which is now united to the immortal lyric—"Scots wha hae wi' Wallace bled:"—

"Hey, now, the day dallis,*
Now Christ on us callis,
Now wealth on our wallis
Appears anone:
Now the Word of God rings,
Whilk is king of all kings,
Now Christ's flock sings
The night is near gone."

Satirical ballads against the Romish Church.

Not a few of the songs or ballads contained in this singular collection are satirical invectives against the Romish priests, whose avarice, luxury, and profligacy, are exposed in the most unsparing terms. From an early period, indeed, a deadly feud had subsisted between the ballad-mongers and the clergy. The latter, as Mr. Tytler observes, were the bitter enemies of the minstrels, whom they considered as satirical rivals, or intruders, who carried off from the Church the money which might have been devoted to more pious and worthy uses. They talk of them as profligate, low-bred buffoons, who blow up their cheeks, and contort their persons, and play on horns, harps, trumpets, pipes, and Moorish flutes, for the pleasures of their lords; and who, moreover, flatter them by songs, and tales, and adulatory ballads, for which their masters are not ashamed to repay these ministers of the prince of darkness with large sums of gold and silver, and with rich embroidered robes.† So keenly did the clergy feel the attacks of their poetical adversaries, that a provincial council held at Linlithgow, in 1549,

* Ancient Scottish Melodies, printed for the Maitland Club, p. 38. † Ibid., p. 39.

* Dawns.

† History of Scotland, vol. ii. p. 373; Ancient Scottish Melodies, p. 31.

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considered it necessary to fulminate a special denunciation against all who should be found to have in their possession any books of rhymes or vulgar songs abusive of the clergy, or containing any heretical tenets; and in 1551, an act of parliament was passed prohibiting the publication of "anie buikes, ballats, sangs, blasphematious rimes, or tragedies, either in Latin or in English," without royal license obtained "fra our Soverain Ladie and the Lord Governour." The Reformers seem to have been well aware of the powerful influence which such poetical invectives exert upon the popular mind, and they accordingly lost no opportunity of exposing in "ballats and sangs" the indolence and corruption, the luxurious habits and profligate lives, of the priests. And few missiles could have been more effective in hastening the downfall of the papal system, and the expulsion of its "eremites and friars, white, black, and grey, with all their trumpery." The following ingenious allegory of the power and evil influence of the Pope was adapted to the air of "The hunte is up, the hunte is up," which appears to have been popular at this period both in England and Scotland.*

"With huntis up, with huntis up;
It is now perfect day;
Jesus, our king, has gone a hunting;
Who likes to speed they may.

"Ane cursed fox lay hid in rocks,
This long and many a day,
Devouring sheep while he might creep;
None might him 'schape away.

"It did him good to lap the blude
Of young and tender lambs;
None could him miss, for all was his—
The young ones with their dams.

"The hunter is Christ, that hunts in haste,
The hounds are Peter and Paul;
The Pope is the fox; Rome is the rocks
That rubs us on the gall.

"The cruel beast he never ceased,
By his usurped power,
Under dispence to get our pence,
Our souls to devour.

"Wha could devise such merchandise
As he had there to sell,
Unless it were proud Lucifer
The great master of hell?

"He had to sell the Tantonie † bell,
And pardons therein was,
Remission of sins in old sheep-skins,
Our souls to bring from grace.

"With bulls of lead, white wax, and red,
And other whiles with green,
Closed in a box: this used the fox:
Such peltrie was never seen," &c.

"WAE IS THE HERDS ‡ OF ISRAEL.

"Wae is the herds of Israel,
That feeds not Christ's flock,
But daintily they feed themsel,
Syne does the people mock.

"The silly sheep was all forlorne,
And was the wolf's prey,
The herds teindit § all the corne,
The sheep could get na strae. ‖

"They gatherit up baith wool and milk,
And syne took na mair cure,
But clad them with the costly silk,
And sic like clad their hure.

"Therefore, says God, I will require
My sheep furth of their hands;
And give them herds at my desire
To teach them my commands.

"And they shall nouther feed themsel,
Nor yet hunger my sheep,
I shall them from my Kirk expel,
And give them swine to keep."

"PRIESTS, CHRIST BELIEVE.

"Priests, Christ believe,
And only traist * into his blude,
And nocht into your warks gude,
As plainly Paul can preve.†

"Priests, learn to preach,
And put away your ignorance;
Praise only God, his word avance,
And Christ's people teach.

"Priests, cut your gowne,
Your neukit bonnet put away,
And cut your tippet into twae,‡
Go, preach from towne to towne.

"Priests, thole § to preach,
Sen ye yourself can preach na thing,
Or we your brawling down sall bring,
And na mair with you fleeche. ‖

"Priests, take na tiend,
Except the word of God ye shaw,
Tho' ye allege your use and law,
It is nocht as ye weind.

"Priests, take na kyis,¶
The umost ** claith ye sall quit-claime
Fra sax puir bairns with their dame,
A vengeance on you cryis.

"Priests, burn na ma,
Of wrang delation ye may hyre,
And false witness na mair inquire,
And let abjuring ga.

"Priests, leave your pryde,
Your scarlet and your velvet soft,
Your horse and mulis costly coft,
And jack-men by your side.

"Priests, sober be,
And fecht †† not, nouther boist nor schoir,‡‡
Miscreule the realme and court no moir,
And to your kirks flee.

"Priests, mend your life,
And leave your foul sensualitie
And vyle stinkand chastity,
And ilke ane tak ane wife.

"Priests, pray no more
To Sanct Anthone to save your sow,
Nor to Sanct Bride to keepe your cow,
That grievis God right sore.

"Priests, worship God,
And put away imagerie.
Your pardons and fraternitie,
To hell, the way, and road.

"Priests, sell no mass,
But minister that sacrament,
As Christ in the New Testament,
Commandit you expresse.

"Priests, put away
Your paintit fire of purgatrie,
The ground of your idolatrie,
It is near domes-day," &c.

* According to an old author, one Gray acquired the favour of Henry VIII., and afterwards that of Protector Somerset, for making "certaine merry ballades," whereof one chiefly was "The hunte is up."

† St. Anthony's bell. ‡ Shepherds. § Tithed. ‖ Straw.

* Trust. † Prove. ‡ Two. § Suffer. ‖ Coax, wheedle. ¶ Cows.

** Finest. The mortuary, or corpse present, as it was termed; see *supra*, vol. i. pp. 471, 531.

†† Fight. Probably an allusion to the quarrels of the higher ecclesiastics respecting precedence, and their other privileges. ‡‡ Boast nor threaten.

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"REMEMBER, REMEMBER MAN.

"Remember man, remember man,
That I thy saul from Sathan wan;
And has done for thee what I can;
Thou art full deir to me.
Is, was, nor sall be none,
That may thee save but one,
Only, therefore, believe me on,
And thou sall never die.

"Wolves, whom of my evangelists write,
And Paul and Peter did of dite,
Allace, have you deceived quite
With false hypocrisie.
My New Testament, plain and gude,
For whilk I shed my precious blude
With cruel suffering, on the rude,*
They hald for heresie;

"And has set up their false doctrine
For covetice instead of mine,
With fire and sword defends it syne,
Contrarie my word and me.
The Anti-Christ is come, but † dout
And has you trapped round about;
Forth of his girne‡ therefore come out
Gif ye wald saved be.

"His pilgrimage and purgatrie,
His worschiping of imagerie,
His pardons and fraternitie,
With zeal and good intent.
The whisperit sins called th' ear-confession,
With his priests mumblit absolution,
And mony other false abusioun
The Paip§ has done invent.

"With masses sauld‖ by priest and freir
For land and money wonder deir,
Whilk is the ground-stone of their queir,
And root of all their pryde;
His Pater-noster bocht and sauld,
His numbered aves and psalms tald,
Whilk my New Testament nor my Auld
On no wayes can abyde.

"Their holy matines fast they patter,
They give you breid and sell you water,
His cursings on you als¶ they clatter,
Tho' they can hurt you nocht;
Gif ye will give them caip or bell,
The cling thereof they will you sell,
Suppose the sauls** auld go to hell,
They get nathing unbocht.

"They sell you als the sacramentis sevin,
They micht have made as weill elevin,
Few or mony, odd or evin,
Your purses for to pyke;
Wald they lie but twa nait be,
Of Baptisme and of my bowne,*
As they were instituit by me,
Men wald them better lixe.

"Their trifles all are made by men,
Whilk my Gospell dit never ken,
My law and my commandments ten
They hyde from men's eine;†
My New Testament they wald keep downe,
Whilk suld be preached from towne to towne,
Cause it wald cut their lang tailit gowne,
And shaw their lyfe unclene," &c.

"HAY TRIX, TRIM GO TRIX, UNDER THE GRENE-WODE TREE.

"The Paip, that pagane full of pryde,
He has us blinnit lang,
For where the blind the blind dois gyde,
Na wonder anith ga wrang;
Like prince and king he led the ring
Of all iniquitie.
Hay trix, trim go trix,
Under the grene-wode tree.

"But his abomination
The Lord has brought to licht,
His Papische pryde and threetald croun
Almost has lost their might;
His pluk pardons are but lurdons‡
Of new-found vanitie.
Hay trix, trim, &c.

"His Cardinals has cause to murne,
His Bishops bourne aback;
His Abbots gat an unco tarne
When schavelings went to sack;
With burgess wyvis they led thair lyvis,
And fare§ better nor we.
Hay trix, trim, &c.

"His Carmelites and Jacobinis,
His Dominikes had great do;
His Cordeliers and Augustins,
Sanct Francis order too.
The silly Freirs mony years
With babbling bleirit our ee.
Hay trix, trim, &c.

"The blind Bishop he could nocht preich
For playing with the lasses,
The silly Freir behuivit to fleech
For almous that he asses;
The Curat his creed he could nocht reid,
Shame fall the companie.
Hay trix, trim," &c.

* Cross. † Without. ‡ Snare.
§ Pope. ‖ Sold. ¶ Also.
** Souls.

* The Sacrament of the Lord's Supper.
† Eyes. ‡ Rogues. § Fared.

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CHAPTER XL.

MANNERS AND MORALS OF THE PERIOD.

Exactions of the clergy.

THE 'troublous times' of a revolution are seldom favourable to morality: and the corruptions of the Church in the first instance, and the struggle between the Romanists and the Protestants to which these led, exercised the most injurious influence on the morals of the people. The grasping spirit everywhere manifested by the clergy; their rigid exaction of tithes; their forced sale of indulgences and dispensations; their taxes upon marriages, baptisms, burials, and all the rites which they declared to be needful for salvation; their spoliation of the widow and the orphan, the helpless and the dying; together with their indolent, luxurious, and licentious lives, had rendered the ordinances of religion contemptible in the estimation of the community. Payment of offerings originally voluntary was now exacted with the utmost rigour, under the terrors of excommunication. At all the great festivals of the Church the 'kirk dues' were demanded. "A heavy tax was levied on every event, from baptism to burial; even afterwards the heavy hand of the priest was there. If the deceased was wealthy, the 'quot of his testament' formed a large deduction from the succession; if poor, still 'the heriot and the umaist cloth,' *i.e.* the best animal and the richest garment, were taken from his widow and orphans for 'pious uses.'" No wonder that these endless exactions were felt by the people to be 'a grievous burden, and heavy to be borne;' and that the mortuaries formed one of the most popular grievances when the storm at length burst, and swept away the whole system as an intolerable nuisance.

"And als* the vicar, as I trow,
He will not fail to take ane cow,
And upmaist claith, tho' babes them ban,
From ane puir sillie husbandman;
When that he lyis for till dee,†
Having small bairnis twa or three;
And has three kye withouten mo,
The vicar must have ane of tho,
With the gray cloke that happs‡ the bed,
Howbeit that he be puirly clad.
And gif the wife dee on the morne,
Tho' all the babes suld be forlorne,
The other cow he cleiks§ away,
With her puir coat of raploch gray;
And gif within twa days or three
The oldest child happens to dee,
Of the third cow he will be sure.
When he has all then under his cure,
And father and mother baith are deid,
Beg maun the babes without remeid." ‖

In a remonstrance addressed by individuals attached to the Romish faith "to the prelates and other churchmen assembled in the provincial council holden at Edinburgh in March and April, 1559, craving redress of several grievances complained of in the ecclesiastical administration of Scotland," this subject is referred to in the following terms:—

"Item, because that the corps-presents, cow and finest claith, and the silver commonlie callit the Kirk richts and Pasch offerings, whilk is taken at Pasch fra men and women, for distribution of the sacraments of the blessit body and blude of Jesus Christ, were at the beginning but as offerings and gifts, at the discretion and benevolence of the giver only; and now, by distance of time, the kirkmen uses to compel men to the paying thereof by authority and jurisdiction, sa that they will not only fulminate their sentence of cursing, but als stop and debar men and women to come to the ready using of the sacraments of haly Kirk, till they be satisfiet thereof with all rigor; whilk thing has na ground of the law of God nor haly Kirk, and als is very sclaundrous, and gives occasion to the puir to murmur gretumly againes the state ecclesiastic for the doing of the premissis, and that sic things be na mair usit in tymes to come within this realm."*

While the clergy were thus rigorous in exacting their dues from all classes, poor as well as rich, they were far from being equally attentive to the performance of their religious duties. In many districts of the kingdom, the avarice and selfishness of the monks had left the people destitute of all religious instruction, except the preaching of the begging friars. In the course of time the monasteries had swallowed up the parochial livings, so that the rural clergy appear to have been literally starved. The monks, in one way or other, had contrived to obtain possession of the patronage of almost all the churches; to swell their already overgrown revenues they not only seized the tithes, but monopolized the vicarage dues also. The parochial duties, such as they were, were discharged by some outlying brother of the monastery, or by a poor vicar pensioner, ground down to the lowest amount of maintenance. In vain were appeals made to Rome against these nefarious proceedings, and angry bulls fulminated by the popes against the avarice which was undermining the authority and influence of the Church. The evil continued to increase until a large portion of the secular clergy ceased to officiate, and the remainder were rendered utterly inefficient and contemptible. As might have been expected, the great body of the people forsook the churches long before the Reformation:—"the singers in the cathedrals sang to empty benches; the priests went through their services without an audience;" and papal bulls, earnestly entreating the people to come once again to their 'dear mother Church, proved utterly inefficient to remedy the growing evil.† From one of the canons promulgated by

The ordinances of religion forsaken and despised by the people.

* Also. † Die. ‡ Covers. § Snatches.
‖ Sir David Lindsay's Works, vol. ii. p. 53, and vol. iii. p. 105. See also *supra*, vol. i. p. 508.

* Liber Officialis Sancti Andree, pp. 30, 31; Abbotsford Club.
† Liber Episcopatus Glasguensis, vol. i., No. xx.

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the provincial council held in 1551, "it appears," says Lord Hailes, "that in the most populous parishes few of the parishioners attended mass on Sundays, much less on other festivals; that of those who attended some scoffed and behaved irreverently, while others busied themselves in merchandise even at the church porch." This statement is fully borne out by the following graphic sketch that an old Scottish poet gives of "the indecent manner" in which "a great number of fools behave in church:"—

"Into the church then comes another sotte,
Without devotion, jetting up and downe,
Or to be seene, and to showe his garded cote:
Another on his fiste a sparhawke or fawcone,
Or els a cukow, and so wasting his shone.*
Before the altars he to and fro doth wander,
With even as great devotion as a gander.

"In comes another, his houndes at his tayle,
With lynes and leases, and other like baggage,
His dogges barke, so that withoutten fayle,
The whole church is troubled by their outrage;
So innocent youth learneth the same of age,
And their lowde sound doth the church fill,
But in this noyse the good people kepe them still.

"One time the hawkes bells jangleth hye;
Another time they flutter with their wings;
And nowe the houndes barking strikes the skye,
Now sounde their feete, and now chaynes ringes;
They clap with their hands; by such maner thinges
They make of the church for their hawkes a mewe,
And kanel for their doges, which they shall after rewe.

"There are handled pleadings and causes of the lawe,
There are made bargaynes of divers maner thinges,
Byings and sellings scant worth a hawe,†
And there are for lucres contrived false leasings;
And while the priest his masse or matins sings,
These fooles which to the church do repayre,
Are chatting and bobling, as it were in a fayre.

"Some gigle and laugh, and some on maydens stare,
And some on wives with wanton countenance,
As for the service they have small force or care,
And full delite them in their misgovernance:
Some with their slippers to and fro doth prounce,
Clapping with their heeles in church and queare,
So that good people cannot the service heare.

"What shall I write of maydens and of wives,
Of their roundings and ungodly communing?
How one a slaunder craftily contrives,
And in the church thereof hath her talking,
The other have thereto their eares leaning,
And when they all have heard forth hir tale,
With great devotion they get them to the ale."‡

The behaviour of the clergy themselves seems to have been equally irreverential. In the cartulary of Moray are inserted the "Constitutiones Lyncolnienses," as proper rules for the priests of that diocese, from which we learn that they were to enter the place of worship not with insolent looks, but decently and in order, and were to be guilty of no laughing, or of the perpetration of any base jokes, and were to conduct their whisperings in an under tone.

Ignorance and superstition of the clergy.

It could scarcely be expected that the people would continue to respect or support a church which had suffered religion to degenerate into a mere form, and which sought to retain its hold upon the nation not by faithful instruction, or by the holy lives of its rulers, but by pompous ceremonies, superstitious legends, false miracles, and the virtues of relics and saints. What kind of religious teaching could be expected from men, who, like the priests of Glasgow, sought to impose upon their flocks by the exhibition of such relics as a bit of the wood of the true cross; a golden vial with part of the hair of the blessed Virgin; a golden vial containing part of the coat of St. Kentigern and Thomas-à-Becket; the mouth of St. Ninian in a golden casket; part of the zone of the blessed Virgin, and a small vial of crystal containing a portion of her milk; a bit of the manger in which Christ lay; a small saffron-coloured vial containing the oil which emanated from the tube of St. Kentigern; a small bag with part of the sweat of St. Martin; 'a precious bag' with the breasts of St. Kentigern and Thomas-à-Becket; various sacks and chests containing the bones of saints and other superstitious articles equally childish and debasing?* The gross ignorance of the Scottish clergy, indeed, is acknowledged by the most strenuous defenders of the Romish Church. The learned Winzet, one of the ablest opponents of Knox, admits that their 'dumb doctrine' consisted solely in gorgeous ceremonies, while the word of God was carefully concealed; and deplores that many, through lack of instruction, had erred from the faith; while the sacraments of Christ were profaned by ignorant and wicked persons, destitute alike of learning and of piety, in which number he candidly confesses the greater part of the clergy to have been.† Robert Reid, Bishop of Orkney, Alexander Milne, Abbot of Cambuskenneth, and a few others of the better class of churchmen, saw the danger to which the Church was exposed, and laboured to avert the storm by improving the lives and learning of the body. A provincial council which met at Linlithgow, and then adjourned to Edinburgh, in 1549, attempted to enforce a reformation of the manners of ecclesiastical persons by the publication of a new code of fifty-seven canons, in the preamble to which it was admitted that the two prime causes of the prevailing heresies were the corruption and profane lewdness of the clergy of almost every degree, and their gross ignorance in all branches of learning. A subsequent council promulgated a canon enjoining the printing and publication of a compendium of the popish doctrines in the Scottish dialect, known as Archbishop Hamilton's Catechism,—though for the use of the clergy only, who were anxiously cautioned to take care that their copies did not get into the hands of any of the laity, unless it might be of some good, grave, faithful, and discreet men, to whom they should have the permission of their bishops to show the book on being convinced that it was desired rather for the sake of instruction than from curiosity. It was ordered, however, to be read to the people in the churches on Sundays and holidays. The Dean and Chapter of Aberdeen, in a

* Shoes. † A hawthorn berry.
‡ Extracts from Barclay's Poems; Sibbald's Scottish Poetry, vol. ii. pp. 437, 438.

* Liber Episcop. Glasg. † *Supra*, p. 295.

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memorial of advice (dated January 15th, 1558) which they presented to Bishop Gordon, for the reformation of religion and the suppression of heresy within the diocese, earnestly recommended that "preaching should be made within the haill diocie; that there be sent letters monitors upon the haill persons, abbots, and priors, to cause preaching to be made within their kirks betwixt this and Fastern's even next, at least ance in ilk parish kirk, and ane uther tyme betwixt that and Pasche, with continuation, conforme to the acts provincial, under pains containit thereintil; and failing thereof, that my Lord cause send ane preacher to ever ilk kirk that is nocht preachit in Lentron thereafter: and to take up the pains thereof to be applyit to certain preachers to be sent through the diocie: and letters to be direct thereupon, upon the fermorars thereof, conform to the statue provincial; sa that the people be nocht in danger because of inlaik of preaching of the true Catholic Faith. And writings to be made thereupon by my lord to them all that are absent to come and make residence within the diocie and chanonrie of Aberdene, and to reform the kirks, and cause preachings to be made thereintil according to the acts."*

Abortive attempts at reformation.

The morals of the clergy, however, and especially of the great ecclesiastics, were beyond the reach of such partial and feeble efforts. In the language of Winzet, even in the midst of the "great uproar, tumult, and terrible clamour" of the Reformation they were so "oppressed with deadly sleep that they woke not forth of their dream." The testimonies of their own friends carry more conviction than all the denunciations of their enemies, of the absolute decay of learning, and the degradation of morals among the clergy of that period. The learned George Cone, a zealous adherent of the old faith, writes in the strongest terms of the low aims and sensual lives of the clergy, and the dreadful corruption of manners which prevailed among them. There was a public brothel, he says, in the dwellings of many of the priests, and men consecrated to the service of God were in the nightly habit of frequenting taverns. Neither the honour of matrons nor virgin modesty was safe from their sacrilegious lust; so that the veneration which the people once entertained for their spiritual instructors was now turned into contempt.† The provincial council held in 1549 makes the humiliating confession that "corruption of manners and profane lewdness of life, together with gross ignorance of literature and science, prevailed among the clergy of almost every degree." The Roman Pontiff himself beheld with dismay the degraded state of the Scottish Church, and there is preserved in the cartulary of Moray‡ a bull, which one of the Innocents directed to three English bishops, enjoining them to redress, by all the terrors of the ecclesiastical and civil powers, the atrocious evils that reigned unpunished among the Scottish clergy. They marry, he says, in defiance of all ecclesiastical rule; they resign their clerical character when necessary for their interests, or the gratification of their passions, and resume it again at will in order to enjoy under priestly privilege immunity from their crimes. The Dean and Chapter of Aberdeen, in their address to the bishop already referred to, entreat, first of all, "that my lord bishop cause the kirkmen within his diocese to reform themselves in al their slanderous manner of living, and to remove their open concubines, as well great as small." And that their recommendations for the reformation of the Church, "by the help of God, may take better effect, they humbly and heartily pray and exhort my lord, their ordinary, for the honour of God, relief of his own conscience, and weil of his diocie, and the eveting of great scandal, that his lordship will be so good as to show edificative example; in special in removing and discharging himself of the company of the gentlewoman by whom he is greatly slandered; without the which be done, divers that are partners say they cannot accept counsel and correction of him who will not correct himself. And, in like manner, cause his lordship's servants to reform themselves; because, next himself, it seems him to begin at his own household."* Bishop Gordon, indeed, was no worse in this respect than his brethren, for the prelates of that day were almost without exception living in open violation of their ordination vows. "Such of them as were contented with one woman were esteemed virtuous; nay, ladies of good condition thought it no shame to live as their avowed concubines, and found the sympathy of society not averse to such a departure from the celibacy which the Church pretended to enforce."

Immorality of the clergy.

The satirists of the day make constant reference to the 'great prerogatives' of the clergy—

> "Who may aye part with their wives
> Without divorce or summoning,
> Then take another without wedding;"

and denounce in no measured terms the base spirit of the barons, who, for the sake of a large dowery, were content to marry the illegitimate daughters of the great ecclesiastics. Sir David Lindsay, in his "Satire of the Three Estates," represents Temporality, or the barons, as beseeching King Correction:—

> "Of our daughters to have compassion,
> Whom we may na way marry, by the Rood,
> Without we make some alienation
> Of our land for their supportation.
> For why? The market rasit bene sa hie
> That Prelates' daughters of this nation
> Are married with sic superfluitie;
> They will not spare to give twa thousand pound
> With their daughters to ane noble man,
> In riches sa they do superabound.
> But we may not do sa by Saint Allan.
> Thir proud Prelates our daughters saur may ban,
> That they remain at hame sa lang unmarried."†

* Registrum Episcopatus Aberdenensis, vol. i., Preface, p. lvii.
† Conæus de duplici Statu Religionis, p. 90.
‡ No. 260; North British Review, vol. ii. p. 378.

* Reg. Epis. Aberd., p. lxiv.
† Works of Sir David Lindsay, vol. ii. p. 79.

Effects of the law of celibacy.

Ample evidence can be produced from the public records of the kingdom to show that their complaints were by no means exaggerated. The head of the Scottish hierarchy at this eventful period was Cardinal David Beaton, Archbishop of St. Andrew's—the Wolsey of Scotland as he has been termed. And it is well known that during the greater part of his life he lived in open concubinage with Marion Ogilvy, a member of an old baronial house, and had by her a numerous family. Three of his sons had letters of legitimation under the great seal, on the 10th of November, 1539. "For not less than four of their sisters, all taking their father's name, and all in recorded documents setting forth his style and rank as honourable to them, large dowers found matches among the best of the Scottish nobility and gentry."* The successor of Beaton was Archbishop Hamilton, author of the Catechism already referred to, who lived openly with the wife or widow of his kinsman, Hamilton of Stenhouse; and among the goods and chattels inventoried in her will, mention is made of three grants of legitimation in favour of as many children by the primate. Another fierce persecutor of the Protestants was William Chisholm, Bishop of Dunblane from 1527 till 1564. Keith states that this prelate, "being a great adversary to the new Reformation, he alienated the episcopal patrimony of this Church to a very singular degree, most of which he gave to his nephew, Sir James Chisholm of Cromlix. He likewise gave great portions to James Chisholm of Glassengall, his own natural son, and to his two natural daughters, one of whom was married to Sir James Stirling of Keir, and the other to John Buchanan of that ilk." His example was followed by Patrick Hepburn, Bishop of Moray, who alienated the revenues of that opulent see to provide for a very large family, whose several legitimations are duly recorded. The last Roman Catholic bishop of Argyle was Robert Montgomery, a son of the first Earl of Eglinton. On the 9th of July, 1543, letters of legitimation under the privy seal were granted in favour of Michael, Robert, and Hugh Montgomery, "bastard sons of the reverend father in Christ, Robert, Bishop of Argyle." Mention is made of four sons of Alexander Gordon, the last of the ante-Reformation bishops of Galloway, who joined the Reformers that he might marry Barbara Logie, his mistress, and make his children by her legitimate.

As an example of the glaring scandals to which the licentiousness of the priests gave rise, Knox mentions what he calls 'a merry bourd,' that occurred at St. Andrew's before Gawin Dunbar, Bishop of Aberdeen, a zealous and unscrupulous assistant of Cardinal Beaton in suppressing heresy. "During the imprisonment of Sandie Furrour," says Knox, "Sir John Dingwall, according to the charity of churchmen, entertained his wife. For the which cause, at his returning, he spake more liberally of priests than they could bear, and so was he denounced to be accused of heresy, and called to his answer to St. Andrew's. The man 'understood nothing of religion,' and met the charges against him with an onslaught on his judges. The first article was, that he despised the mass. His answer—'I hear mo masses in eight days than three bishops there sitting say in a year.' Accused, secondly, of contempt of sacraments: 'The priests,' quoth he, 'are the most common contemners of sacraments, and especially of matrimony;' and 'that he witnessed by any of the priests there present, and named the men's wives with whom they had meddled;' but especially Dingwall, who had seven years together abused his own wife and consumed his substance; adding, 'For God's sake, will ye take wives of your own, that I and others whose wives ye have abused may be revenged upon you?' Then 'the old Bishop of Aberdeen (Dunbar), thinking to justify himself before the people, said, 'Carle, thou shalt not know my wife.' Alexander answered, 'My lord, ye are too old; but, with the grace of God, I will drink with your daughter ere I depart.' And thereat was smiling of the best, and loud laughter of some; for the bishop had a daughter married with Andrew Balfour in that same town."*

Bishop Dunbar's immediate successor was William Stewart, who held the high office of Lord-Treasurer of Scotland. He was appointed in 1532, and was one of those who with Cardinal Beaton sat in judgment in the Cathedral of St. Andrew's upon Sir John Borthwick, "accused of maintaining that the Pope had no greater authority than any other bishop; that indulgences or pardons granted by the Pope were of no force or effect; that clerks may lawfully marry; that churchmen ought not to enjoy temporalities, and other heresies." He was succeeded (May 17, 1546) by William Gordon, fourth son of Alexander, third Earl of Huntley, the prelate whom the dean and chapter of his diocese so earnestly exhorted to reform his own life. His character is thus briefly and plainly drawn by Spottiswood: "This man, brought up in letters at Aberdeen, followed his studies a long time in Paris, and returning thence was first parson of Clat, and afterwards promoted to the See. Some hopes he gave at first of a virtuous man, but afterwards turned a very epicure, spending all his time in drinking and whoring. He dilapidated the whole rents by feuing the land, and converting the victual-duties in money, a great part whereof he wasted upon his base children and their mothers." The registers of the diocese fully bare out these severe statements respecting the conduct of this unworthy prelate. Mention is made of no fewer than forty-nine 'charters of assedation' of various portions of the land belonging to the bishopric, granted by him to different individuals during the course of a single year—1549; and on the 20th of October, 1565, he granted

* Quarterly Review, vol. lxxxix. p. 44.

* History of the Reformation, vol. i.; Quarterly Review, vol. lxxxix. pp. 37, 38.

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a charter of the lands of North Spittal to Janet Knowles (probably the 'gentlewoman by whom he was greatly slandered') in life-rents, and to his children, George, John, and William, and Elizabeth, Margaret, and Martha Gordon, in fee.*

But this open violation of their vows of chastity was not confined to such prelates as Beaton, Gordon, Hepburn, and Chisholm; the most learned, zealous, and amiable among them were, in this respect, not a wit purer than the others. David Panter, Bishop of Ross, a statesman and a scholar, 'a person,' says Keith, 'of most polite education and excellent parts,'—his successor, Lesley, the faithful servant of Queen Mary,—and even Gawin Douglas, Bishop of Dunkeld, the scholar and poet, —all lived 'according to what might then be called the license of their order.' This general demoralisation of the ecclesiastical order must be regarded as the inevitable result of their enforced celibacy, and shows the pernicious consequences of making 'a law so hard upon human nature that the sympathies of mankind are in favour of breaking it.'

The bad example of the clergy must have exercised an exceedingly injurious influence upon the laity, and there is abundant evidence that a similar laxity of morals prevailed among all classes of the community. One great cause of the licentiousness which existed at this period was the state of the law of marriage, coupled with the vile traffic in dispensations, and the divorces to which they led. It was not deemed sufficient to prohibit the marriage of relations as detailed in the Levitical code; the prohibition was extended to all persons within eight degrees of consanguinity, or, in other words, who had had a common great great grandfather, or great great grandmother. Marriage was forbidden also to persons within eight degrees of affinity, or relation by marriage. Even unlawful intercourse formed a bar to a union between either of the parties and the relations of the other within the prohibited degrees; and the ignorance or *bona fides* of either party was of no avail to legalize a marriage forbidden by this monstrous law. The prohibition was further extended to all connected within the same degrees through spiritual relationship, or that created by baptism, which affected not only the relatives of the *baptizans* and *baptizatus*, but all the connexions arising from the relation of godfather and godmother, and the children for whom they stood sponsors, in the same way as if they had actually been parents and child. The Pope of course claimed the power to dispense with these prohibitions; and the sale of dispensations to persons within the forbidden degrees contributed largely to replenish the papal treasury.

Marriage law.

The effects of this abominable system in a narrow and thinly peopled country like Scotland may be learned from various contemporary documents. The Archbishop of St. Andrew's, writing in 1554 for the information of the Pope, states that such was the connexion between families in Scotland it was almost impossible to find a match for a person of good birth that should not come within the prohibited degrees. "On that account," he adds, "as the minds of men are always prone to evil, many persons marry in the promise or hope of a dispensation to be procured afterwards, but tiring of the connexion, either divorce their wives or put them away, under the pretext of the want of a dispensation, and their inability to afford the expense necessary for procuring one." The archbishop dwells with great earnestness on the evils which flowed from this state of the law—the grievous injury inflicted on the offspring of such marriages—the alienation of friends—the discord and strife, robberies and bloodshed, to which the system gave rise. The queen-mother wrote to the Pope on the same subject, February 1, 1556, and declared that in consequence of the great distance of Scotland from the papal court, the dangers and inconveniences of the journey, and the poverty of the people, many marriages were daily contracted within the prohibited degrees, to the great scandal of the Church, and the danger of souls.

Its injurious influence.

By the canon law, as it existed in Scotland before the Reformation, marriage was theoretically indissoluble, but in fact it had become a mere temporary contract, which either party might dissolve at pleasure. If both or either desired a separation, it was easy to find a plea to prove that it was originally null and void. The existence between the man and woman of a relation by consanguinity or affinity within the forbidden degrees, unlawful intercourse, or spiritual connexion by baptism on the part of one of the two with a person related within those degrees to the other party, a previous contract, however irregular, and although not regarded by the parties themselves at the time as constituting a marriage, as well as misconduct subsequent to union, were deemed sufficient to procure a divorce. All decency was thrown aside. Not only profligate courtiers and ambitious barons, but ladies of high rank openly avowed their own guilt and shame, in order to obtain a separation from their husbands. "Dissoluteness," says Mr. Riddell, "great in Scotland before the Reformation, in no manner more displayed itself than in the unlicensed intercourse between the sexes, which was certainly increased by the forbidden degrees comprising a great range of connexions (so much so that there came to be but few high families who were not thereby barred from marriage at common law), combined with the necessity of obtaining dispensations for marriage to obviate the objections, that were often long in arriving from Rome; for in these circumstances parties enamoured of each other, unable to brook the requisite cruel delay, either, nevertheless, *de facto* married, or dealt in fornication, or concubinage. After the arrival of the dispensation, their love having cooled, they frequently jilted each

Frequency of divorces.

* Reg. Aberd., Epis. p. lxv.

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other, '*ad altera vota convolantes:*' while they even made their unlawful intercourse a further handle, good as it was, for the jactitation of the putative marriage, by continuing which they incurred excommunication. Such separations with undue divorces and re-marriages became so frequent as, according to Major, to become a national reproach. It was impossible, too, even for parties who *bona fide* regularly married, owing to the extent still of the forbidden degrees, properly to know whether they were really lawfully married, or not living in incestuous concubinage."*

The immorality was probably not less in the lower classes, but as their poverty prevented them from availing themselves of the legal steps to obtain a divorce, the highest ranks figure most conspicuously in the records of the ecclesiastical courts. The queen herself set this shameful example to her subjects. In less than a year after the death of her husband, James IV., and in little more than three months after the birth of their son Alexander, Margaret Tudor married the Earl of Angus, a youth of nineteen. After she was tired of him, she carried on an amour with the Regent John, Duke of Albany. She next became enamoured of young Henry Stewart, afterwards Lord Methven; and in order to be at liberty to marry him she commenced a suit of divorce against Angus, who ultimately yielded to her wish, and admitted that he had "been precontracted to a gentlewoman (a daughter of Traquair), who bore a child to him before he married the queen: and so by reason of the precontract he could not be her lawful husband." On this ground the marriage was declared null and void by the Cardinal Bishop of Ancona, on the 11th of March, 1527; and on the 2nd of April Margaret gave her hand to Henry Stewart. Becoming speedily tired of him in his turn, she determined to be free to marry a fourth time, and for this purpose had recourse again to those convenient marts for matrimonial jobs—the church courts. On the plea that Methven was cousin eight degrees removed to her second husband, Angus, or, in other words, that they were the great great grandchildren of a common ancestor, and that this constituted an affinity between her and Methven, she demanded that her third marriage should be set aside. The obedient official yielded to her imperious requirements, and pronounced a degree annulling the marriage, which is found registered in the extant volume of the records of the consistorial court. But her son, the young King James V., forbade the promulgation of the sentence, and thus prevented the additional disgrace to the royal family.

The same convenient instrumentality was called into operation when the granddaughter of Queen Margaret resolved to espouse the infamous Bothwell. He alleged that his countess, the Lady Jane Gordon, was related to him within the fourth degree, and on this ground the ecclesiastical court, which was hastily re-constituted for the purpose, pronounced a decree annulling their marriage. At the same time, to please the Reformed party, a collusive suit was instituted by the countess against her husband in the new commissary court, and a divorce was obtained by her on the ground of Bothwell's adultery with a servant. In this instance at least the usual complaints respecting the proverbial delays of the consistorial courts were not applicable, for the proceedings commenced on the 5th, and decree of nullity was pronounced on the 7th of May, 1567.

Another member of the royal family is mixed up in these records of shame, with a noble baron and a dignified ecclesiastic, in 'one of the strangest and darkest stories to be found even in Scotch family history.' James IV. having debauched the wife of William, third Lord Crichton, that nobleman, in revenge, seduced the king's youngest sister, Margaret, a princess of great beauty. The fruit of this amour was a daughter, named Margaret Crichton, 'who inherited the passions and misfortunes of her lineage.' After having married in succession two burgesses of Edinburgh, William Todrick and George Halkerston, she was wedded to George, Earl of Rothes, by whom she had a numerous family. During the absence of the Earl as ambassador, she carried on an intrigue with Patrick Panter, Abbot of Cambuskenneth, secretary of state, the first scholar and diplomatist of his age, and bore to him a son, who was afterwards Bishop of Ross. On the 27th of December, 1520, the earl obtained a suit of divorce against her, not on the ground of adultery, but on the convenient plea that she was within the prohibited degrees.* But it is said that they were afterwards reconciled, and that she was restored to her former situation as his lawful wife.

Even an illicit connection with one person was deemed a sufficient impediment to marriage with another related to the former within the uncanonical degrees. In the extant volume of the records of the consistorial court mention is made of the case of Janet Beaton, the Lady Buccleuch of the 'Lay of the Last Minstrel.' She was the daughter of Sir John Beaton, of Creich, in Fife, and was first married to Sir James Creichton, of Cranston Riddell. Having been left a widow in 1539, she soon afterwards married Simon Preston, the young Laird of Craigmillar. In 1543, she instituted a suit of divorce against him, and was not ashamed to publish her own disgrace, and to set forth as the ground of her suit that before her marriage to her present husband she had had sinful intercourse with Walter Scott, of Buccleuch, and that Buccleuch and Preston were within the prohibited degrees, as they were the great-grandson and the great great grandson of a common ancestor. On that allegation the marriage was declared null;

* Stewartiana, pp. 35, 36.

* If the earl had instituted his suit on the ground of adultery, he would merely have obtained a decree of separation, as a real marriage is indissoluble according to the Romish law; but, on the plea of *sib-ness*, the marriage was pronounced null from the beginning, and he was consequently at liberty to marry again.

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and the motive of the suit immediately became manifest, for on the 2nd of December, 1544, Janet was wedded to her old paramour, Buccleuch. After his assassination in the streets of Edinburgh by the Kers, in revenge for the death of Cessford at the battle of Melrose,* she formed a connection with the Earl of Bothwell, and was proved to be 'quietly married or handfast' to that notorious villain. At the time of Darnley's murder the Lady of Buccleuch was still in popular belief associated with Bothwell, and was charged with administering magic philtres to the queen, with a view to secure her majesty's love to him. In the well-known placard which was affixed to the Tolbooth of Edinburgh, Mary was accused of assenting to the murder 'through the persuasion of the Erle Bothwell and the witchcraft of Lady Buccleuch.'

Illegitimacy of the children.

The number of children rendered illegitimate through these frequent divorces, or rather decrees of nullity, must have been very great. In some cases, although the marriage was dissolved, the offspring were notwithstanding declared to be legitimate. The marriage of George, first Earl of Rothes, was dissolved after it had lasted for twenty years, on the usual plea that his countess and himself were within the forbidden degrees. But as his eldest son had married into the powerful family of St. Clair, it was not to be expected that they would patiently acquiesce in a decision which deprived him and his children of their rights. It was ultimately decided by the arbiter, to whom the matter was referred by mutual consent, that the earl should obtain a divorce, but that the legitimacy of his offspring should be preserved, by his judicial deposition that he did not know of the relationship between him and his wife till after the birth of all their children.

Immorality of the common people.

The proceedings in the ecclesiastical courts were expensive, and were consequently undertaken only by people of some wealth; but the records of the church courts, immediately after the Reformation, furnish abundant evidence that the lower classes were equally profligate. In the small city of Perth there were eighty convicted cases of adultery annually; and, in 1570, Adam Bothwell, Bishop of Orkney, was charged before the General Assembly "with leaving the flock destitute without shepherd, whereby not only ignorance is increased, but also most abundantly all vice and horrible crimes are there committed, as the number of six hundred persons convicted of incest, adultery, and fornication, in Zetland, beareth witness." This account of the morals of his flock was not contradicted by the bishop, who contented himself with merely denying that he had abandoned absolutely the preaching of the word. The testimony of the church courts is corroborated by the writings of the poets of this period, which furnish abundant evidence of the prevalence among all classes, barons, priests, and people, of a licentiousness, accompanied by a coarseness and brutality which argue a darker barbarism than was to be found at the time in any other country of Europe.*

Turbulence and cruelty of the barons.

Our great epic poet represents 'lust' as dwelling 'hard by hate,' and the lawless violence alike of peer and peasant equalled their profligacy. The sanguinary feuds of the aristocracy, often arising from trifling quarrels, depopulated whole districts; while their right of private war, the ties of man-rent, and the abuses of their baronial jurisdictions, were the constant sources of misery and strife among all classes of the community. Feudal hatred and revenge deluged the country with blood, and even the sovereign himself was not secure from their atrocities. As the great baronial chiefs were constantly accompanied by bands of armed followers, bloody encounters were continually taking place whenever those who held each other at feud happened to meet; and to such an extent did this ferocious spirit prevail, that quarrels and bloodshed were not unfrequently witnessed among them even on their way to church, or on the Sabbath; and the churchyard and the very porch of the sacred edifice were often polluted by their murders. Nor was this all; these proud barons had no scruples in employing assassination for the purpose of removing an obnoxious rival: and so prevalent did this foul practice become,—especially during the reign of Mary and the minority of her son,—that the country became on account of it 'a byeword and a reproach' among foreign nations. The brutal murder of Riccio by a band of conspirators, consisting of the principal nobles of the kingdom, the lord chancellor, and even the king-consort himself; the murder of Darnley by a similar combination; the assassination of Regent Moray; the negotiations which Mar, Morton, and other leading barons entered into with Elizabeth to put Mary to death,† and other similar transactions that disgraced the court and the country at this period, all show the reckless disregard of life by which the Scottish barons and their retainers were characterized. A bond or obligation is still in existence, signed by the Earl of Cassilis, by which he engaged upon his honour to pay to Hew Kennedy, his younger brother, the sum of 1200 marks yearly, besides a maintenance for six horses, on condition that the said Hew should murder the Laird of Auchendrane. The father of this suborner of murder, in whose family cruelty and grasping avarice seem to have become

* *Supra*, vol. i. p. 436.

* Liber Officialis Sancti Andree; Inquiry into the Law and Practice in Scottish Peerages, by John Riddell, Esq.; Quarterly Review, vol. lxxxix., Art. II.

† The intrigues which Henry VIII. entered into for the purpose of procuring the assassination of Cardinal Beaton; the attempt of Elizabeth to bribe Mar and Morton to murder their sovereign; and the efforts which the English queen and her councillors made to induce Paulet, the keeper of Mary, secretly to dispatch his helpless prisoner, may serve to show that though England was at this period much more civilised and wealthy than Scotland, the morals of her rulers at least were at an equally low ebb.

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hereditary, was guilty of a still more atrocious act of villany, for the purpose of wresting the revenues of Crossraguel from the hands of Allan Stewart, commendator of that abbey.

Atrocious cruelty of the Earl of Cassilis.

The story is circumstantially related by Bannatyne, secretary to John Knox, and is also fully recorded in the minutes of the privy council of 20th June, 1571:—

Master Allan Stewart, by means of the queen's corrupted court, obtained the abbey of Crossraguel. The Earl of Cassilis, thinking himself greater than any king in these quarters, determined to have the whole benefice (as he hath divers others), to pay at his pleasure; and because he could not find such security as his insatiable appetite required, this shift was devised. The said Mr. Allan, being in company with the Laird of Bargany (also a Kennedy), was by the earl and his friends enticed to leave the safeguard which he had with the laird, and was suddenly seized and carried to the house of Dunure, where, for a season, he was honourably treated (gif a prisoner can think any entertainment pleasing); but when the earl found that Stewart could not, either by promises or menaces, be induced to alienate to him the land of the abbacy, he caused his luckless prisoner to be conveyed to a secret chamber in 'ane house callit the Black Vault of Denbie.' In the chamber there was a great iron chimney, under it a fire. 'My lord abbot,' said the earl, 'it will please you confess here that with your own consent you remain in my company, because ye durst not commit yourselves to the hands of others.' The abbot answered, 'Would you, my lord, that I should make a manifest lie for your pleasure? The truth is, my lord, it is against my will that I am here; neither yet have I any pleasure in your company.'—'But ye shall remain with me, nevertheless, at this time,' said the earl.—'I am not able to resist your will and pleasure,' said the abbot, 'in this place.'—'Ye must then obey me,' said the earl; and with that were presented unto him a feu-charter of the whole lands pertaining to the abbey, together with a nineteen and five years' lease of the tithes.

After that the earl spied repugnance, and saw that he could not come to his purpose by fair means, he commanded his cooks to prepare the banquet; and so first they took off the abbot's clothes even to his skin, and next they bound him to the chimney, his legs to the one end and his arms to the other, and so they began to feed the fire; and that the roast might not burn, they spared not flambing with oil [basting as a cook bastes roasted meat]. Lord, look thou to sic cruelty! And that the crying of the miserable man should not be heard, they closed his mouth that the voice might be stopped. In that torment they held the poor man till that often he cried, 'Fye upon ye! will ye no ding whingers [daggers] in me, and put me out of the world, or else put ane barrel of powder under me, rather than to be tormented in this unmerciful manner!' The famous king of Carrick and his cooks, perceiving the roast to be aneuch [sufficiently done], commanded it to be tane from the fire, and the earl himself began the grace in this manner, '*Benedicite Jesus Maria*, you are the most obstinate man that ever I saw; gif I had known that ye had been so stubborn, I would not for a thousand crowns have handled you so; I never did so to man before you.' And yet he returned to the same practice within two days, and ceased not till he obtained his foremost purpose, that is, that he had got all his pieces subscribed as well as ane half-roasted hand could do it. The earl, thinking himself sure enough so long as he had the half-roasted abbot in his own keeping, and yet being ashamed of his presence by reason of his former cruelty, left the place of Dunure in the hands of certain of his servants, and the half-roasted abbot to be kept there as prisoner. The Laird of Bargany, out of whose company the said abbot had been enticed, understanding (not the extremity, but) the retaining of the man, sent to the court, and raised letters of deliverance of the person of the man according to the order, which, being disobeyed, the said earl for his contempt was denounced rebel and put to the ban. But yet hope there was none, neither to the afflicted, neither yet to the purchaser (*i. e.* procurer) of the letters, to obtain any comfort thereby, for in that time God was despised and lawful authority was contemned in Scotland. The Laird of Bargany, perceiving that the ordinary justice could neither help the oppressed nor yet the afflicted, applied his mind to the next remedy, and in the end, by his servants, attacked and took the house of Dunure, where the poor abbot was kept prisoner, and carried him to Ayr, where publicly at the market cross he declared how cruelly he was entreated, and publicly did revoke all things that were done in that extremity.*

"Stewart, shortly after regaining his liberty, applied for redress to the Regent Lennox, and the privy council; and their decision shows singularly the total interruption of justice at this calamitous period, even in the most clamant cases of oppression. The council declined interference with the course of the ordinary tribunals of the country, which were completely under the control of the Earl of Cassilis; and only enacted that he should abstain from molesting the unfortunate commendator, under the surety of two thousand pounds Scots. The Earl was appointed, also, to keep the peace towards the celebrated George Buchanan, who had a pension out of the same abbacy to a similar extent, and under the like penalty. The ultimate issue of this affair does not appear; but as the house of Cassilis are still in possession of the greater part of the feus and leases which belonged to Crossraguel Abbey, it is probable the talons of the King of Carrick were strong enough, in those disorderly times, to retain the prey which they had so mercilessly fixed upon." †

* Bannatyne's Journal, c. xxii. † "Ivanhoe," note 4.

While ignorance and lawless violence were thus prevalent, we need not wonder that all classes of the community, even the highest, were characterised by rudeness of demeanour. Even in the court of the accomplished Queen Mary, where, if any place, courtesy might have been expected, the grim and turbulent barons elbowed their way in the rudest manner, and would shoulder and shoot Riccio aside when they entered the queen's presence, and found him always speaking with her. The clergy themselves, who greatly excelled the barons in literary attainments, were yet liable to the same censure. It is mentioned by Knox, that, on one occasion, at Glasgow, Archbishop Dunbar and Cardinal Beaton had a furious quarrel respecting their right of precedence in a procession to the cathedral. After many hot and foul words, the controversy grew so fierce that a battle commenced between the followers of the two dignitaries, even in the church porch; heads were broken, beards torn out by handfuls, and caps and tippets rent to shreds, while crosses and cross-bearers were thrown to the ground and trampled under foot.

Rudeness of manners.

A great cause of the rudeness and backwardness of the country, at this period, was the want of an influential middle class, to fill up the space in society between the lord and the serf. The Scotch tenantry were maintained rather for the purpose of swelling the retinue and augmenting the power of the barons, than with a view to cultivate and increase the fertility of the soil. They were entirely dependent upon their landlords, and, as they rented their farms, for the most part, from year to year, and might, at any moment, be ejected at the pleasure of their feudal superiors, they had no encouragement to devote themselves to the improvement of the soil. Ejection did not unfrequently take place, and, as might have been expected in such a state of society, the assassination of the intruder, by those whom he had dispossessed, was an event of common occurrence.

Dependent state of the tenants.

It appears, from the records both of the church courts, and of the parliament, that the vice of profane swearing was exceedingly prevalent among all classes of the Scottish people at this period. With the view of repressing it, the assembly ordained that in "everie honest man's or woman's house there be tane up of everie swearer, how oft the same chance, whilk is potent [able] to pay silver for every fault, ane hardheid;"* and every person who might be heard swearing in the street, was 'to be sharplie punished with a palmer [stroke] on the hand.'† The following act of parliament, dated 29th November, 1581, imposing penalties on those who were guilty of this vice, shows that no class was exempt from its influence:—

Prevalence of profane swearing.

"Our Soveran Lord, with advice of his three Estates of this present parliament, ratifies and approves the act of parliament holden at Edinburgh, the first day of Februar, the year of God, 1581, intitulet, the act against them that swears abominable oaths, and ordains the same effect and execution in time coming, after the form and tenor thereof, under the fourth and last pain specifiet in the same. That is to say, for the first fault, everie prelate of kirk, earl, or lord, four shillings; ane baron or beneficit man constitute in dignitie ecclesiastic, twelve pence; ane landit man, freeholder, vassel-feuer, burgess, and small beneficit men, sixpence; ane craftisman, yeoman, or servant-man, fourpence; the puir folkis that has na geir, to be put in the stocks, joggis, or prisonit, for the space of four hours; and women to be weighed and considerit conform to their blude and estate of their parties that they are copulate with. For the second fault, every prelat, earl, or lord, eight shillings; every baron or beneficit man in dignitie, two shillings; every landit man, freeholder, vassell-feuar, and small beneficit men, twelve pence; and every craftsman, yeoman, or servant, eightpence; the space of the puir folkis imprisonment to be doubleit. And for the third fault, the said second pains to be doubleit. And for the fourth and last fault, the offenders to be banished, or put in ward, for the space of a year and day at the king's will; and sicklike all other estates, after their quality, to be punished efferandlie. And the foresaid pains to be uptaken and applied to the use of the puir folks. And for the better execution hereof, that censors be appointed in the market-places of all boroughs, and other public fairs, with power to put the swearers of sic abominable oaths in ward till they have payed the said pains, and find suretie to abstain in time coming, and that by direction and commission of sheriffs, stewards, bailies, provosts, aldermen, and bailies of boroughs, lords of regalities, and other ordinary officers. And that all householders detail to the magistrates the names of all sic persons as transgress this present act, that upon complaint thereof to be made to the king's majesty and his Privy Counsel, they shall be called and committed to ward during his highnesses will, and find suretie under great pains at his highnesses sight, for exact diligence to be shown in executing of the said act thereafter."

The Sabbath has always been systematically violated in all Popish countries, and it appears to have been a difficult matter to root out various practices among the Scottish people at this period, which led to the desecration of that sacred day. It was declared to be every way profaned—by drinking, travelling to markets, feeing of servants, and making other bargains and contracts. "At first, the prohibition against craftsmen and labourers performing work on this day, was limited to 'the tyme of prayers and preaching.' It was enacted by the magistrates of Aberdeen, that all persons walking in the road, or playing in the links or other

And of Sabbath breaking.

* The Book of the Universal Kirk of Scotland, part iii., p. 6. A *hardhead* was a small coin of mixed metal or copper. Fr., *hardie*, small copper money, named from Philip le Hardi, who caused them to be struck.

† Ibid., p. 36.

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places, the time of preaching or prayers on the Sunday, were to be fined. But gradually the rule grew stricter, and we find, in the burgh records of this city, the wife of one of the citizens, for working on the Sabbath-day, fined in six shillings and eightpence; and it was ordained that 'na baxters [bakers] within this burgh, work or baken meat, in time coming, on the Sabbath, under a penalty.' Persons absent from sermon were fined three shillings and fourpence. Two of the bailies were ordered to pass through the town every Sabbath-day, and note such as they find absent from the sermons, either before or after noon.

"It was more than usually difficult to put down a market, which was held on Sunday, for the sale of 'flesh, fish, peats, kail, and herbs.' A slight relaxation was permitted in those who sold kail and herbs, it being allowable to deal in these after four o'clock, afternoon, on Sundays, but all the other commodities found in the market were to be escheated.

"Salmon fishing was carried on to a considerable extent on Sundays, and many of the proprietors of fishings refused to relinquish this practice; some of whom, 'preferring, as appears, their greed and avarice to the glory and worship of God, have continued and persistit in working and fishing of their waters on the Sabbath-day, to the high dishonour of God, the manifest contempt of his law, and slander of the gospel.' Some promised to forbear from this practice absolutely, some 'if their neighbours will forbear,' and some refused to abandon it."*

Exposition by the General Assembly of prevailing evils.

A detailed exposition of prevailing immoralities is given in a curious document, which was published by the General Assembly of 1596. In this paper are noticed, among a variety of other crying evils, the existence in the bosom of the Church of some clergymen not given to their book, in their sermons obscure and too scholastic, cold, and wanting zeal, flatterers, dissembling at public sins, and especially of great persons within their congregations, for flattery or for fear; of others, 'light and wanton in behaviour, as in gorgeous and light apparel, in speeches, and in using light and profane company, unlawful gaming, as dancing, carding, dicing, and such like;' of others described as 'swearers or banners, profaners of the Sabbath, drunkards and fighters,' &c.; of others 'given to unlawful and incompetent trades and occupations for filthy gain, as holding of hostelries [inns], taking of usury beside conscience and good laws, bearing worldly offices in noblemen's and gentlemen's houses, merchandise, buying of victuals and keeping to dearth,' &c.

A continuation of this statement of corruptions was subsequently prepared, the first head of which consisted of an enumeration of certain habitual offences of James and his queen. "First," it said, "as strangers and other good subjects, repairing to the court, have been comforted to see Christian religion religiously exercised, so now they are somewhat troubled, seeing the exercises of the reading of the word at table, and reverent sayings of the grace before and after meat, divers times omitted; that, on the week-day, the repairing to hear the word is more rare than before; and that his Majesty be admonished to forbear hearing of speeches, in time of sermon, of them that desire to commune with his Majesty; privy meditations in spirit and conscience with God earnestly to be recommended to him; his Majesty is blotted with banning and swearing, which is common to courtiers also. The Queen's majesty to be reformed, her company, her not repairing to the word and sacraments; night-waking, balling, and such like, concerning her gentlewomen." But to this was tacked another chapter, entitled, "The common corruptions of all estates," which bewails the existence of "an universal coldness and decay of zeal in all estates, joined with ignorance and contempt of the word, ministry, and sacraments;" "and where there is knowledge," it is added, "no sense nor feeling; which showeth itself manifestly by this that they want religious exercises in their families, as of prayer and of reading the word, or the same for the most part abused and performed by cooks, stewards, jack-men, and such like, the masters of the families being ashamed to use these exercises of godliness in their own persons; and no conference at their tables but of profane, wanton, and worldly matters." "Superstition and idolatry," the paper goes on, "is entertained, which appeareth in keeping of festival days, bonfires, pilgrimages, singing of carols at Yule [Christmas]." There is also "great blasphemy of the holy name of God, among persons of all estates, with horrible banning and cursing in all their speeches; profanation of the Sabbath, and especially in seed time and harvest, and common journeying on the Sabbath, trysting [making appointments] on worldly matters, exercise of all kinds of wanton games, keeping of markets, drinking, and the like." Mention is made of "a great number of idle persons, without lawful calling, as pipers, fiddlers, songsters, sorners, pleasants, strong beggars, living in harlotry, and having their children unbaptized, and noways repairing to the word." Then follows a short concluding enumeration of "offences in the courts and judgment seats." Here the paper boldly affirms, in the most unqualified terms, that the country groans under the curse of "a universal neglect of justice, both in civil and criminal causes;" that the judges are "for the most part unmeet, either in respect of want of knowledge or of conscience, or of both;" that "when any office vaiketh [is vacated] the worst men are advanced, both to high and inferior rooms;" and the Court of Session is openly charged with "buying of pleas, delaying of justice, and bribery."*

Making all due allowance for the exaggeration usual in such documents, the testimony of the

* Selections from the Ecclesiastical Records of Aberdeen, published by the Spalding Club, pp. 29, 30.

* Calderwood's History.

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assembly combines with other evidence to prove that the state of morals in Scotland at this period was most deplorable. There is a remarkable letter, addressed by Lord Binning to James VI., which gives the following appalling, but, we believe, true picture of the state of Scotland at the commencement of his majesty's reign:—"The Islanders oppressed the Hielandmen, the Hielanders tyrannised over their Lawland neighbours, the powerful and violent in the inn-countrie domineered over the lyves and goods of their weak neighbours; the Borderers triumphed in the impunitie of their violences to the portes [gates] of Edinburgh; treasons, murthours, burnings, thefts, reiffs, herschips, houghing of oxen, breaking of milnes, destroying of growing corn, and barbarities of all sorts, were exerced in all pairts of the countrie, no place or person being exemed or inviolable. Edinburgh being the ordinarie place of butcherlie revenge, and daylie fights: the paroche churches and churche-yairds being more frequented upon the Sunday for advantages of neighbourlie malice and mischief nor [than] for God's service. Noblemen, barons, gentilmen, and people of all sorts being slaughtered, as it were, in public and uncontrollable hostilities; merchants robbed and left for dead in daylight, going to their mercats and fairs of Montrose, Wigtown, and Berwick. Ministers being dirked [stabbed] in Stirling, buried quick [alive] in Clydesdale, and murthoured in Galloway. Merchants of Edinburgh being waited [waylaid] in their passage to Leith, to be made prisoners and ransomed."* To the same purport is the testimony of Sir Richard Maitland, Alexander Scott, and other contemporary poets; whose writings are filled with invectives against the turbulence and incessant feuds of the nobles, the avarice and licentiousness of the priests, the oppression of the poor, and the general disregard of law and order manifested by all classes of the community.

Lord Binning's account of the state of the country.

One of their most frequent complaints is respecting the denial or delay of justice, and the corruption of the judges and rulers. A very characteristic story is told by the historian of the house of Somerville, of the mode in which justice was administered during the regency of the grasping and avaricious Earl of Morton. Lord Somerville having an important cause to be decided, which the influence of the regent could make to be determined as he himself should think fit, by the advice of an old and experienced friend of Morton, was induced to adopt the following singular expedient. He waited on the regent, and recommended his case to his favourable opinion—a kind of personal solicitation which was then much in use. Having spoken with the regent for a short time, he turned to depart, and opening his purse as if to take out some money to give to the ushers and attendants, as was the custom upon such occasions, he left the purse on the table as though he had forgotten it. Morton called after him, "My lord, your purse; you have forgotten your purse;" but Lord Somerville hastened away, without turning back. He heard nothing more of the purse, which he had taken care should be pretty full of gold; but the regent that day decided the cause in his favour.

Maladministration of justice.

About the close of the sixteenth century, the example of their English neighbours began to exercise a beneficial influence on the Scots, and to soften the rudeness of their domestic life. Stately mansions occasionally superseded the old, gloomy baronial castles. Among the higher nobles cups of pewter and platters of wood were discarded for services of gilt metal and even of plate; and cleanliness and convenience began to take the place of dirt and domestic discomfort. This improvement, however, was almost entirely confined to the nobility and clergy, and even among them was only partial, for we find that the beds of the young nobles still frequently consisted of nothing but straw. The huts and hovels of the peasantry remained as before. The houses of the farmers were mean, unsightly buildings, consisting only of two apartments, and the shops of tradesmen and merchants, even in the metropolis, were but miserable sheds of wood covered with thatch.

Improvement in the manners of the nobility.

A gradual improvement had been taking place with the extension of the commerce of the kingdom, and at this period so many foreign luxuries had been imported into the country that various severe laws were enacted for the purpose of suppressing this departure from the rudeness and simplicity of former times. The use of drugs, confections, and foreign spiceries, was prohibited to all except prelates and peers, and persons possessing an annual income of £2000 Scots. In the establishments of the great barons all the retainers sat at the same table with their superiors, but their position at table varied according to their rank, and the chief dainties were reserved for those privileged to sit at the upper end of the board. The menials received a small allowance of animal food, but lived chiefly on corn and vegetables. Great quantities of red colewort and cabbage were used, and salted mutton and geese, but little fresh meat. Porridge was a common article of food, as it still continues to be among the lower classes in Scotland. A lively idea of the mode of living among the poorer knights and barons is furnished by a writer of that period, who says, "Myself was at a knight's house, who had many servants to attend him, that brought in his meat with their heads covered with blue caps; the table being more than half furnished with great platters of porridge, each having a little piece of sodden meat; and when the table was served, the servants did sit down with us; but the upper mess, instead of porridge, had a pullet with some prunes

Taste for foreign luxuries.

Mode of sitting at table.

Food and cooking.

* Melrose Papers, vol. i. p. 270.

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in the broth. And I observed no art of cooking, or furniture of household stuff, but rather rude neglect of both, though myself and my companion, sent from the governor of Berwick about Border affairs, were entertained after their best manner." *

Drinking habits.

Music appears to have been a favourite accompaniment to dinner; wine was used in great abundance, and ale and malmsey were also drunk frequently to excess. Among the higher classes dinner was served at eleven, and supper at six o'clock. The convivial habits of the people manifested themselves with peculiar force at marriages and funerals. Music, songs, dancing, feasting, and drinking, were the indispensable accompaniments of every wedding. Among the poorer classes it was the custom for each of the guests to contribute towards defraying the expenses of the marriage feast, and the sum thus subscribed was generally found sufficient to enable the young couple to begin the world with some degree of comfort. After the Reformation, the clergy made a strenuous effort to suppress these "Penny Weddings," as they were commonly termed, but without effect. The utmost they could do was to limit the contribution of each guest to the moderate sum of five shillings Scots.

Weddings.

Hunting and hawking continued to be favourite amusements of the higher classes. For the common people weapon-shaws were held regularly several times a year; and, at these meetings, leaping, running, wrestling, quoits, shooting at the papingo, and archery, were the active games practised. Tennis, hand and football, and golf, were among the out-door games. Dancing was a favourite recreation; and cards, dice, chess, draughts, and backgammon, served also to beguile the tedium of their in-door life.

Amusements.

The funeral customs of the people closely resembled those which still exist among the Irish. The friends and neighbours of the deceased kept constant watch beside the corpse till the time of interment. This was termed holding the lyke-wake. The materials of feasting and drinking were of course provided in the greatest abundance. On the day of the interment, the whole assembled company were entertained with the same profusion. If the deceased was a person of rank, the interment was frequently accompanied with the ringing of bells and discharges of muskets and artillery; and after the funeral the friends and relatives of the family returned to the house 'to drink the dirgie,' and generally spent the night in festivity and mirthful tumult. This practice, which necessarily led to gross abuses, has been discontinued only within a comparatively recent period.

Funerals.

* Fynes Morrison.

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CHAPTER XLI.

JAMES THE SIXTH.

A.D. 1587—1603.

THE death of Mary, while it relieved Elizabeth of a rival whom she at once feared and hated, plunged her into new anxieties and apprehensions. Her audacity in procuring the condemnation and death of a sovereign princess, over whom, by the law of nations, she could claim no jurisdiction, had given offence to all the sovereigns of Europe. They considered that, in the person of the Queen of Scots, royalty itself had been insulted and degraded; and Elizabeth had, therefore, no security against the formation of a formidable coalition, that might endanger the peace and safety of England in its attempts to vindicate the majesty of crowned heads, which, in the blind pursuit of a cruel and selfish policy, she had trampled under foot. She had especial reason to dread the resentment of the kings of Scotland and France; all whose supplications, remonstrances, and even threats, to save from the ignominious death of a common malefactor one so nearly related to them by the ties of blood, she had haughtily set at nought.

Elizabeth's counterfeit sorrow.

To avert these dangers, and, if possible, to relieve herself of the terrible odium which she was sensible she had incurred, she had recourse to her wonted expedients of hypocrisy and dissimulation. She affected to receive the tidings of Mary's death with overwhelming astonishment, indignation, and sorrow.* With the mimic emotion of a tragedy-queen, her countenance changed, she gasped in vain to find utterance, and stood for some time fixed like a statue in silent amazement. When she had counterfeited this mood long enough, as she thought, to produce effect, she tried another, and, with great artistic skill, got up for the occasion one of those favourite outbursts of violent passion with which she was wont to terrify her courtiers. Having sufficiently displayed her anger, she gave vent to her sorrow in loud wailings, tears, and lamentations; she habited herself in deep mourning, forsook all society but that of her women, and wept incessantly —at least, when any one was present to bear witness to the depth and sincerity of her grief. The object of all this hollow display, by which nobody was deceived, speedily became apparent. She wished to shift the blame of Mary's death from her own shoulders to those of her ministry, whom she now basely accused of having acted not only without her knowledge or consent, but in direct contravention of what they knew to be her express wish and fixed determination. The chief weight of her pretended resentment fell on Davison, whom she blamed for having, before she had an opportunity of again speaking to him, precipitately carried the warrant to be sealed by the chancellor, and laid it before the privy council, in order to have it executed without her knowledge. She deprived him of his office, and gave orders to have him arrested and committed to the Tower. He was afterwards brought to trial in the Star Chamber, and condemned to pay a fine of ten thousand pounds and to be imprisoned during the queen's pleasure. This fine, which was rigorously exacted, reduced him to indigence; and, after suffering a long confinement, he had the deep mortification of being thrown on the bounty of the government, which made him some wretched allowance, barely sufficient to maintain existence.

Punishment of her secretary, Davison.

But with the exception of Walsingham, who, at the time the warrant for Mary's execution was issued, was or pretended to be sick, the whole privy council were subjected to the queen's displeasure. She declared that in sending the warrant to Fotheringay they had been guilty of usurping her authority, and had insulted her by attempting to place her under their guardianship, as if she were incapable of acting for herself.* Burghley, who had delivered the warrant to Beale in the name of the council, was, notwithstanding his long and devoted services, banished from court; and so keenly did the veteran statesman feel this disgrace, that he requested leave to resign his office and retire into private life. Leicester and Hatton, because they had been present at the meeting of the council, and had concurred in its decision, were subjected to the same punishment; and Beale, who, in obedience to the council, had carried the warrant to Fotheringay, was dismissed from his office of clerk to the privy council, and placed in some subordinate position in York.†

By these proceedings she hoped to exculpate herself in the eyes of the world, and especially to conciliate the kings of France and Scotland, whose resentment she had most occasion to dread. Though there is no reason to believe that the affection of James for his mother was particularly strong, the intelligence of her death filled him with grief and indignation, and he openly declared his determination to avenge it.‡ In this sentiment the nobility and the nation in general cordially participated. They felt that the Queen of England, by presuming to put to death the mother of their sovereign, had offered a flagrant indignity both to that sovereign and to themselves. In their present temper, therefore, they were ready to support the king in proceeding to the utmost extremity. Of this Elizabeth was fully aware, and she hastened to avert, if possible, the threatened storm. With this view, she dispatched Robert Carey, the son of her cousin Lord Hunsdon, with a letter to

* Chateauneuf to the king; Despatch dated the 27th of February; Bibl. Nat., fonds de Bethune, No. 8880; and Teulet, vol. ii. pp. 896, 897; Mignet, vol. ii. p. 371; Hume, vol. v. pp. 320, 321.

* Teulet, vol. ii. pp. 902, 903.

† Robert Beale to Lord Burghley, April 24, 1595, in Ellis, third series, vol. iv. pp. 112, 120.

‡ Lord Scrope to Walsingham, February 21, 1587, Wright's Queen Elizabeth and her Times, vol. ii. p. 333.

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James, written by her own hand, and abounding in falsehood and hypocrisy. "My dear brother," she said, "I would you knew, though not that you felt, the extreme anguish that overwhelms my mind, on account of that miserable accident which has happened far contrary to my inclination. I have, therefore, sent my kinsman, whom you have been formerly graciously pleased to favour, that he may instruct you truly of that which my pen refuses to write. I beseech you that as God and many others know my innocence in this case, so you will believe that if I had commanded it, I should not have disavowed it. I am not so base-minded as that the fear of any living creature should make me afraid to do what is just, nor so degenerate or vile as to deny it when done. Openness best becomes a king, and I shall never stoop to dissemble. This assure yourself of from me, that as I know it was deserved, I would never have laid the blame on another, but neither will I impute to myself that which I did not so much as think of. You will learn the particulars from the bearer; and, believe me, you have not in the world a more loving kinswoman, and more dear friend, nor any that will watch more carefully to preserve you and your state; and if any would persuade you to the contrary, consider them as more attached to others than to you. Thus in haste I have troubled you, beseeching God to send you a long and happy reign." James so far from receiving the ambassador into his presence, would not even permit him to enter Scotland, but compelled him to stop at Berwick. At the same time, the Estates of the kingdom, who were then sitting, incited him to take revenge for the dishonour that had been done to himself and the nation, and offered to peril their own lives and fortunes in the contest; and Lord Sinclair, when the courtiers were habited in mourning, made his appearance clothed in armour, which he declared was the only fitting mourning for the occasion. Seizing this opportunity for strengthening their own party, the Roman Catholics advised James to form an alliance with the King of Spain, and to lay immediate claim to the crown of England, as the only means of averting his own ruin and that of the kingdom, at the hands of Elizabeth.

Elizabeth's letter to James.

In the meantime, James, virtually renouncing the alliance so recently formed with England, recalled his ambassadors from the court of that country, and permitted the Border chiefs, Fernyhirst, Cessford, Bothwell, Angus, Johnston, and others, to ravage and lay waste the English frontier. The nobility were in arms with their retainers, both in the north and south, and urgently demanded permission to carry fire and sword to the gates of Newcastle;* while the people of the islands were allowed to pass over into Ireland to assist the rebels who had risen under Tyrone.† Besides these warlike demonstrations, James seemed to manifest some desire to strengthen his position by an alliance with the Romish party. At the instigation of the Jesuits, he received the emissaries of the King of Spain, reinstated the Bishop of Ross, and accredited the Archbishop of Glasgow as his ambassador to the French court.*

James renounces the alliance with England.

Carey, on being refused admittance into Scotland, had written to his court for instructions. He was directed to entrust his letter to one of the council, to be delivered to the king, together with a memorial setting forth that it had been the queen's fixed determination never to execute the sentence passed upon the king's mother, notwithstanding the urgent intreaties of her ministers, the continued importunities of her nobility, and the clamours of her people; that she had delivered the warrant to Davison to be secretly kept, and not to be put in force, unless in the event of an actual invasion of the country in Mary's behalf, or an attempt to rescue her by means of a popular insurrection; but that Davison, having improperly showed it to the privy council, they had, without her knowledge, much less her consent, ordered it to be put in execution; that Davison for this grave offence should be subjected to her severe displeasure; that she protested to God the fatal deed had been done before she knew of it; and that had his majesty only been present to witness the distress into which this sad event had plunged her, he would have pitied rather than blamed her. The letter of Elizabeth, together with Carey's message was conveyed to the king by Melvil and the Laird of Cowdenknowes, whom he had sent to Berwick to receive them; but the truth was too well known in Scotland for such hypocritical excuses to obtain credence, and the messages, which were considered in the light of an additional insult, rather inflamed than mollified the resentment of James and his nobility.

Elizabeth now became seriously alarmed at the aspect of affairs in Scotland. Nor were her fears groundless. Scotland, indeed, alone was not likely, in the event of open hostilities to prove an overmatch for the sister kingdom; but Elizabeth was embarrassed by other complications. Extensive preparations for the invasion of England were then in progress on the coasts of Spain and Flanders. A formidable rebellion was still raging in Tyrone; and if to these causes of alarm were added an open rupture with Scotland, it was evident that the kingdom would be placed in a position of great difficulty, if not peril. All these considerations rendered Elizabeth extremely solicitous to conciliate James, and secure amicable relations with Scotland. With this view, Walsingham, by Elizabeth's order, wrote to Lord Thirlstane, James's secretary, a very long and politic letter, in which he discussed with great ability the question of peace or war with reference to the king's own interest, and endeavoured to operate both on the hopes and fears of the young monarch, in order to

* Tytler, vol. ix. p. 7. † Ibid., pp. 4—12.

* Tytler, and Papers of Simancas, series B., packet 59, No. 3, and packet 58, No. 167.

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induce him to abstain from all acts tending to disturb the friendly connection between the two kingdoms. He represented the hopelessness of success that must attend a contest with England, if Scotland should trust to her own force alone; while the expedient of calling in the aid of a stronger power might, without effecting his purpose, involve James in innumerable troubles, and the nobility and people of England, exasperated by his hostility, would most probably take measures to deprive him of the succession. He was warned against trusting either to France or Spain for support. The religion he professed, it was argued, rendered him odious to the monarchs of both these kingdoms, who would naturally be averse to the union of England and Scotland under his rule, an event which would be highly prejudicial to the Romish cause. The King of France in particular would, it might be supposed, view such a union with peculiar dissatisfaction, as it would deprive him, in the event of war, of the opportunity of distracting the forces of England by engaging Scotland in the contest. Besides this, it was urged that as James was nearly related to the house of Guise, the determined enemies of Henry III., he could not expect that monarch in any way to contribute to his aggrandizement. As to the King of Spain, he was to be regarded rather as a rival than an ally; because, as a descendant of the house of Lancaster, and the nearest Catholic heir by blood to the crown of England, he claimed a right to this inheritance superior to that of James himself. Finally, he was admonished to give no ear to such persons as sought to instigate him, from false notions of honour, to avenge his mother's death, as the true honour of a prince consisted in wisdom, justice, and moderation, and not in obeying at all hazards the blind instinct of revenge.* These considerations, though they seemed to have no immediate effect on the mind of James, and did not lead him at the time to discourage the animosity which then prevailed against England, or to restrain the ravages of the Border chiefs, probably contributed in the end to induce him to suppress his resentment, and gradually to reassume at least the semblance of amity with the court of England.

Arraignment of the Master of Gray for treason.

At this time a signal punishment, though far from equal to his deserts, at length overtook the odious Master of Gray, who, though still young in years, had risen to the unenviable distinction of being one of the most experienced, accomplished, and profligate villains of the age. On the accusation of Sir William Stewart, brother of Captain James, he was arraigned on sundry charges of treason.† Among these was the crime of having violated his trust as ambassador at the court of England, by contributing through his advice to secure and hasten the execution of Mary, to intercede for whose life had been the object of his mission. This charge was fully proved; and, though at first he denied it with his characteristic boldness and effrontery, yet, finding he had lost the royal favour, and that he was deserted by all his friends, he at last pleaded guilty, and threw himself on the king's mercy. In accordance with his own confession, he was adjudged guilty by the court, and condemned to die the death of a traitor. At the earnest intercession, however, of the Earl of Huntley and Lord Hamilton, his sentence was commuted into that of perpetual banishment, under pain of death in the event of his returning. Being prohibited from proceeding either to England or Ireland, he retired to France, where he resided for several years. He afterwards obtained permission to return to Scotland, but he never again rose either to power or distinction.*

Captain James Stewart, at whose secret instigation the charges against Gray had probably been preferred, thinking this a favourable opportunity for revenging himself on the rest of his enemies, now ventured to address from his hiding-place a letter to the king, offering to prove that Thirlstane and some others of the council had been equally guilty with Gray of recommending the death of his mother, and had even been accessory to a project for seizing the person of the king, and delivering him into the hands of the English. But time and absence, and a more ripened judgment, had now emancipated the king from the pernicious influence of this profligate minion, and all the courtiers were united against him. On receiving his letter, the king laid it before his council, and, by their advice, an order was sent to Captain James to enter himself in ward, in the palace of Linlithgow, until inquiry should be made into the truth of his accusation, under pain of forfeiture, for an attempt to sow discord between the king and his nobility. Apparently unwilling, however, voluntarily to place himself within the grasp of his enemies, Captain James declined to comply with this order. No proceedings appear to have been instituted against him, excepting that the office of chancellor, which he still nominally held, was declared vacant, and, to his bitter mortification, was conferred on Thirlstane, whom he had accused.

The king, who had now reached his majority, issued a proclamation summoning parliament to meet on the 29th of July. Previously to this, however, he had formed the laudable design of attempting to effect a reconciliation between such of his nobility as were known, from whatever cause, to be at enmity with each other. For this purpose, he invited the whole of the nobility to meet him at Edinburgh, where he prevailed upon them to declare that they now buried in oblivion their mutual animosities, and to promise that they would henceforth live together in amity. Lord Yester alone declined com-

The king attempts to reconcile the nobility who were at variance.

* Spottiswood, pp. 359—362.

† Pitcairn's Criminal Trials, vol. i., part iii., p. 157; Historie of James the Sext, p. 227; Spottiswood, p. 363.

* MS. Letter, State Paper Office, B. C., Wodrington to Walsingham, 29th April, 1587; Ibid., Carvyle to Walsingham, 12th May, 1587; Tytler, vol. ix. p. 12.

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pliance with the king's anxious desire, by refusing to be reconciled to Lord Traquair; but having been committed to the castle for his contumacy, after a few months' confinement he at last yielded. In the meantime the king invited the others to a magnificent banquet in the palace, after which they walked in procession hand in hand to the Cross of Edinburgh, where a table had been spread, and a sumptuous entertainment provided for them by the magistrates of the city. Here they drank to each other with apparent cordiality, amid the shouts and rejoicings of the assembled citizens, while a discharge of artillery from the castle inaugurated this happy epoch of peace and amity. Unfortunately, however, it was of no long duration. The wounds of deadly hate "had pierced too deep" to be so easily cured, and before the conclusion of the year most of these hollow pledges were forgotten or disregarded.

Meeting of parliament. Acts affecting the Church.

The attention of parliament which now assembled, was first directed to the affairs of the Church. All the laws passed since the Reformation in favour of the Protestant religion were ratified, and new and severe enactments were passed against seminary priests and Jesuits. An act was also passed annexing the unappropriated church lands to the crown. This measure, all the consequences of which neither the king nor the parliament could at the time foresee, largely contributed, by diminishing the revenues and the influence of the bishops, to bring about the total abolition of their order in the Scottish Church, and to introduce that form of church polity which was afterwards established.* In this parliament the king procured an act to be passed, reviving the statute of 1427, requiring the commons to send deputies to represent them in parliament, a practice which was followed ever afterwards. At the close of their proceedings, a strong and unanimous desire was manifested by the Estates to avenge the death of Mary by an attack upon England; and after an eloquent and pathetic address from Thirlstane on this subject, such was the enthusiasm of the assembly, that they threw themselves on their knees in the presence of the king, and bound themselves by a solemn vow to peril their lives and fortunes in the contest.†

Mysterious policy of the king.

The faction of the Popish lords, emboldened by these manifestations, redoubled their activity in intriguing with Spain and the Low Countries; and with the secret concurrence, or at least connivance, of the king, messengers were sent thither to flatter Philip with expectations of assistance from Scotland in his attack on the dominions of Elizabeth.‡ Notwithstanding the late act, Jesuits and seminary priests, in disguise, traversed the country, and, in connection with the Romanists on the continent, laboured to promote the two great objects of dethroning Elizabeth and re-establishing the Roman Catholic religion.* This mysterious policy of James, who was now in constant intercourse with the Spanish faction, was well known to the English queen, and at this crisis could not fail to give her serious uneasiness.

Preparation of an armament by Philip II. of Spain. Fears of Elizabeth.

The position of Elizabeth, at this moment was, indeed, one of extreme difficulty and danger, and such as to render a close alliance with the Scottish monarch an object of far greater importance to her than it had ever hitherto been. For some time the attention of all Europe had been attracted to the vast preparations for some warlike enterprise, which were being made by Philip II. of Spain. By the conquest of Portugal the vast resources of India were opened up to him, and the commerce of the East poured countless riches into his treasury. All this wealth, together with the treasures of America already in his possession, were expended in fitting out an armament such as the world had never before seen. Elizabeth, conscious of the provocation she had given Philip by assisting his rebellious subjects in the Netherlands, and by allowing her ships of war to insult the coasts of Spain, intercept the galleons from the West Indies, and menace the Spanish colonies in that quarter, had abundant reason to fear that England would be the first object of attack. Nor could these apprehensions fail to be heightened by the consideration of the bigoted character of the Spanish monarch, his intense hatred of the Protestantism of England, his zeal to extend the Romish faith, his desire to avenge the death of Mary, and his own ambitious pretensions to the English crown. In these circumstances, Elizabeth could not view without increasing alarm the alienation of the Scottish king and the machinations of his Roman Catholic subjects, who, she was well aware, relying on the assistance of Spain, expected nothing less than to be able to effect the subversion of the Protestant Church, and the re-establishment of the Popish religion in Scotland.† In the meantime, Philip laboured assiduously to gain over the young king of Scots to co-operate with him in his great enterprise. He urged him to assist in revenging the indignity offered to himself and his people by the execution of his mother; he invited him to share in the conquest of England; and offered him his daughter, the Infanta Isabella, in marriage. Besides these negotiations with the king, he sent over numerous emissaries, chiefly priests and Jesuits, to tamper with the nobility and the people, by inducing them, through the influence of bribes and promises, and by every other means in their power, to embrace popery, and renounce their

* Spottiswood, p. 365.

† MS. Letter, State Paper Office, B.C., Carvyle to Walsingham, 3rd August, 1587; Tytler, vol. ix. p. 14.

‡ MS. Letter, State Paper Office, B.C., Carvyle to Walsingham, 11th September, 1587; also ibid., B.C., Wodrington to Walsingham, 29th April, 1587; Tytler, *ut supra*.

* MS. Letter, State Paper Office, B.C., Collingwood to Walsingham, 21st May, 1587; Tytler, *ut supra*.

† MS. Letter, State Paper Office, Carvyle to Walsingham, 1st January, 1587-8, Tytler, vol. ix. p. 16.

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allegiance to their sovereign. Nor were these efforts altogether unsuccessful. A powerful faction, headed by Huntley, Errol, and Crawford was organised, and openly embraced the cause of Spain; and Lord Maxwell, arriving from the court of that country, now proceeded to assemble and arm his followers, to be in readiness to join the Spaniards on their landing. These efforts, there was reason to suspect, were seconded by Archibald Douglas, then in England, by the exiled Master of Gray, in France, and by Sir William Stewart, at the head-quarters of the Prince of Parma,* who was then in Flanders, with a powerful army destined to embark in the Spanish enterprise. Amid the exacerbation of party feeling attendant on these events, rumours of projects of a still darker complexion were afloat. It was said that a scheme was in contemplation for the assassination of the king and the Chancellor Maitland; and, whether this were true or false, it is certain that both considered their lives in danger;† and that James, in particular, thought it necessary to dissemble, and to affect a neutrality which he did not feel, but which seemed to promise him a temporary security.‡

A Spanish faction organised in Scotland.

James, in fact, had been dissembling throughout; he was willing to exercise the petty revenge of giving uneasiness to Elizabeth by coquetting with Spain, permitting the intrigues of the Jesuits, and appearing to encourage the Spanish faction within his dominions; but he understood his true interest, and was fully resolved not to sacrifice that to his resentment. He was at heart opposed to Spain, firm in his adherence to the Protestant Church, and ready to make common cause with Elizabeth on the first overture from that princess, if she would only evince an honest determination to assist him with troops and money. This course, though probably felt by the haughty Elizabeth to be somewhat humiliating, necessity soon forced her to adopt, and she accordingly dispatched Lord Hunsdon to endeavour once more to renew the interrupted correspondence between the two courts. At this time, however, an unexpected incident rekindled James's expiring resentment, and threatened for the moment to frustrate the mission of Hunsdon. Jane Kennedy, who will ever be remembered in history as the attached and favourite attendant of the unfortunate Mary, being on a visit to Scotland from France, where she had resided ever since the death of her mistress, solicited and obtained a private audience of the king. They were shut up together for two hours, during which she gave such an affecting account of the sufferings and death of Mary, that James was overwhelmed with sorrow and indignation, and threatening revenge, refused to hold any further communication with Elizabeth. But fortunately this mood was transitory; on reflection prudential considerations inclined him to renew the negotiations, and he sent the Laird of Carmichael to meet Hunsdon, who was then at Hutton Hall, on the Borders.* Such, however, was the alarming state of the country at this crisis, that these conferences with Hunsdon had to be carried on with the utmost secresy. According to the account which he gives in a letter to Burghley, the Romish party, with Huntley at their head, were nearly in open rebellion, anxiously urging Philip and the Duke of Parma to commence an invasion of England through Scotland, and promising to join the Spanish forces, on their arrival, with a body of troops sufficient to crush all opposition.† James, on this occasion, displayed a decision of character and a steadfast adherence to principle, beyond what his previous history would have prepared us to expect. Though tempted by the high offers of Philip and other foreign princes who were most anxious to secure his alliance, he rejected them all, together with the hand of the Infanta, and resolved to co-operate with Elizabeth, in opposition to Spain, and in defence of Protestantism in both countries. He certified to her that he considered the Papists as their common enemy, who should receive no encouragement at his hands; and protested that his only reason for breaking off for a time their amicable relations was the shedding of his mother's blood, from the guilt of which he had considered she had failed to vindicate herself. He was not long in giving her a practical proof of his sincerity. Lord Maxwell was at that time engaged in organizing an armed force in Dumfriesshire, for the purpose of uniting with the Spaniards, who were expected to land on the west coast of Scotland, and enter England from the Borders. Lord Herries, the warden, finding himself unable to suppress this rising, which was every day gathering fresh strength, gave information to the king, who immediately summoned Maxwell to appear before the council. Maxwell not only disregarded this summons, but began to take measures to set the royal authority at defiance by fortifying the Border strongholds, of which he held possession. Enraged at his presumptuous contumacy, James, hastily collecting a body of troops, placed himself at their head, and marched to Dumfries, where Maxwell, unprepared for this sudden movement, narrowly escaped being made prisoner. Next day the king summoned the castles of Lochmaben, Langholm, Threave, and Caerlaverock, to surrender. They all

James rejects the Spanish alliance, and adheres to England.

* MS. State Paper Office, January, 1587-8; Tytler, *ut supra*.

† MS. Letter, British Museum, Caligula, D., Hunsdon to Burghley, 25th November, 1587; also MS. Letter, State Paper Office, B.C., same to same, 14th December, 1587; and ibid., same to same, 27th December, 1587; Tytler, *ut supra*, p. 17.

‡ Ibid.

* MS. Letter, State Paper Office, B. C., Hunsdon to Burghley, 23rd January, 1587-8; also ibid., same to same, 17th January, 1587-8.

† Intercepted Letters of Huntley, Morton, and Lord Claud Hamilton, in the name of the Catholic gentlemen of Scotland, to the King of Spain, MS. deciphered by Philips, 1588-9, State Paper Office; also MS. Letter, State Paper Office, B. C., Hunsdon to Burghley, 31st March, 1588.

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obeyed except Lochmaben, the captain of which, David Maxwell, felt himself secure in consequence of the king's want of artillery; but James having borrowed a battering-train from the English warden, and begun to demolish the place, the garrison surrendered to Sir William Stewart, the brother of Captain James, on condition that their lives should be spared. James, however, who had not assented to this condition, determined to seize the opportunity of making his authority respected, and immediately ordered the governor and six of his men to be hanged.* On the following day, the king sent Stewart in pursuit of Lord Maxwell, whom he overtook, and conveyed a prisoner to the capital.

Transported with delight at this manifestation of zeal and intrepidity, Elizabeth immediately dispatched Mr. William Ashby to the Scottish court, to convey to James her thanks and congratulations, together with promises of more substantial support; but if these promises were ever meant to be kept, the intention probably passed away with the enthusiasm of the moment. Ashby informed the king that his mistress intended to confer on him an English dukedom, with an annual pension of five thousand pounds; that she would raise and maintain for him a body-guard of fifty Scottish gentlemen; and that, as a security against any insurrectionary movements taking place in the event of a descent by the Spaniards, she would levy a body of soldiers, consisting of one hundred horse and a like number of infantry, to act upon the Borders.† James willingly accepted these tempting offers, and in return suppressed the turbulence of the Borderers, restrained those who were disposed to create a diversion by invading Ireland, and prohibited all Scottish auxiliaries from passing over to the enemies of Elizabeth, so that she was enabled to concentrate the whole naval and military strength of her kingdom to meet the threatened invasion.

Sailing of the Spanish Armada.

James had just returned to Edinburgh, after the affair of Lochmaben, when news arrived of the sailing of the great Spanish Armada. He immediately summoned a meeting of the Estates, and, in an opening speech, descanted on the advantages of a strict union between Scotland and England, and represented to them that an invasion of England, as it was an invasion of his rights, would speedily be followed by an attempt to subjugate Scotland also. Religion, he said, was the pretext for the invasion of England, but in this respect both countries were the same. "For myself," he said, "I have ever thought mine own safety, and the safety of religion, to be so conjoined as that they cannot well be separated; neither desire I to live or to reign longer than while I am able to maintain the same. I know that the opinion of some is, I have now a fair opportunity of revenging the wrong and unkindness done me by the death of my mother; but, whatever I think of the excuses which the queen has made me, I will not be so foolish as to take the help of one stronger than myself, nor will I seek to gratify my own passions at the expense of religion, and the risk of putting in hazard, not only this kingdom, but those that belong to me after her decease."* These views were warmly supported by the chancellor, Thirlstane, who, at the same time, suggested a plan for putting the kingdom into a state of defence. He proposed that, as the Queen of England had not asked their assistance, they should limit their efforts to the defence of their own country; that an enrolment should be made of all the men in the kingdom capable of bearing arms; that a commission should be given to a nobleman in each district to take the command of the forces there raised; that all the seaports of the kingdom should be vigilantly watched; that beacons should be erected on the hills and other conspicuous places to give the alarm, by day or night, on the first appearance of any fleet approaching the coast; and that the king and council should remain in the capital, to watch over and direct the whole defensive operations. With the exception of Bothwell, who was eager to seize so favourable an opportunity of humbling the power of England, the Estates unanimously concurred in sanctioning the proposed measures, which were accordingly carried into effect. On the 5th of August proclamation was made at the market-cross of Edinburgh, charging certain noblemen to convene the forces of every shire within the realm, for defence of the Protestant religion and his majesty's estate, and the "withstanding of strangers to land within his highness's bounds." These noblemen were also authorised "to make proclamations for convening of his majesty's subjects as they should think meet, to set bale-fires upon the hills, for gathering of the subjects," who were commanded to rise under pain of the loss of life, land, and goods, and to hold frequent musters throughout the kingdom.†

Measures for the defence of the kingdom.

The whole Protestant population, as one man, acquiesced in the wisdom and the necessity of these vigorous measures, and were ready, at all hazards, cordially to support the government. At the same time James wrote a letter to the English queen, offering to assist her in the defence of her kingdom with the whole forces of the realm; and Elizabeth was so highly gratified with this proof of the young king's cordiality, that she sent Sir Robert Sidney to thank him in her name, and, in return, to proffer her help, if the Spaniards should land in Scotland. In a conversation with this ambassador, James evinced his sense of the duplicity of the King of Spain in courting his alliance, by remarking that the only favour he expected from that monarch, was like that which Polyphemus promised to Ulysses—to be devoured last.‡

* Historie of James the Sext, p. 236.
† MS. Letter, State Paper Office, William Ashby to Lord Burghley, 16th August, 1588.

* Aikman, vol. iii. p. 162.
† Calderwood, vol. iv. p. 681.
‡ Aikman, vol. iii. p. 162.

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Destruction of the Armada.

The details of the signal destruction which overtook the Spanish Armada, arrogantly styled the "Invincible," are well known, and belong rather to English than Scottish history. It made its appearance in the Channel about the middle of July, and cruised about for some time, in expectation of being joined by a fleet and armament under the Prince of Parma, who, however, was strictly blockaded in the ports of Flanders by a Dutch squadron. While waiting for this expected reinforcement, the Spanish fleet was attacked by the English, under Sir Francis Drake, and, after a series of disasters, the admiral deemed it prudent to return home. Contrary winds, however, having prevented him from sailing through the Channel, he resolved to stretch northwards, and circumnavigating the islands of Great Britain and Ireland, to return by the Atlantic Ocean. After passing the Orkney Islands, the fleet was overtaken by a dreadful storm, and the Spaniards, being unacquainted with the navigation of these dangerous seas, their ships were dispersed and disabled, and the greater number were wrecked among the Hebrides and on the coasts of Scotland and Ireland. The shattered remains of the Armada arrived in Spain about the end of September, bringing with them the tidings of a disaster which carried dismay into the bosom of almost every family of note in that kingdom; for such had been the ambition of the nobility to participate in the conquest of England, that there was scarcely a house of distinction that had not furnished its quota to this ill-fated expedition.

This providential delivery was followed by great rejoicings among the Protestants in both kingdoms. In Scotland this exultation was accompanied by peculiar religious solemnities. A fast, conjoined with the celebration of the Lord's Supper, was held throughout the whole country for three consecutive Sabbaths, commencing on the 19th of October.*

An incident occurred at this period, which, though it had little practical bearing on the great events we are now considering, is well worthy of a place in history, inasmuch as it shows that the detestation of popery, rendered more ardent by the recent attempts to subvert the Protestant institutions of both kingdoms, did not in any degree repress the promptings of humanity towards Roman Catholics in distress. Early one morning, before the fate of the Armada was known in Scotland, one of the Spanish ships, having on board about seven hundred men, was forced ashore by a tempest, at the little seaport of Anstruther, on the coast of Fife; but, so far were the inhabitants from taking this opportunity of imprisoning or otherwise punishing their enemies, who were now completely in their power, that they supplied the soldiers and seamen with food, clothing, and shelter, of which they stood much in need; while the admiral and his officers were hospitably entertained by the magistrates and gentlemen of the neighbourhood, until they obtained the king's license and protection to return home.*

* Calderwood, vol. iv. p. 696.

New intrigues of the popish party.

The failure, however, of this great expedition was far from proving a death-blow to the hopes of the Roman Catholics. They immediately began to engage in new intrigues, in which they were encouraged by the Duke of Parma, who represented to them that the accounts of the late disasters were greatly exaggerated, and flattered them with the expectation of another armada, which should be ready to put to sea early in the spring. In the meantime, he remitted a large sum of money to a seminary priest named Bruce, with authority to apply it in any way he thought most likely to promote the cause, but particularly in securing the continued co-operation of their friends among the nobility, and, if possible, in gaining over others. These hopes were not disappointed. The popish lords, at the head of whom were Huntley, Crawford, Errol, and Maxwell (the last of whom styled himself Earl of Morton), entered into a secret correspondence with the Duke of Parma, the Pope, and the court of Spain. They expressed their deep regret, and that of the whole Roman Catholic noblemen and gentlemen of the kingdom, at the unfortunate issue of the late enterprise; they urged the King of Spain to make an attack on England through Scotland, and lamented that this had not been done before, when they were prepared to join him with a force which would have insured triumphant success. That success, however, they considered it not yet too late to achieve; and they now earnestly recommended Philip to send into Scotland six thousand of his choicest soldiers, and money for the maintenance of an equal number, which they engaged to furnish within six hours after their arrival. With these it was proposed to march directly into England, to the support of such troops as he might previously have landed there; but they strongly advised that he should not concentrate his forces on any one point, and hazard all in an encounter with the whole body of the English. Their plan was to enter England at the same moment, at different points through Scotland and Ireland, and, while the English forces were thus divided, and the attention of the government distracted, to make a descent upon the coast, which would then be left undefended. At the same time Huntley, who had renounced popery, and gone over to the Church, excused himself for this apparent dereliction of principle, on the plea that his signature to the Protestant articles had been extorted from him contrary to his conscience; but that he still remained at heart as firmly attached as ever to the Roman Catholic faith, and would endeavour to atone for his compliance by doing some signal service to the cause. In the meantime, he added, God had given him such favour with the king, that he had been able to supersede the guard formerly attendant on the royal person, by individuals on whom he could rely as entirely devoted to his own party, and who

* Melvil's Diary, quoted by M'Crie.

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had promised their assistance, when the time for action should arrive. Errol also, who had recently gone over to the Romish Church, warmly expressed his new-born zeal for the Catholic cause, which he said he felt bound to promote to the utmost of his power; and Bruce informed Parma of the arrival of their agent Chisholm with the money, and boasted of his having already secured the Earl of Bothwell, who, though still nominally a Protestant, had been won over to their party.

The secret agents of the faction abroad, impatient of delay, eagerly urged the leaders at home to do something which might stimulate Philip to hasten the promised aid. In particular they recommended an attempt to be made to seize the person of the king, and to remove from his council the chancellor and the treasurer, whom they regarded as insurmountable obstacles to the accomplishment of their design.

All this treasonable correspondence was intercepted through the vigilance of Burghley, and copies of the letters were transmitted to the king. James, however, apparently unwilling to believe in the existence of the conspiracy, or at least in the serious intention of the parties implicated, treated them with unaccountable and most impolitic leniency. Encouraged by this circumstance, many who, through the fear of personal consequences, had formerly stood aloof, now joined in the plot; and thus a conspiracy, which might easily have been crushed in the bud, became every day more formidable, and in every quarter of the country—particularly in the northern counties—gained numerous and powerful abettors. For the sake of appearances, Huntley, the principal leader of the faction, was subjected to a nominal imprisonment; but his wife and servants were permitted to have free access to him, and the king himself visited him, dined with him, and even caressed him.* James, also, wrote to him in terms of friendly remonstrance, but he solemnly protested his innocence; and, after a short confinement, was set at liberty, and reinstated in his former authority.

Rebellion of the popish lords.

With base ingratitude for this injudicious act of clemency, Huntley immediately recommenced his intrigues, and, very soon after, in conjunction with Bothwell and other lords of the popish faction, broke out into open rebellion. The king and the entire Protestant party were now, not without reason, thoroughly roused to a sense of their danger. The whole country to the north of Aberdeen was ready to rise at a moment's warning; and Bothwell had the audacity to threaten, that if the king should proceed northwards to attack the insurgents, he would march an army to the south, and commit such ravages as would soon force him to return. Filled with indignation at this presumptuous defiance of his authority, and in no degree intimidated by the threatened danger, James at once threw off his supineness, and began to adopt the most energetic measures. He immediately gave orders for assembling an army, and, placing himself at their head, with a military ardour that seemed to form no part of his previous character, he proceeded by rapid marches to St. Johnston; declaring his resolution to "wreck his rebels, and destroy them with fire and sword."* On this occasion the Protestant nobles mustered in great force, under the leadership of the young Duke of Lennox and the chancellor; and the Earls of Mar, Morton, Angus, Marischal, and Atholl, with the Master of Glammis; and the three lords-warden, Hume, Cessford, and Carmichael, joined them with all their forces. This expedition was completely successful. It was found that the numbers and spirit of the popish party had been greatly overrated. Bothwell's force, of which he had made such a vain-glorious boast, turned out not to exceed thirty horse. Everywhere the Roman Catholics deserted and fled; and James, advancing by Dundee and Brechin to Aberdeen, compelled them to evacuate that town, which they had considered as the very centre of their organisation. Huntley fled from Aberdeen to his own district of Strathbogie, whence, having surrendered himself, he was carried prisoner by the king to Edinburgh.

Success of the king against the insurgents.

All the chiefs of the clans that had taken part in this rash and ill-concerted rebellion laid down their arms, and James having taken the Castle of Slaines, the chief stronghold belonging to the Earl of Errol, left a garrison in it, and returned in triumph to Edinburgh. He had at first intended to proceed against Bothwell without delay, but that haughty and turbulent nobleman having on his knees implored the king's mercy, was in the meantime detained a prisoner within the palace.†

Such was the power of the great nobles at this period that it overawed the king and every other authority of the State; so that it was considered dangerous, if not impossible, to visit these manifest traitors with the punishment which their crimes had deserved. Huntley and Crawford were brought to trial, and convicted of treason, but they were merely sentenced to imprisonment, the former in the Castle of Edinburgh, the latter in that of Blackness. Subsequently, Bothwell was put upon his trial; and though he protested his innocence, and defended himself with characteristic violence and audacity, his guilt was too notorious to be doubted. He had been guilty of treason under almost every form of aggravation; yet his punishment amounted to no more than a few months' imprisonment in Tantallon Castle, and the payment of a fine to the crown.‡

The important subject of his marriage now began

* MS. Letter, State Paper Office, Ashby to Burghley, Edinburgh, 10th March, 1588-9; also ibid., same to same, 14th March, 1588-9.

* MS. Letter, State Paper Office, Fowler to Burghley, 9th April, 1589.

† MS. Letter, State Paper Office, Ashby to Walsingham, 12th May, 1589.

‡ MS. Letter, State Paper Office, Ashby to Walsingham, 25th May, 1589; also ibid., same to same, 26th August, 1589.

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seriously to occupy the king's attention. He stood, as he himself expressed it, "alone, without either father, mother, brother, or sister;" and he naturally longed for the society of one, who would more than supply the want of such relationships. He was the only descendant, in the direct line, of the ancient kings of Scotland, and as the prospect of uniting the two kingdoms under one sovereign would, if he should die childless, vanish at his decease, his marriage became an object of national concern, and was scarcely less ardently wished for by his people than by himself. Ever since the embassy from Denmark, he had looked towards that quarter for a matrimonial alliance. Shortly after the departure of the ambassador, he had dispatched Mr. Peter Young, who had been one of his tutors, to the Danish court, for the purpose of observing and reporting on the personal appearance, character, and manners of the princesses. His report seems to have been favourable, for soon afterwards Colonel Stewart, a pensioner of the King of Denmark, was sent to that country under pretence of attending to business of his own, but with secret instructions from James to negotiate with the Danish king regarding a marriage with his eldest daughter.

The king seeks a matrimonial alliance with Denmark.

It is not easy to understand why a matrimonial alliance on the part of James with a princess of Denmark should have been unacceptable to Elizabeth; but, as soon as she heard of the Danish embassy, her jealousy took the alarm. She was apprehensive that it was a preliminary to some overture of marriage, and the subject had never ceased to give her uneasiness. Now, however, that the matter had assumed a more tangible form, she began to practise every artifice in her power to retard or prevent the union, and, by means of bribes and promises, gained over James's ministers to second her endeavours. They, accordingly, laboured to throw every obstacle in the way; until at last the King of Denmark, disgusted with the delays and apparent indecision of the Scottish monarch, bestowed the hand of his eldest daughter on the Duke of Brunswick. James, however, undiscouraged by this disappointment, paid his addresses to the second daughter, the Princess Anne. With a view to traverse this match, Elizabeth recommended instead the Princess of Navarre; and the celebrated French poet, Du Bartas, was sent on a secret mission to the Scottish court to make the proposal. But James was determined to have his own way, and would not, in a matter so personally important, submit to the dictation of Elizabeth, though her choice met with the approbation of his council, as well as of the principal nobility, who were all eager for an alliance with France. The great body of the people, however, particularly the merchants and wealthy burgesses, were as warm in favour of Denmark;* and so violent was the opposition with which James had to contend on the part of his ministers, that, in order to coerce them into acquiescence, he had recourse to the extraordinary expedient of inciting the inhabitants of Edinburgh to take up arms. Accordingly, a large body of the citizens, assembling in a tumultuous manner, threatened to tear in pieces the chancellor, whose opposition they considered as one of the principal obstacles to the fulfilment of the wishes both of the king and of the nation.* This demonstration had the desired effect; the chancellor yielded; and the Earl Marischal was dispatched with a splendid retinue to the court of Denmark, with full powers and instructions to conclude the match. All was quickly arranged; the marriage articles were drawn up, and preparations for the departure of the bride commenced with extraordinary bustle and activity. A fleet of twelve ships furnished with brass cannon was fitted up to escort her, and in a very short time she set sail from Denmark. Great preparations were made for her reception, and the young king awaited her arrival with extreme impatience; but a violent storm, which she encountered on the voyage, disabled and dispersed the ships, and drove them to the coast of Norway, where they arrived in such a shattered condition that no hope was entertained that she would be able to resume her voyage until the following season,† and it was arranged that she should pass the winter in Norway.

Efforts of Elizabeth to prevent the union.

James, in the meantime, was in an agony of impatience, and commanded public prayers, accompanied with fasting, to be offered up to God for the safe arrival of his bride; with whom, although he had never seen her, he was, or fancied himself to be, violently in love. At last intelligence reached him of the disaster that had befallen the fleet, and the consequent postponement of his happiness; and, though he ascribed the tempests to the envious malignity of the Scottish and Norwegian witches,—from the influence of whose unhallowed incantations even kings were not exempted,—yet such was the ardour of his passion, that he suddenly embraced the determination of proceeding in person to Norway in quest of his betrothed bride. Without acquainting his council with this hasty resolution, he embarked at Leith on the 22nd of October, generally the stormiest season of the year, accompanied by Maitland, the chancellor, Mr. David Lindsay, his chaplain, several of his nobility, and a retinue of about three hundred persons. A declaration of his motives for adopting this extraordinary step was submitted to the privy council on the following day, and was afterwards published by them for the benefit of his liege subjects. This document, which was written entirely

The king sets sail for Norway.

* MS. Letter, State Paper Office, Ashby to Walsingham, 22nd July, 1589; Melvil's Memoirs, pp. 363, 364.

* Robertson, vol. ii. p. 200.

† MS. Letter, State Paper Office, Ashby to Walsingham, 5th, 24th September, 1589; also ibid., same to same, 2nd October, 1589; ibid., same to same, 10th October, 1589; ibid., same to Queen Elizabeth, 23rd October, 1589; Tytler, vol. ix. p. 29.

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by the king's own hand, displays a peculiarity both of thought and expression very unusual in a king's message to his people. It sets forth that his long delay of his marriage had been much blamed by his subjects, and that his want of relatives or heirs had weakened his authority and strengthened his enemies, and had made many regard him as "a barren stock." It had, he said, been moreover insinuated that he was of such facile mind as to be "led by the nose" by the chancellor, as if he were a mere child, or "ane irresolute ass, who could do nothing by himself." He wished to give them a practical refutation of both these calumnies. As to the first, he had resolved to go in search of his queen, and to marry her as speedily as possible; and as to the second, he declared on the honour of a prince, that the idea of this winter voyage originated with himself, without any suggestion from the chancellor or the council, that his resolution to pursue it had been adopted, in a manner equally independent, in the solitude of his chamber at Craigmillar, and that he had given no intimation of it until the preparations were completed and he was ready to embark. "Let no man, therefore," he added, "grudge at this proceeding, but conform to the directions I have left."* According to these directions, the principal authority during his absence was vested in the Duke of Lennox; and next to him in rank and authority was placed the turbulent Earl of Bothwell, whom it was judged politic to conciliate by this mark of distinction. The other officers of State consisted of the treasurer, the comptroller, the lord privy seal, the captain of the Castle of Edinburgh, the lord advocate, and the clerk-register. A commission was also given to certain noblemen to watch over the peace of the Borders; all conventions of the nobility were prohibited during the absence of the king; to conciliate the Church, Mr. Robert Bruce, one of the ministers of Edinburgh, was nominated an extraordinary privy councillor; and, lastly, the ministers were directed to exhort their flocks to obedience, and to pray for the safety of the king on his journey.†

The king's marriage.

After a somewhat stormy voyage of five days, the king reached Upsal, where his bride then was, and riding directly to the palace, he was immediately introduced, "boots and all," to his future queen. They appear to have been mutually pleased with each other, and soon became familiar.‡ On the following Sunday the marriage was solemnized, Mr. David Lindsay, the king's chaplain, performing the ceremony in the French language. James, who had intended to limit his stay to twenty days, was induced to remain in Denmark not less than six months. After the marriage, he repaired with his young queen to Copenhagen, where the happy event was celebrated with a long continued course of festivities. James, who affected the conversation of learned men, embraced the opportunity of his residence in the Danish capital to visit the celebrated Tycho Brahe, at his retreat of Uranibourg, and to discourse with him on the science of astronomy. He also held frequent converse with the learned Hemingius, with whom he delighted to dispute on predestination and other mysterious doctrines.

Hospitable entertainment by the Danish court.

The winter seems to have passed away very pleasantly, in a series of pageants and shows which were got up by the Danish court for the entertainment of their royal guest; and the proverbial conviviality of the Danes afforded him unlimited scope for the indulgence of his favourite vice of drinking. He dates one of his letters from Chroneburg, "where," he adds, "we are drinking and dryving ower in the auld manner;" and Spottiswood, in recording that no quarrels occurred among the king's attendants all the time they were in Denmark, says, with great simplicity, that this was the more wonderful, since "it is hard for men in drink, at which they were continually kept, long to agree." James was naturally anxious that before his return all due preparations should be made for his reception by his loyal subjects in a manner becoming his rank, and calculated to do him and his country credit in the presence of the distinguished strangers by whom he and his consort were to be accompanied. With this view, he wrote to his council in February the following amusing and characteristic letter:—

Preparations for the reception of the king and queen in Scotland.

"My lords of counsal, that this general letter of mine may serve as weill to you all as to every one of you in particular, lay the blame I praye you upon the haste and fascheousness of the dispatch and not upon my sweirness, althoughe I cannot denye that to write with my own hand I am both slawe and sweire eneuch. I doubt not that you will take this in all good part, as if I wrote a trough of paper to every one of you.

"Ye may now knaw by the season of the yeir that my coming home, God willing, drawes neire. I am surely treated here with all the honor and hartliness that this countrie people can imagine; I think we should not be unthankfull when theires comes in our bounds. A king of Scotland with a new-maried wyfe will not come home every day. For God's sake respect not only my honor in this, but the honor of our whole nation, and speciallie of yourselffis, for my part will be leist in it. It is knowne that I am absent, and all the warld knawes that when the gudeman is away he cannot be wyted of the disorders in the house; but what may he think then of his servants and factors he has left therein?

"Now, my lords, since this is the only grete proof of your diligence, without my presence or assistance, that ever I am able for to have of you; let me knawe now what remembrance ye have of me during my absence by diligent remembering and performing such directions as the beirar

* Spottiswood, pp. 377—379. † Ibid., p. 379.
‡ Moyse's Memoirs, Bannatyne Edition, p. 81.

hereof, the Maister of Wark, hes in charge of me to deliver unto you. Remember specially upon the ending out of the Abbey, as yet lying in the deid-thraw, without the which we cannot be lodgit at our landing; and in good faith it is not the maner of this countrie to lye therout for the greatnes of the frost; and for a token that ye have not forgotten us, ye may send two or three ships here to show us the way home; but let nae great men or gentilmen come in them, but many gude marinells; for I am already over-chargeable to these folks here; besides that every one of you will have enough to do in the turnes I have employed you to do at hame. For God's sake, in anything respect my honor, that all discords, and vaniteis, and quarrels, may be supercedit at this; for gif I took sic strait order for that the last yeir, when I lookit for my weif's coming hame, and a certain company of strangers with her, how muckle mare sould it be this yeir when we are baith to cum hame and twice as gret a numbre of strangers, and speciallie sen I have seen so gude ane example in this countrie.

"Indede I have gude cause to thank you all for the great quietnes that ye have already keept, as I perceive, by your last letters. Remember, likewise, that nae great man or counsellar presume to be at our landing, but such as the beirar hereof will in a roll deliver unto you—*ut omnia fiant decenter et cum ordine.*

"Fail not to provide gude cheare for us, for we have heir abundance of gude meit and part of drinck, to the particulars of this I remit to my directions as of all other things likewise.

"To conclude, I bothe pray you and command you sleuth na tyme, and for my part sake do at this tyme even mair nor is possible; for ye knaw I will never eit nor drink a fair wind."

In the same strain James wrote to the Rev. Robert Bruce, to whom in his absence he had given a kind of supervision over the morals of the kingdom:—

"Waken up all men," he says, "to attend my coming, for I will come as our maister sayeth, like a thief in the night, and whose lampe I find burning with oyle, these will I coin thanks to, but those that lack their burning lamps provyded with oyle will be barred at the door; for I will not accept their crying, Lord! Lord! at my coming, that have forgot me all the time of my absence. For God's sake, take all the pains you can to teach our people weill against our coming, lest we be all ashamed before strangers. I think this time," he adds, "should be a holy jubilee in Scotland, and our ships have the virtue of the ark in agreeting for a time at least, *naturales inimicitias, inter foras;* for if it otherwise fall out (*quod Deus avertat*) I shall behove to come hame like a drunk man amongst them, which would be no strange thing, coming out of so drunken a countrie as this! I pray you heartilie recommend me to the good provost of the town, and, in anything he can, pray him to assist my affaires, as I have ever been certain of his good will in my services. Specially desire him to further all he can the outwrecking of three or four ships to meet me here, and convoy me hame. And, likewise, I doubt not he will assist the Maister of Wark in getting as many good craftsmen as may be had for ending out the half perfyted Abbey (his palace) that now lies in the deid-thraw. Thus recommending me and my new rib to your daylie prayers, I commit you to the only All-sufficient."

During the six months of the king's absence, Scotland enjoyed a degree of tranquillity to which it had for many years been a stranger. This undoubtedly was partly owing to the prudent directions which James had left at his departure, partly to the wisdom and moderation of the persons to whom he had committed the government, but probably still more to the counsels and influence of the ministers of the Kirk. Of this James seemed deeply sensible. To Bruce especially he held himself much indebted; and in some of his letters to that clergyman he declared that he was worth a quarter of his kingdom, and that he should be beholden to him as long as he lived.

Their majesties' arrival at Leith.

At length the royal pair embarked for Scotland, and, attended by a numerous retinue of noblemen and ladies, arrived at Leith on the 1st of May. Their majesties were received on landing by the Duke of Lennox, Lord Hamilton, the Earl of Bothwell, and a large concourse of noblemen, and were welcomed with loud and enthusiastic demonstrations of joy by a vast assemblage of the people, who had come to witness the disembarkation.

Coronation of the queen.

On the 17th of the same month the ceremony of the queen's coronation was celebrated in the Chapel Royal, in presence of a numerous and brilliant assembly of the nobility, the foreign ambassadors, and other persons of distinction. Not a single bishop was present, and the crown was placed on the queen's head by Mr. David Lindsay, minister of Leith. Some difficulty arose, however, regarding the anointing, which the Presbyterian clergy considered to be Jewish rather than Christian, and therefore hesitated to perform. The king, however, would not consent to the omission of this ceremony, and, after some altercation, threatened to send for the bishops. This argument silenced, though it did not convince the clergy, and Mr. Robert Bruce, one of the ministers of Edinburgh, performed the customary rite. The operation is thus quaintly described by a contemporary chronicler:—"The Countess of Mar, having taken the queen's right arm, and opened the *craigs* of her gown, Mr. Robert Bruce immediately poured forth upon those parts of her breast and arm of quhilk the clothes were removed, a bonny quantity of oil."* Three sermons, in three different languages—Latin, French, and English—were delivered on the occasion; and Andrew Melvil recited a Latin poem, which he had composed in commemoration of the event,

* The Coronation of the Quenis Majestie, p. 53.

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and which the king declared did honour both to himself and the country. The august assembly, which met at ten o'clock in the morning, did not separate until five in the afternoon. A few days afterwards the queen made her public entry into the capital, where she was received with pompous and costly shows and pageantry, and many tiresome ceremonies common at that period. On the following Sunday their majesties went in state to the High Church; and after sermon, the king addressed the congregation, informing them that he had come to thank God for his safe return to his kingdom, and the ministers for their prayers on his behalf during his absence. He acknowledged that in the levity and inexperience of his younger years many errors and omissions had crept into his government; but now that he had got married, he would sedulously apply himself to the duties of his high office, would administer impartial justice to all his subjects, and see that the kirks should be "better provided."*

State of the country.

The unusual serenity of the political atmosphere during the absence of the king was speedily overcast after his return. The elements of social strife and disorder which had of late years so often disturbed the king's government, and distracted and desolated the country, were still in existence, and soon began to manifest symptoms of a coming commotion. The power and presumption of the great barons, which had grown to such an exorbitant height during the king's nonage, and which had often emboldened them to dispute and disobey his authority, to restrain his liberty, and to force themselves uncalled into his councils, were yet unsubdued. Forming a sort of *imperium in imperio*, they still claimed the right of private warfare; and on the slightest insult or provocation their animosities were liable to break out into deadly feuds, which the royal authority was too feeble to repress and punish. The excesses of the half-civilized and fierce chieftains of the north, who were protected by their mountain fastnesses and the inaccessible nature of their country, and the piracies committed by the roving adventurers in the stormy seas which surrounded the scattered islands of the west, were almost entirely beyond the reach of the law. Besides these sources of apprehension, the Roman Catholic faction, though partially humbled, were yet far too strong to be disregarded, and had never ceased intriguing for that supremacy which they claimed as a sacred right; while the rival pretensions of prelacy and presbyterianism still menaced the tranquillity of the Church and of the country.

The feeble will and indolent temper of James were ill fitted to grapple with these difficulties; for though he occasionally displayed vigour and resolution, his energy was fitful, expended itself in single acts, and never rose in him to the dignity of a habit. Too lenient or too timid to punish great offenders, open and undisguised murders, secret assassinations, and other enormous crimes, were perpetrated among the feudal aristocracy, with fearless audacity, and with perfect impunity. A constant familiarity with deeds of violence and blood among the higher orders of the community, exercised a most baneful influence upon men of all ranks, lowered the tone of public morality, and was rapidly bringing the government of the king into contempt.

* Calderwood, vol. v. p. 98.

These evils were forcibly pointed out to the king by the Chancellor Maitland. It was high time, he said, to check the insolence and presumption of the nobility, and compel them to respect the dignity of the sovereign and the authority of the law. For this purpose he recommended the utmost diligence in the collection of the royal revenues, and the utmost economy in their expenditure, in order that the power of the crown might be upheld and extended by keeping in pay a body of troops sufficient to support the judges in executing the laws, and to compel the most powerful offenders to submission. He insisted also on the necessity of continuing to maintain friendly relations with England, and of keeping a vigilant eye on the movements of the Roman Catholic faction, who were still intriguing with Spain, and were strong in numbers, rank, and resources, warm in zeal, and high in expectation.* From a document in the handwriting of Burghley, preserved in the State Paper Office, we find that, according to his estimate, the strength of the popish party in Scotland was still very formidable. He reckoned that the people of the northern counties, including Caithness, Sutherland, Inverness, Aberdeen, and Moray, and the sheriffdoms of Buchan, Angus, Wigton, and Nithsdale, were either entirely or for the most part adherents of the Roman Catholic faction, and under the guidance of noblemen who were Romanists at heart, as well as of priests and Jesuits, who, under various disguises, lurked in these districts, and unceasingly plied their dark and subtle machinations. He appears, on the other hand, to have considered that the people of the counties of Perth, Stirling, Fife, Lanark, Dunbarton, and Renfrew, were chiefly Protestant; while those of Ayr and Linlithgow were doubtful, and therefore could not properly be assigned to either party. If this estimate of Burghley's be at all near the truth, it is evident that at this crisis no ordinary wisdom, vigilance, and firmness, were necessary on the part of the king and his council, in order to preserve the tranquillity of the country.

Policy of James.

James, at first, seemed resolved vigorously to carry out the reforms recommended by the chancellor; and commenced with a bold attempt to seize with his own hand the Laird of Niddry, who had, in the exercise of a lawless revenge almost claimed as a privilege among the barons at that period, been guilty of the murder of the Laird of Sheriff-

* MS. Letter, State Paper Office, Sir R. Bowes to Lord Burghley, 16th May, 1590.

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hall and his brother, John Gifford.* Niddry, who was protected by Bothwell, having been warned of his danger, managed to escape, but this unusual display of activity and zeal on the part of the king excited the attention of the barons, and was regarded as a prelude to some attempt to circumscribe their usurped power, and subject them to the regular operation of the law. As commonly happens in such cases, every step taken in this direction excited fresh jealousy and alarm in those who conceived they had a vested interest in the abuses sought to be reformed, and ultimately had the effect of uniting in opposition to the king parties who had been formerly diametrically opposed to each other. Catholics and Protestants made common cause; and Huntley, Errol, Bothwell, and Montrose, were now confederated together. This dangerous coalition might have been broken up by apprehending these noblemen, and bringing them to trial for previous offences; but the king, who had at first resolved on this bold and politic course, afterwards shrank from its adoption, considering it safer to keep both factions in check by opposing them to each other.† Bowes, who clearly foresaw that the king would have no small difficulty in attempting to carry out his intended improvements, thus alludes to the subject in one of his letters to Burghley: "The king, according to his public promise in Edinburgh, and solemn protestations to some noblemen, ministers, and well affected, is resolved to reform his house, council, and sessions, and to banish all Jesuits and Papists. He proposeth further to resume into his hands sundry of his own possessions now in the holding of others; to advance his revenues with some portions of ecclesiastical livings; and to draw to due obedience all persons attainted at horn, excommunicated, or otherwise disobedient. In the execution of which things he will find no little difficulty: for I have heard that many intend to seek to defeat and stay the king's course herein; and that sundry of the sessions will stand in law to hold their places, notwithstanding any charge to be given to avoid them."‡

Difficult as the task was, James for a time seemed fully bent on accomplishing it. He materially reduced the expenses of his household by diminishing the number of his attendants and making other retrenchments, and submitted to his council, for their consideration and advice, a variety of important points relating to both foreign and domestic policy. In particular, he required their advice as to the means for protecting the country against foreign invasion; the treaties necessary for preserving amicable relations with foreign powers; the procuring of secret foreign intelligence; the "griefs of the nobility and people, as well against the king as the government of his councillors;" the relative strength of the Popish and Protestant parties; the prevention of private feuds and family quarrels; the decay of the royal revenues; the enforcing of obedience to the acts of the last parliament; and the defining of the powers and duties properly belonging to each of the high offices of the State.* He also laboured to bring about a reconciliation between England and Spain; he sent ambassadors to certain of the princes of Germany, to urge them to interfere for the accomplishment of this end; and, in the event of Spain proving refractory, he suggested that a general league should be formed for the defence of the common cause of true religion, and that their ports should be "shut against Philip till he was reduced to reason."†

James took care to inform Elizabeth of these proceedings; and sundry letters at this time passed between them, abounding in professions of cordial friendship, and assurances of mutual support against the machinations of the popish faction. On this occasion James gave practical proof of his sincerity by apprehending and delivering up to Elizabeth, O'Rourke, an Irish chieftain, who had been secretly practising in Glasgow to gain over parties to the Romish and anti-English faction. He wrote at the same time to Elizabeth, assuring her that he regarded her enemies as his own, and would proceed with every one of them who might fall into his hands as he had done with O'Rourke. "I would to God," said he, "your greatest enemies were in my hands; if it were the King of Spain himself, he should not be long undelivered to you: for that course have I taken me to, and will profess it till I die; that all your foes shall be common enemies to us both, in spite of the Pope, the King of Spain, and all the leaguers, my cousins not excepted, and the devil their master."‡

Proceedings against witches and sorcerers.

A brief period of comparative tranquillity now ensued, during which but little progress was made in the work of reform that James had commenced with so much apparent zeal; but he applied himself with unusual activity to the investigation and punishment of crimes, of which it is difficult to say whether they were in this instance real or imaginary—the crimes of witchcraft and sorcery. That there were at this time individuals in the country—some of them even in the middle rank of life—who believed themselves, and were believed by others, to be possessed of supernatural powers through the influence of Satanic agency, is certain; but it is impossible now to discover whether or not they were the dupes of their own imagination. Many of these wretched crea-

* Calderwood, vol. v. p. 56.

† MS. Letter, State Paper Office, 23rd May, 1590; Bowes to Burghley; Tytler, vol. ix. p. 42.

‡ MS. Letter, State Paper Office, Bowes to Burghley, 31st May, 1590; Tytler, *ut supra*.

* MS. State Paper Office, Heads from our Privy Council. May, 1590, set down by the King of Scots; Tytler, vol. ix. p. 43.

† MS. Letter, State Paper Office, Bowes to Burghley, 4th June, 1590.

‡ MS. Letters, State Paper Office, Royal Letters, endorsed, "The King of Scots' Letter to the Queen's Majesty," by Roger Ashton, 22nd March, 1590-1; Tytler, vol. ix. p. 48.

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tures were put to the torture, and not a few were condemned to the flames. Among these was Agnes Simpson, a woman, Spottiswood informs us, "not of the base or ignorant sort of witches, but matron-like, grave, and settled in her answers," who, in the course of her examination, accused Bothwell of having consulted her regarding the time of the king's death. A sorcerer, named Richard Graham, declared that he had consulted him on the same subject; and on a subsequent examination, rendered more communicative by a hint of the possibility of pardon, Graham confessed that Bothwell had solicited him to devise some means of shortening the life of the king, and that he had been induced to agree to this request. On these charges, Bothwell was arrested and sent to the castle, although he solemnly asserted his innocence, and protested that he ought not to be committed on the evidence of the devil, who "was a liar from the beginning," or that of the witches, who had sold themselves to his service. A convention of the Estates was summoned for his trial, but some delay having taken place in consequence of the inconclusive nature of the evidence, and the reluctance of the nobles to proceed to extremities, Bothwell, impatient of restraint, effected his escape, and fled to the Borders.* This was held tantamount to a confession of his guilt; and the king, now greatly exasperated against him, ordered him to be proclaimed a traitor, and interdicted all his subjects from holding any communication with him.

In the meantime, James continued his proceedings against witchcraft by bringing to trial Barbara Napier, a woman above the lower ranks of life, and who had the reputation of being one of the most distinguished of the sisterhood. Her character in this particular stood so high, and her alleged practice of diabolic arts was so notorious, that the king never anticipated any difficulty in establishing her guilt. The jury, however, thought otherwise; they considered the evidence defective, and, to the king's surprise and indignation, Barbara was acquitted. Whether this verdict was right or wrong, neither the law nor the practice of Scotland afforded any remedy. Proceedings by assize of error, as practised in England, were unknown in Scottish jurisprudence, which, moreover, did not admit of the king's assuming personally the office of judge in a criminal trial. Such, however, were James's rage and disappointment, and so little did he regard the restraints of the law, when opposed to the personal will of the sovereign, that he resolved to bring the jurors to trial before himself, on the charge of wilful error, in clearing Barbara Napier of treason against the king's person.† This most irregular trial actually took place, in the Tolbooth of Edinburgh, the king himself sitting as judge; but the proceedings were cut short by the whole of the accused pleading guilty, and putting themselves in the king's will.* He did not, however, omit the opportunity of making them an oration, in which he descanted on the alarming prevalence of great crimes in the country, and of the crime of witchcraft in particular; and attempted to vindicate himself from the charge of encouraging the offenders by undue leniency. "I must advertise you," he said, "what it is that makes great crimes to be so rife in this country, namely, that all men set themselves more for friend than for justice and obedience to the laws. This corruption here *bairns* suck at the pap; and let a man commit the most filthy crimes that can be, yet his friends take his part, and first keep him from apprehension, and after, by fead or favour, by false assize, or some way or other, they find moyen of his escape. The experience hereof we have in Niddry. I will not speak how I am charged with this fault in court and choir, from prince and pulpit; yet this I say, that howsoever matters have gone against my will, I am innocent of all injustice in these behalfs. My conscience doth set me clear, as did the conscience of Samuel, and I call you to be judges herein. And suppose I be your king, yet I submit myself to the accusations of you, my subjects, in this behalf; and let any one say what I have done. And, as I have thus begun, so purpose I to go forward; not because I am James Stewart, and command so many thousands of men, but because God hath made me a king and judge, to judge righteous judgment.

"For witchcraft, which is a thing grown very common among us, I know it to be a most abominable sin; and I have been occupied these three quarters of a year for the sifting out of them that are guilty herein. We are taught by the laws, both of God and man, that this sin is most odious, and, by God's law, punishable by death. By man's law, it is called *maleficium* or *veneficium*—an ill deed or a poisonable deed, and punishable likewise by death. Now, if it be death as practised against any of the people, I must needs think it to be (at least) the like if it be against the king. Not that I fear death; for I thank God I dare in a good cause abide hazard. * * * * As for them who think these witchcrafts to be but fantasies, I remit them to be catechised and instructed in these most evident points."†

But, if the jury were guilty of error in acquitting Barbara Napier, it followed, of course, that she was guilty of witchcraft, and accordingly she was condemned to suffer on the Castle hill; but after the stake had been set, "with barrels, coals, heather, and powder," and the assembled crowd were looking for her immediate execution, she received a respite, on the plea of pregnancy, set up by some of her friends.‡ The punishment, in her case, was sub-

* MS. Letter, State Paper Office, Bowes to Burghley, 5th May, 1591.

† Calderwood, vol. v. p. 128; also MS. Letter, State Paper Office, Bowes to Burghley, 9th May, 1591; ibid., same to same, 21st May.

* Calderwood, *ut supra*.

† MS. State Paper Office; the inquest, which first went upon Barbara Nep., called before the King in the Tolbooth, 7th June, 1591; Tytler, vol. ix. p. 55.

‡ Calderwood, vol v. p. 128.

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sequently remitted;* but, in the meantime, another unfortunate creature, named Euphemia Makalzeane, was put to death for the same offence,† and, some months later, Richard Graham suffered death for sorcery at the Cross of Edinburgh.‡

It was not long before James was exposed to dangers from another quarter, fully as formidable as those by which he supposed himself threatened through Satanic agency. Bothwell, whose fierce temper was exasperated to the highest degree by the proceedings which had been taken against him, and which he imputed chiefly to the influence of the chancellor, now formed the daring design of suddenly entering the palace, and surprising and making prisoners both him and the king. Maitland, who aimed at too exclusive a place in the confidence and affection of his master, had become odious to many of the courtiers, all of whom, including the Duke of Lennox, were consequently easily induced to enter into a conspiracy which promised to issue in the overthrow of that minister; and Bothwell, having collected a small band of his desperate followers, it was resolved that the attempt should be made. Accordingly, on the 27th of December, about seven o'clock in the evening, Bothwell and his party repaired to the palace, and having without noise obtained entrance by a back passage that led through the stables of the Duke of Lennox, they soon found themselves, unobserved, in the inner court of the palace. At that moment, when neither the king nor the chancellor had the least suspicion of danger, and had taken no precautions for their own protection, it would have been an easy matter to seize and make prisoners of both; but fortunately for them this result was prevented by the incaution and precipitancy of one of the conspirators. Some of the servants of James Douglas of Spot had, a few days before, been apprehended on suspicion of having been concerned in the murder of George Hume of Spot, the father-in-law of Douglas, and had been confined in the palace, preparatory to being examined by torture. Anxious for their release, and seeing no other means of effecting it, Douglas had been induced to join Bothwell in the conspiracy, and, eager only for the accomplishment of that object, he at once proceeded with a detachment of the conspirators to the chamber where his people were confined, and began to batter down the door with sledge-hammers. The unusual noise alarmed the whole household. The king, who was then at supper in the queen's apartments, rushed precipitately down a back stair leading to one of the turrets, in which he took refuge; the chancellor, who happened to be then in the palace, shut himself up with a few servants in his own chamber; and the attendants of the queen barred and barricaded the door of her apartments. Bothwell, having first sent a party to secure the chancellor, went with the rest of the conspirators to the queen's apartments, with the intention of seizing the king, whom he expected to find there; but being unable to obtain admission, he became furious with rage, and called loudly for fire to burn the door. In the meantime, the chancellor and his attendants were courageously defending themselves, and beating back their assailants; while Sir James Sandilands, one of the gentlemen of the king's bedchamber, having been informed of his majesty's danger, had run with all speed to the provost, who hastily collected a number of armed citizens, with whom he entered the palace by a private door leading to the chapel, and compelled Bothwell and his followers to take to flight.* The greater part, owing to the darkness of the night, succeeded in effecting their escape; but nine of the lower order were captured, and, without the formality of a trial, were hanged next morning at the Cross of Edinburgh.† In this daring attempt, sometimes denominated in history the "Raid of the Abbey," only one person was killed,—Shaw, the king's equerry, who was shot by Bothwell while attempting to prevent his escape.

The Raid of the Abbey.

The effects of James's lax and feeble government were every day bringing him fresh disquietudes, and plunging the country more deeply into anarchy and confusion. The intrigues of the popish faction continued to be carried on with undiminished and indefatigable zeal; and the lawless feuds that prevailed among the great families kept the public mind in perpetual alarm, and rendered personal safety everywhere uncertain. In the north the public tranquillity was disturbed by a deadly quarrel between the Earl of Huntley and the Earl of Moray, which drew into its vortex many of the surrounding proprietors, and involved an extensive and populous district of the kingdom in the desolation and bloodshed of civil war.‡ Nor could the royal presence save even the court itself from continued agitation and alarm, arising out of the growing power of the Master of Glammis, and the jealousy and exclusiveness of the chancellor.§

After the failure of the Raid of the Abbey, Bothwell withdrew to the north, and a report having arisen that he had gone to solicit the aid of his cousin, the Earl of Moray, in some other treasonable enterprise, James sent Lord Ochiltree to invite Moray to court, probably with the sincere intention, or at all events with the avowed object, of effecting a reconciliation between him and Huntley. Yielding so far to the persuasion of Ochiltree, Moray quitted his secure retreat in the north, and came to reside with his mother, Lady Doune, at her castle of Dunnibrissle, in Fifeshire; but a second rumour, probably originating with Huntley himself, accused Moray of

* Calderwood, vol. v. p. 128. † Ibid.
‡ Ibid., p. 148.

* MS. Letter, State Paper Office, Roger Ashton to Bowes, 28th December, 1591; also ibid., Bowes to Burghley, 31st December, 1591.
† Calderwood, vol. v. p. 141.
‡ MS. Letter, State Paper Office, Bowes to Burghley, 7th December, 1590; ibid., Lord Thirlstane to Burghley, 7th December, 1590.
§ MS. Letter, State Paper Office, Bowes to Burghley, 20th November, 1590.

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having abetted Bothwell in his late attempt, and even of having been seen in the palace on the night of the assault. Huntley eagerly communicated this fabulous story to the king, and urged him so importunately for permission to proceed against the traitor, that, though James well knew Huntley to be the mortal enemy of Moray, he had the imprudence to grant him a commission to apprehend that nobleman, and bring him to trial. Armed with this authority, Huntley, on the 7th of February, assembled a party of his followers to the number of forty horse, and proceeded by the Queensferry to Dunnibrissle, where he arrived about midnight. He immediately beset the house, and called on the young earl to surrender. Unwilling, however, to put himself in the power of his deadly foe, Moray, though utterly unprepared for an attack, refused to obey, and, with the few retainers whom he happened to have about him, for some time maintained a desperate defence; but Huntley, collecting a quantity of combustibles from the corn-stacks in the neighbourhood, set fire to the house, so that the inmates were forced to come out, to escape being suffocated or burned to death. In this dreadful situation, Moray consulted with his friend Dunbar, the sheriff of Moray, who, being with him in the house, shared equally in the danger; and such was the devoted affection of that brave man that he generously risked, and, as the event turned out, sacrificed his own life to save that of his friend. His plan, which he immediately put in execution, was to rush out first amongst the assailants, so that while they were occupied in pursuing him or putting him to death, Moray might have an opportunity of making his escape.

Murder of the Earl of Moray.

The sheriff had no sooner emerged from the burning mansion than he fell mortally wounded, but Moray, as his generous friend anticipated, succeeded in making his way through his enemies, and, eluding their pursuit, escaped unhurt to the sea-shore. Here, under cover of the darkness of night, he might have been safe, but unfortunately the velvet edge of his helmet had caught fire as he made his way through the flames; and his pursuers, attracted by the light, followed him down amongst the cliffs, where he was endeavouring to ensconce himself, and put him to death with savage cruelty. It is said that the mortal wound was inflicted by the hand of Gordon of Buckie, who, seeing Huntley keep aloof, fiercely upbraided him with being afraid to go so far as his followers, and protesting with an oath that he must be as deeply implicated as they were, compelled him to dismount from his horse, and become art and part in the transaction by stabbing the body of the fallen man. Having thus gratified their cruel revenge, they withdrew, leaving the dead body of the unfortunate earl on the beach, and even one of their own party lying wounded on the ground under the walls of the still burning castle. Huntley, apparently unconscious of the crime he had committed, or feeling secure of impunity through the timidity or favour of the king, quietly retired to an inn in the village of Inverkeithing, where he remained for the night, and in the morning he dispatched Gordon of Buckie to inform the king of what had been done.*

The young Earl of Moray, who had thus met with a cruel and untimely death, was greatly endeared to the Presbyterian party, as being the son-in-law and representative of the great regent who had done so much to promote the Reformation, and whose memory was consequently still fondly cherished by the people. In personal courage, strength, elegance of person, and manly beauty of countenance, Moray was reckoned equal, if not superior to any man of his day, while the many amiable qualities of his mind made him beloved by all ranks in the kingdom.†

Commotion in Edinburgh—the king accused of being accessory to the murder.

Early next morning, after the murder of Moray, James went to enjoy his favourite pastime of hunting, in the neighbourhood of Wardie and Inverleith; and, as these grounds lie near the southern shore of the Firth of Forth, and almost opposite to Dunnibrissle, the smoking embers of that ill-fated mansion must have been distinctly visible to the king and his attendants. More stress, however, has probably been laid on this circumstance than it deserves. It has been made the ground of an accusation against James, of the most heartless indifference to the deed of blood, if not, in fact, of having been accessory to its perpetration. But as James was in the field at an early hour, and the crime had not been committed until long past midnight, there is great reason to believe that the intelligence had not yet reached him. It reached the capital, however, and was universally known there before his return. To his great consternation, he found the whole city in commotion; loud lamentations for the death of Moray were heard on every side, mingled with accusations against himself as a participant in the murder. The timid mind of James became terribly alarmed, and, uncertain what course to pursue, he at first sent for some of the ministers of the Kirk, and desired them to appease the multitude by assuring them of his

* Forty-three years afterwards, when advanced to extreme old age, Gordon testified his contrition for the murder of Moray on a very remarkable occasion. Being one of the jury at the trial of Lord Balmerino for leasing-making, on which occasion it was calculated that he would be sure to vote against the accused, he disappointed the expectations of all concerned by rising up as soon as the assize was closed, and imploring them to consider well what they were about before giving an unfavourable verdict. "It was a matter of blood," he said, "and if they determined to shed it, they might feel the weight of it as long as they lived. He had himself been drawn in to shed blood in his youth; he had obtained the king's pardon for his offence, but it cost him more to obtain God's grace; it had given him many sorrowful hours." As he said this, the tears ran over his face. Burnet records that the speech of the old man struck a damp into the rest of the assize, though it did not prevent them finding Balmerino guilty. (Chambers' Scottish Ballads, pp. 78, 79.)

† This dismal tragedy is commemorated in the still well-known and popular ballad of "The bonnie Earl of Moray."

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innocence. The ministers, however, coolly declined the office, and replied, that the best way to clear himself of the imputation would be to bring the criminals to trial, and inflict on them the punishment they deserved. Baffled in this attempt, he had recourse to a proclamation, in which he declared, on the word and honour of a king, that he had no more concern in the murder than David had in the slaughter of Abner, who was killed by Joab. The popular indignation, however, was too deep to be so easily assuaged. Facts, and vague rumours and surmises, which, by being often repeated, were believed to be facts, were combined together, and appeared to form a mass of direct as well as circumstantial evidence quite conclusive of the king's guilt. No steps had as yet been taken to bring the perpetrators to justice; Huntley sheltered himself under the plea of a royal commission for what he had done; an unusual and suspicious familiarity had of late arisen between Huntley and the chancellor; the king had been enraged against Moray, believing him to have been an accomplice of Bothwell in his late treasonable attempt; it was said that Ochiltree had been prohibited by an order of the chancellor, acting under the authority of the king, from crossing the Firth on the day of the murder; and, finally, it was whispered that the king's jealousy had been excited by some partiality to Moray, evinced by the young queen. All these circumstances formed a mass of apparent proof, which was regarded by many as quite conclusive of the king's guilt. In the meantime the excitement, far from being confined to the plebeians of the capital, was rapidly extending throughout the kingdom, and drawing within its influence persons of the highest rank, whose union soon assumed a most formidable aspect. Ochiltree, Lennox, Atholl, and many other friends of Moray, were loud and incessant in their demands for justice; and Lord Forbes, getting possession of the bloody shirt of the murdered earl, and raising it on the point of a spear, carried it through the country, and called on his retainers to revenge the slaughter of his friend. Bothwell, ever on the alert, embraced this opportunity of strengthening himself against the king, by joining these noblemen with all his adherents; while the Earl of Atholl, with the Lairds of Macintosh, Grant, Lovat, and their followers, made an inroad into Huntley's territory, carrying slaughter and conflagration wherever they went. In the midst of these alarming tumults, Lady Doune arrived at Leith, bringing with her the dead body of her son, and that of the sheriff, who had perished in the same lawless outrage. These she publicly exhibited in Leith, and was preparing to stimulate the indignation of the people of Edinburgh by the same horrid spectacle, when she was prevented by an order from the king. She then caused a picture of the mangled body to be made, and wrapping it in a fine lawn cloth, sought admission to the presence of the king, and presented it before him, with bitter lamentations and importunate entreaties for justice. While the king was paralysed with horror and indecision, she produced three bullets which had been found in the body of her son, and presenting one to the king, and another to one of the courtiers, she said, "I sall not part with this till it be bestowed on him who hindereth justice." * James was at once too partial and too weak to punish the principal offender; but with shocking barbarity he ordered for execution Captain Gordon, whom Huntley and his party had left wounded at Dunnibrissle, and who had no hand in the perpetration of the murder, together with a footman of Huntley's, who, there is reason to believe, was not even present when the crime was committed. It was vain to expect that these acts of flagrant injustice could either satisfy the friends of Moray, or allay the popular ferment, which, increasing every day, at length broke out into open and undisguised insult, so that James, considering himself in danger while he remained in the capital of his kingdom, withdrew with his council to Glasgow. In these perilous circumstances the king's determination to screen Huntley, and his foolish partiality for that disturber of his kingdom, remained unabated. In a friendly letter which James wrote to him at this crisis, he says, "Since your passing herefra I have been in such danger and perril of my life, as since I was borne I was never in the like, partlie by the grudging and tumults of the people, and partlie by the exclamation of the ministrie whereby I was moved to dissemble. Alwise I sall remain constant. When you come heere, come not by the ferreis, and, if ye doe, accompanie yourself as yee respect your own preservation. Yee sall write to the principal ministers that are heere, for thereby their anger will be greatly pacified." †

With a view to restore quiet, and stop the mouths of the incessant clamourers for justice, it was at last resolved to make a show of proceeding against Huntley. He was accordingly summoned to surrender and stand his trial; and having received from the king a secret assurance of safety, he at once obeyed, and, on the 10th of March, entered himself in ward in the castle of Blackness. Here he was permitted to surround himself with such a retinue of his followers that he became, for the time, virtually master of the place; and no sooner was public tranquillity in some degree restored than he was released, on finding security to the amount of £20,000 to re-enter and stand his trial when he should be required. ‡ No trial, however, had ever been contemplated, and none ever took place; and this mockery of justice was terminated by his obtaining the king's pardon,§ and receiving permission to return to court.

The indignation of the people now broke out with redoubled fury, and was directed not only

* Calderwood, vol. v. p. 145. † Ibid., p. 146.
‡ Ibid., p. 149.
§ Historie of James the Sext, p. 248.

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against the king, but against the chancellor, who was believed, not without reason, to be a party to the conspiracy for the murder of Moray; and such a storm was raised against him, that that able minister, no longer capable of guiding the helm of the State, was obliged to retire from office.* Disappointed and mortified at the denial of justice, overwhelmed with grief for the loss of her son, and burning with indignation against his murderers, Lady Doune took ill and died, leaving a mother's malediction on the head of the king. †

Embarrassment of the king.

The loss of his ablest counsellor, at a time of such complicated difficulties, was severely felt by the king, who found Maitland's place but inadequately supplied by the Earls of Mar and Morton, and the Prior of Blantyre, by whom the court was now guided. ‡ His position at this moment was one of unusual embarrassment, and to escape from it demanded a wiser head and a more vigorous hand than James had hitherto displayed. The great body of his subjects were refractory and discontented; the authority of the crown and of the law was utterly unable to cope with the overgrown power of the higher barons, the majority of whom had grown insolent and rebellious beyond endurance, and had now leagued themselves with his fierce and turbulent enemy, the Earl of Bothwell, who had recently been proclaimed a traitor. Elizabeth, who had so lately professed such cordial friendship, had grown cold and reserved, and had even shown herself favourably disposed to Bothwell, who was now engaged in a correspondence with her ministers; while, to crown all, the king's favour for the papist Huntley had in great measure alienated from him the affection and confidence of the ministers of the Kirk. It was to this popular and influential body, however, that he now turned as his last resource; and in his efforts to regain their favour, he was induced to make concessions utterly repugnant to his inclination, but which, as ratified by a parliament held at this time, have ever since been regarded as the "Charter of the liberties of the Kirk." By a decree now passed, the obnoxious acts of the parliament of 1584 were rescinded, the Presbyterian form of church government solemnly recognised, the order of bishops abolished, and the independent action of the church courts secured. §

The Earl of Bothwell and all his adherents were attainted by this parliament; and perhaps few better proofs can be given of the contemptible imbecility of the executive government of Scotland at this period than the fact that, notwithstanding repeated attempts had been made to seize and punish him by parties headed by the king in person, that insolent traitor was still able to remain at large, and from time to time to renew his treasonable attempts against the liberty or life of his sovereign. Shortly after the rising of parliament, James had retired to his favourite palace of Falkland, and while residing there with his courtiers in peaceful seclusion, Bothwell was busily engaged in a fresh intrigue for the seizure of his person. Several of the courtiers, who were parties to this conspiracy, had engaged to open the gates to admit the conspirators on their arrival; and the Earl of Angus, the Johnstons, and some others, had agreed to assist Bothwell, in the event of the people of the neighbourhood rallying for the protection or release of the king. Meanwhile, Bothwell, having raised a party of his followers on the Borders, advanced towards Falkland during the night, and would most probably have succeeded in his object, had he not been defeated through the vigilance and fidelity of Sir James Melvil, who having obtained information of Bothwell's movements, dispatched a confidential messenger to apprise the king of his danger. The courtiers, however, who were in the plot persuaded James to treat the warning with contempt, and insulted and derided the messenger. Irritated by such an ungrateful requital of his loyal services, the man withdrew; but as he was journeying homeward, he encountered Bothwell and his party among the Lomond hills. True to his trust, notwithstanding the rude repulse he had met with, he joined the band, as if he had been one of their number, and returned with them towards Falkland. As he approached the palace, however, he slipped from their ranks, and, hastening forward, arrived a few minutes before them. Having obtained entrance, he locked the gates behind him, and loudly entreated the king to take refuge in the tower, and the courtiers to arm in his defence. At that moment the cry of "Bothwell! Bothwell!" raised by the assailants, met the ears of the king, who, now convinced of the reality of his danger, hastily gathered round him a number of his armed attendants, and shut himself up with them in the tower, as he had been directed. The conspirators within, finding that the plot had been discovered, did not interfere; while Bothwell and his minions without, being unable to obtain admission as they had expected, directed a steady fire into every opening of the tower through which they thought their missiles had a chance of taking effect. This was warmly returned by the party within; but after some time, Bothwell, despairing of success, drew off his men and retired towards the Lomond hills, where, worn out and exhausted by a march of two days and two nights without either rest or food, they found it necessary to repose until the dawn. Early in the morning Bothwell, apprehensive of being attacked and pursued by the country people in the neighbourhood, seized on all the horses in the royal stables, the town, and the park, and hastily commenced his retreat by Stirling, intending to lead back his followers to the Borders. In the course of that

Raid of Falkland.

* Moyse's Memoirs, p. 97; MS. Letter, State Paper Office, Bowes to Burghley, 17th December, 1592; Tytler, vol. ix. p. 61.

† Calderwood, vol. v. p. 149.

‡ Ibid.

§ Robertson, vol. ii. pp. 207, 208; Aikman, vol. iii. pp. 181, 182.

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day, the news of the assault on the palace spread far and wide, and brought to the king's aid bands of armed men from all parts of the surrounding country; and with such alacrity was this loyal service performed, that before night the king found himself at the head of three thousand men. With these he set out in pursuit of the fugitives; but uncertain what direction they had taken, and perhaps unwilling to risk an encounter with these fierce and hardy desperadoes, James conducted his troops by Queensferry to Edinburgh. Next day Sir James Sandilands brought to the king nine or ten of Bothwell's followers, who, having straggled from their party, had been seized on Calder muir, where they had fallen asleep through exhaustion. Of these, five were hanged without the formality of a trial.* After such an outrageous act of treason, Bothwell did not consider himself safe until he took refuge in England; while the courtiers who had been parties to the conspiracy, were not only pardoned but received into favour. Only one of these, Lord Spence, was subjected even to the form of a trial, but was immediately afterwards restored to his office. Another, Wemyss, Younger of Logie, was for a short time confined in an apartment of the palace; but one of the queen's maids of honour, having found means to deceive his guard, let him down by a cord from the window, so that he made his escape. When the circumstance became known, it occasioned such merriment in the court, that James, with characteristic facility, abandoned all thought of treating the matter seriously. The young lady was forthwith married to her lover, and he was permitted to resume his station at court, as one of the gentlemen of the king's bedchamber.†

Return of Captain James Stewart to court.

About this time the notorious Captain James Stewart, who had been so long secluded from public life, once more, like a bird of evil omen, emerged from his obscurity, and, at the desire of the king, made his appearance at court.‡ He had come to Edinburgh ostensibly for the purpose of preferring certain accusations against the chancellor and Lord Hamilton, as he had previously done against the Earl of Morton;§ but his real object seems to have been to scramble, if possible, once more into the high office of chancellor, which had been left vacant by the compulsory retirement of Maitland. His reception was such as at once to flatter these ambitious hopes, and to alarm the fears of every lover of his country and his king. In anticipation of a storm being raised against him by the ministers of the Kirk, who had so much cause to dread his reaccession to power, Stewart artfully endeavoured to make his peace with the Church, by applying to the presbytery of Edinburgh, offering to give them satisfaction for his previous offences; but the reception he met with convinced him that he had no support to expect from that quarter. They told him, that for aught they yet saw they could have no opinion of him but evil, and that it would not be words, but good deeds, that would change their minds. At the same time, they sent a deputation of their number to the king, with instructions solemnly to warn him against showing Stewart any countenance or favour, and to protest that if he were again invested with any office of trust or authority, the Church would hold itself guiltless of any evil that might follow. The displeasure evinced by the king at this interference, and still more at the freedom with which some of the ministers declaimed against Stewart from the pulpit, plainly showed that, notwithstanding all the heinous crimes of which Stewart had been guilty, and the many miseries he had formerly brought on the country, James still retained an affection for him, and would willingly, if he durst, have again raised him to power. But these were not times to hazard such a perilous exercise of the royal prerogative. James yielded to a necessity which he could not avert, and Stewart withdrew from court never more to return.* Not long after this, he fell a sacrifice to the revenge of James Douglas, of Parkhead, who had never forgiven him for having occasioned the death of his uncle, the Earl of Morton.

Intrigues of the Romish faction.

Towards the close of this year the public mind, so long agitated by plots and treasons, was stirred to its depth by the discovery of a conspiracy of a more formidable character than any that had during this reign alarmed the country. The zeal, activity, and hopes of the popish faction, notwithstanding the blow it had sustained four years before in the overthrow of the great Spanish enterprise, were still kept alive through the agency of seminary priests and other foreign emissaries with whom the country was infested; and indefinite apprehensions of impending danger, combined with vague rumours of plots and invasions, kept the minds of men in continual disquietude, and almost prepared them for the sudden development of some dark scheme for overturning the Protestant establishment and subverting the liberties and independence of the country. The ministers of the Kirk deeply participated in these gloomy sentiments, kept a watchful eye over the movements of their enemies, and were unceasing in their endeavours to penetrate their dark designs. At a meeting which they held at Edinburgh about the middle of November, on bringing together the results of their individual investigations, they were unanimously of opinion that some conspiracy was on foot for the overthrow of the Protestant Church, and the re-establishment of Roman Catholic ascendancy. They afterwards sent a deputation to lay the result of their conference before the king, who fully concurred in their opinion, and approved of certain precau-

* Calderwood, vol. v. p. 168.

† Aikman, vol. iii. p. 184; Historie of King James the Sext. The old ballad, called the "Laird of Logie," is founded on this incident.

‡ Calderwood, vol. v. p. 186.

§ Ibid.

* Calderwood, vol. v. p. 190.

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tionary measures which they had suggested for meeting the emergency.

The ministers were much assisted in their investigations by Sir Robert Bowes, the resident English ambassador, whose skill in detecting conspiracies has rarely been equalled; but after all, the discovery of the plot now ripe for execution was effected through the vigilance and activity of one of their own body. Mr. Andrew Knox, minister at Paisley, having received information that George Kerr, a doctor of laws, a Roman Catholic and brother of the Abbot of Newbottle, was about to proceed to Spain on a secret mission, carrying with him important letters, lost not a moment in setting out to intercept the suspicious fugitive. Accompanied by a body of armed men furnished by Lord Ross, he proceeded to Glasgow, whither he had ascertained Kerr had gone on his way to the coast; but not finding him there, he sailed with his party to the island of Cumbray, where he found the object of his search already on board the vessel that was to convey him to Spain. On a search being made, the letters were discovered and seized, and Kerr was conveyed a prisoner to Edinburgh. He was immediately brought before the council, and on his papers being examined, there were found letters from Jesuits and seminary priests in Scotland, together with blank sheets having at the bottom the seals and signatures of the Earls of Huntley, Errol, and Angus, the Lairds of Auchindown, Fintry, and others of the popish faction.* Kerr, at first, obstinately refused to make any disclosure; but having by command of the king been put to the torture,† he confessed the whole conspiracy. It appears that the King of Spain was to land an army of thirty thousand men on the west coast of Scotland, where they were to be joined by the Roman Catholic lords with all the forces they could muster; that fifteen thousand of these were to march across the Border; while the remainder, with the assistance of the whole Romish faction, were to attempt the overthrow of the Protestant Church, or at least to secure the utmost toleration for the exercise of all the rites and ceremonies of the Romish religion. The blank sheets, in allusion to which the conspiracy received the name of "the Spanish Blanks," were to have been filled up afterwards by William Crichton, a Jesuit,‡ according to instructions with which Kerr was charged, and then to be delivered to the King of Spain.§

Conspiracy of the "Spanish Blanks."

The excitement and alarm occasioned by these disclosures, particularly in the capital, and among the ministers of the Kirk, were almost unprecedented; and great numbers of the citizens, at the recommendation of the ministers, turned out armed to assist the magistrates, if necessary, in placing the offenders in secure custody in the Tolbooth.* The king was then at Alloa, enjoying the Christmas hospitality of the Earl of Mar, who had been recently married to the sister of the Duke of Lennox, and the privy council and ministers, satisfied of the reality of the dangerous conspiracy which had just been brought to light, dispatched Sir John Carmichael and Sir George Home to request his majesty's immediate return to the capital. In the meantime Angus, who had not heard of Kerr's arrest, having returned to Edinburgh from an expedition to the north, was, at the command of the council, apprehended by the magistrates, and lodged in the castle.† Graham of Fintry, another of the conspirators, was arrested and imprisoned a few days afterwards; and a proclamation was issued commanding all Jesuits, seminary priests, and excommunicated persons, to quit the city within three hours, under pain of death.‡

On the king's return he expressed strong displeasure at these prompt and decided measures, and censured particularly the magistrates of Edinburgh, whom he accused of unwarrantable presumption and direct encroachment on the royal prerogative in having, without his express authority, imprisoned a nobleman of such high rank as the Earl of Angus, who had lately returned from executing an important trust in a distant part of the country.

Steps taken regarding it by the king and people.

A meeting was now convened, consisting of some of the Protestant nobility and gentry, together with the ministers, to consider what measures should be proposed at the next meeting of parliament for the security of the Church and the country at this alarming crisis; when it was unanimously agreed that it was necessary to bring to trial, and to punish with the utmost severity of the law, all persons of whatever rank proved to be implicated in the conspiracy; that with respect to such of the conspirators as were still at large, every exertion should be made to apprehend them, or, in the event of their eluding pursuit, that they should be declared traitors and forfeited. A deputation was appointed to lay the result of their deliberations before the king, who at first chid them sharply for having presumed to hold such a meeting without awaiting his summons; but afterwards, becoming more cool, excused their precipitancy in consideration of their good intention, and the extent and imminency of the peril they sought to avert. He promised that the trials should be immediately proceeded with; and declared the crimes to be of such magnitude that he could not pardon them even if he would. A proclamation was issued, in which the king expressed his determination to bring the offenders to trial, and to inflict such punishment upon them as

* Calderwood, vol. v. p. 192.
† MS. Letter, State Paper Office, Bowes to Burghley, 6th February, 1592-3; Tytler, vol. ix. p. 67.
‡ Calderwood, vol. v. p. 192.
§ MS. Letter, State Paper Office, Bowes to Burghley, 13th January, 1592-3; Tytler, vol. ix. p. 63.

* Calderwood, vol. v. p. 193.
† Ibid., p. 214.
‡ MS. Letter, State Paper Office, Bowes to Burghley, 3rd January, 1592-3; Tytler, vol. ix. p. 58.

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to render them an example to all posterity; and he called on all ranks of his subjects to be ready with arms in their hands to support him when required, in pursuing the most vigorous measures for restoring the tranquillity and securing the safety of the kingdom.

Muster of the whole force of the kingdom.

Trusting to the king's sincerity, the assembled barons and gentlemen made offer to raise a guard of three thousand horse and one hundred foot for the protection of the royal person, and to maintain them at their own expense so long as might be deemed necessary; and this offer having been accepted, the whole force of the kingdom was commanded to meet the king at Aberdeen, on the 25th of February, in order to proceed against the traitors, Huntley, Errol, and Auchindown, if they should fail to deliver themselves up, as they had been previously charged to do, by the 5th of the same month.

There is reason to believe that with all this appearance of zeal on the part of James, he was, at heart, utterly averse to the task he had imposed on himself, and had no serious intention of proceeding against the traitors farther than he should feel absolutely compelled to do in deference to public opinion. Suspicions of his sincerity were from the first generally entertained by the better informed and more thoughtful part of the community, and were strengthened, if not confirmed, by the escape of Angus, who, breaking loose from his confinement in the Castle of Edinburgh, fled to the north, and joined his friends, Huntley and Errol. That Angus could have performed this feat without the connivance of his keepers was scarcely possible; and that they had acted under secret orders from the king, was regarded as all but certain. But James had a hidden motive for affecting a determination to proceed vigorously against the popish earls. He was politic enough to see, in the present crisis, an opportunity of crushing his enemy Bothwell at once and for ever. This traitorous nobleman had been emboldened in his daring attempts against the king's person, on the one hand, by the apparent indifference of the Protestant clergy; and, on the other, by the secret encouragement of the English queen, who still clung to her abominable policy of fomenting party discord in Scotland. The clergy were now loud in their demands for the punishment of the Romish conspirators; and James well knew that the alarm of Elizabeth at the discovery of the "Spanish Blanks" would be immediately followed by urgent solicitations to proceed against the offenders with the utmost promptitude and rigour. He was determined to make his compliance the price of the co-operation of both parties in the destruction of Bothwell; and to this condition the ministers and Protestant barons readily consented. Thus fortified, he was now in a position to demand the co-operation of his haughty and intriguing sister, and freely and firmly to remonstrate against her unjust and crooked policy, of the whole extent of which he had only recently become aware. He now knew that Bowes had been well acquainted with all Bothwell's treasonable designs, and had secretly encouraged them; that Elizabeth, though she was too cunning openly to commit herself, connived at the countenance shown to Bothwell in England, and at the participation of her ministers in his intrigues; that Mr. Lock, an agent of Burghley, had actually been sent to Scotland for the purpose of organizing a faction, in conjunction with the ministers of the Kirk and the Protestant barons, for the restoration of Bothwell, and that, but for the discovery of the Spanish conspiracy, their machinations would ere this have developed themselves in fresh acts of violence.*

Bowes, who was little aware of the king's intimate acquaintance with all these circumstances, was now admitted to an audience, when he encountered a storm such as he had never before witnessed in the Scottish court. The king was in a violent passion, which must have forcibly reminded the ambassador of some of the appalling paroxysms of his own mistress. He declared that the Queen of England had injured and dishonoured him by giving countenance to Bothwell, whom she knew to be a manifest traitor and rebel; that she had suffered her subjects to harbour and protect him, and that they pleaded her authority for so doing. If such were the case, he said, he could look on it in no other light than an insult to his authority, and a studied indignity. He added that he should make strict investigation into the matter, and should these allegations prove to be correct, there was an end to his amity with the Queen of England and all her subjects. This outburst took Bowes completely by surprise, but he found all his efforts to allay it, by solemnly assuring the king of Elizabeth's innocence, for the time unavailing.† A few days afterwards, however, Elizabeth dispatched a letter to James, written entirely with her own hand, in which she adopted that artful tone of conciliation and kindness which she knew well how to assume when it suited her purpose; and at the same time tendered him so many judicious advices, that the wrath of the young monarch was speedily appeased, and he signified to the ambassador his readiness to proceed against the popish lords. In the event, however, he added, of their refusing to deliver themselves up, as they had been charged to do, he should be obliged to lead an army against them and their feudal retainers—a proceeding which in the present impoverished condition of his exchequer he should have much difficulty in adopting; and he took that opportunity of reminding the ambassador that, instead of £5000 a year which Elizabeth had promised him, he was in receipt only of three.‡ He promised, however, to send to her Sir Robert Melvil,

* MS. Letter, State Paper Office, Bowes to Burghley, 27th December, 1592.

† MS. Letter, State Paper Office, 19th January, 1592-3; Tytler, vol. ix. p. 72.

‡ MS. Letter, State Paper Office, Bowes to Burghley, 27th January, 1592-3.

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or some other confidential minister, who would enter more minutely into such matters.*

In the meantime, Elizabeth, impatient of delay, sent Lord Burgh to the Scottish court, with instructions to urge on the prosecution of the conspirators by every means in his power. As had been anticipated, Huntley and his associates, instead of surrendering to stand their trial, took refuge within their castles in the midst of their northern fastnesses; and the king, considering his own honour and authority now nearly concerned, resolved to march against them and reduce them, at whatever cost, to obedience. In order, however, to give proof of his sincerity, and thus appease the popular clamour which still prevailed, before setting out on his expedition he ordered Graham of Fintry to be brought to trial, who, being unprotected by any formidable family influence, was convicted of treason by an assize of barons and burgesses, and forthwith beheaded at the market-cross of Edinburgh.† This severity towards one of the subordinate agents of the conspirators, was so far from producing a conviction of James's sincerity, that on the very night of the execution a placard was publicly exhibited in the city, warning the inhabitants against being deceived by this apparent zeal, and asserting that the preparations now in progress would end in nothing, and had never been seriously intended to have any other result.‡

Expedition against the popish lords.

Having requested public prayers to be offered up for the success of the expedition, and appointed the Earl of Morton to be lieutenant-general of the kingdom during his absence, James set out at the head of his troops on the 17th of February, and marched to Stirling.§ On the same day Angus was summoned, at the Cross of Edinburgh, to appear before the king and council on the 27th of the same month, under pain of being put to the horn.‖ From Stirling James proceeded to Perth, from Perth to Dundee, and thence to Aberdeen.¶ On hearing of his arrival there, Huntley and his fellow-conspirators quitted their strongholds, and fled to the mountains, leaving their wives with instructions to intercede with the king in their behalf, and to present him with the keys of their castles in token of surrender. James treated the ladies with courtesy, placed garrisons in the castles, and appointed the Earl of Atholl—who had joined him with twelve hundred foot and nine hundred horse—his lieutenant-general beyond the Spey, in order to prevent these northern districts of the country from again falling into the hands of the fugitive lords.** He further compelled their vassals, together with the barons of the adjoining counties, to subscribe a bond professing their loyalty to him, and their adherence to the Protestant faith.††

* MS. Letter, State Paper Office, Bowes to Burghley, 27th January, 1592-3; Tytler, vol. ix. p. 73.
† Calderwood, vol. v. p. 224. ‡ Ibid.
§ Ibid. ‖ Ibid., p. 231. ¶ Ibid.
** MS. Letter, State Paper Office, Lord Burgh to Burghley, 6th March, 1592-3; Tytler, vol. ix. p. 75.
†† Spottiswood, p. 391.

These measures were followed up by the forfeiture of the popish lords, and the seizure of their lands by the crown; but this severe penalty was inflicted in such a manner as to justify the remark of Lord Burgh in a letter to Burghley, that the king only "dissembled a confiscation," and meant ultimately to leave the power of the rebels undiminished.* The Countess of Huntley, sister of the Duke of Lennox, was permitted to keep possession of the principal castle and estate belonging to her husband, while Atholl was appointed to hold the rest as factor for the crown. The Earl Marischal, father-in-law to Errol, purchased the forfeited estates of that nobleman; while his mother retained, as her jointure, his house of Logie-Almond, and Atholl, his brother-in-law, became factor for his other heritable properties. On the other hand, Angus, whom the king had little motive either of fear or favour to spare, was deprived of all his castles and estates, which were delivered over into the hands of strangers.

Suspicions of the king's sincerity.

Having finished his expedition, James returned to his capital on the 13th of March. The result confirmed all the popular suspicions of the king's insincerity; and so entirely had he forfeited the confidence even of his own council, that they passed an act prohibiting all persons from interceding with him in favour of the three earls, and even administered an oath to his domestic attendants to the same effect. A few days after his arrival, Lord Burgh, the ambassador of Elizabeth, was admitted to an audience. He was charged by his mistress to congratulate the king on the fortunate discovery of the Spanish plot; to offer her assistance in pursuing the rebel lords, and bringing them to trial and punishment; to express her surprise and regret at his former remissness, and to urge him to make the most strenuous efforts to apprehend the fugitives, or, if that were found impracticable, at least to confiscate their estates, and thus at once deprive them of the power of again disturbing the peace or endangering the safety of the country, and strengthen his own hands by increasing the revenues of the crown. James expressed his gratitude to the queen for her friendly communication, and assured the ambassador that it was his determination to prosecute and punish with the utmost severity all who had been concerned in the plot; but, at the same time, entreated her majesty to recollect that he had many great difficulties to contend with, and would require liberal support, both in men and money. He added, that her majesty's own interest was here closely concerned, as much greater danger would arise to her dominions from the landing of a Spanish army in Scotland than in either France or the Low Countries, both of which she had liberally subsidized. At the conclusion of the audience, Burgh, in accordance with his secret instructions, artfully contrived to insinuate a plea in favour of Bothwell; but, on this point, the king

* MS. Letter, State Paper Office, Lord Burgh to Burghley, 5th March, 1592-3; Tytler, vol. ix. p. 76.

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peremptorily refused to make any concession. "Bothwell," he said, "that vile traitor, whose offences against me are unpardonable, and such as, for example's sake, should make him to be abhorred by all sovereign princes, is harboured in England. Let my sister expel him, or deliver him up, as she tenders her own honour and my contentment. Should he henceforth be comforted or concealed in her dominions, I must roundly assure her, not only that our amity is at an end, but that I shall be enforced to join in friendship with her greatest enemies for my own safety."*

The ambassador was well aware that Elizabeth's insidious policy had given just cause of complaint to the Scottish king. In obedience to the secret instructions of his court, he was at that very time engaged in strengthening Bothwell's faction, and encouraging him to a renewed attempt against the person of his sovereign; while the lord high treasurer, Burghley, was corresponding with that nobleman, and had even advised him to write directly, though with caution and secrecy, to the queen herself.†

It soon became obvious that the king had no intention of proceeding to extremities against the popish lords. They had indeed been declared forfeited, by proclamation, for non-appearance; but their possessions had been consigned to the keeping of their own near relations or connexions, and were, in fact, only held in trust, and ready to be restored, when the present storm had subsided, to their original owners. The forfeitures, besides, had no validity until confirmed in parliament by an act of attainder. To avoid holding a parliament in the present excited state of the country, and in opposition to the importunity of the clergy and Protestants of all ranks, was impossible, and it was accordingly summoned to assemble on the 16th of July. In the meantime, George Kerr, who had been confined in the Castle of Edinburgh, was permitted to make his escape, and though an attempt was made to recapture him, it was purposely rendered ineffectual by sending out the pursuers in one direction, while he was conveyed away in another. This artifice was so palpable and notorious that on the following Sunday it was publicly exposed from the pulpit, and stigmatised as a "mockery."‡

Bothwell forfeited and proclaimed a traitor.

When parliament met it was found that the great object for which it had been summoned was frustrated and summarily set aside. In consequence of the absence of Kerr, the principal witness, the king's advocate, Mr. David Mackgill, declared that Huntley, Angus, and Errol, could not at this time be "forfaulted," as there was not sufficient legal evidence of their guilt.* The worst fears of the Protestant clergy and people were now realised; and the king, who was openly accused of being, and universally believed to be, the contriver of this artifice, agreed, in order to soothe them, to the passing of an act ordaining that obstinate contemners of the decrees of the Kirk should be denounced as rebels, of another declaring ministers' stipends free from "impositions" (taxation), and of a third against sayers of mass and the receivers and entertainers of excommunicated Papists.† In this parliament Bothwell was forfeited, and within an hour was publicly proclaimed a traitor at the Cross of Edinburgh.‡

The artful subterfuge under which the popish earls had been allowed to escape, excited strong indignation against the king among all ranks of his Protestant subjects; and a very general suspicion began to be entertained that, notwithstanding all his professions of attachment to the Reformed faith, he had actually a secret leaning towards popery. The ministers of the Kirk, as usual, spared not to express publicly from the pulpit many of those sentiments which were known to be privately entertained and expressed by their flocks. On the Sunday following the rising of parliament, Mr. John Davidson vehemently attacked the proceedings of the parliament, as well as the king himself. "It was a black parliament," he said, "for iniquity was seated in the high court of justice, and had trodden equity under foot. It was a black parliament, for the arch-traitors had escaped; escaped, did he say! no: they were absolved! and now all good men might prepare themselves for darker days: trials were at hand: it had ever been seen that the absolving of the wicked imported the persecution of the righteous. Let us pray that the king, by some sanctified plagues, may be turned again to God."§

It ought, however, in justice to James to be remarked, that the distracted state of the nobility and of the court itself rendered his position, at this time, one of extreme solicitude and embarrassment. The feuds among the ancient families were every day increasing in number, and seemed threatening to disjoint the whole framework of society. The two first noblemen in the kingdom, the Lord Hamilton and the Duke of Lennox, were at deadly enmity, having each put forth the claim of being next in succession to the crown.‖ Huntley and his friends were at feud with Atholl and the whole family of the Stewarts, on account of the murder of the Earl of Moray. The court was split into factions scarcely less inimical to each other. The Chancellor Maitland had retired from office, in consequence of some mysterious but mortal aversion entertained against him by the queen, the Duke of Lennox, and all the nobility and gentlemen of the name of Stewart, who regarded him

* Answers for the Lord Burgh concerning Bothwell; MS. wholly in James's hand; Warrender MS., book B., p. 401; Tytler, vol. ix. p. 77.

† MS. Letter, State Paper Office, Bothwell to Thomas Musgrave, 7th March, 1592-3; MS. State Paper Office, Mr. Lock's instructions, 10th February, 1592-3, entirely in Burghley's handwriting; Tytler, vol. ix. p. 78.

‡ Calderwood, vol. v. p. 254.

* Calderwood, vol. v. p. 254.

† Ibid., p. 255.

‡ Ibid.

§ MS. Calderwood, Ayscough, 4738, fol. 1139.

‖ MS. Letter, State Paper Office, Bowes to Burghley, 20th May, 1593; Tytler, vol. ix. p. 79.

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as their enemy, and had formed schemes against his life. But at this season of difficulty, finding no other adviser in whose wisdom he could confide, James continued, though privately, to consult him, and now proposed recalling him to court and restoring him to office. This aroused the jealousy of the queen's faction to such a pitch, that they were ready to adopt almost any expedient that seemed likely to prevent his return. Lennox, Atholl, Ochiltree, and all bearing the name of Stewart, now turned their eyes to Bothwell as their forlorn hope. He was a Stewart, and therefore they regarded his cause as their own; and more especially as he was at enmity with Maitland, they determined, if possible, to procure his restoration to the favour of the king.

Bothwell intrudes into the king's presence.

Accordingly, on the 23rd of July, two days after the rising of the parliament, Bothwell, accompanied by John Colville, was brought secretly to Edinburgh, and was invited by the Earl of Atholl to lodge for the night in a house immediately adjoining the palace, and then occupied by the Countess of Gowrie, Atholl's mother-in-law. Atholl had that day come to court, accompanied by a band of armed retainers—a circumstance so common among the great nobility that it excited no suspicion; but late at night they were posted at the gates of the palace, to prevent all ingress or egress, unless by the express authority of their chief. Early on the morning of the 24th of July, the Countess of Atholl, taking Bothwell and Colville along with her, entered the palace by a private passage which communicated with Lady Gowrie's house, and, conducting them into an anteroom opening into the king's bedchamber, hid them behind the arras. She then stealthily displaced the arms of the guard, and having locked the door of the queen's bedchamber, to prevent the escape of the king, retired with her attendants. In a short time, Bothwell, emerging from his hiding-place, knocked rudely at the king's chamber-door,* which was immediately opened by the Earl of Atholl; and James, who happened to be at the instant in a closet opening into the apartment, hearing a noise, rushed out in a state of dishabille, and seeing Bothwell and Colville standing before him with drawn swords, attempted to escape by the queen's bedchamber, but finding the door locked, he called out loudly, "Treason! Treason!" At that moment, the Duke, Atholl, Ochiltree, and others of their party entered the room, and James, now finding himself completely in the power of his enemies, threw himself into a chair, and faced with unwonted courage the danger which he could not avoid. Bothwell and Colville now threw themselves on their knees, but James called out, "Come on, Francis! you seek my life, and I know I am wholly in your power. Take your king's life; I am ready to die. Better to die with honour than live in captivity and shame. Nay, kneel not, man," he continued, "kneel not, and add hypocrisy to treason." Bothwell, continuing on his knees, solemnly protested that he had no such intention, but had come there to ask his majesty's pardon, and to submit humbly to his pleasure; then presenting his sword, which he held by the point to the king, and laying down his head, called on him to strike it off if he believed he had ever entertained an idea of injuring his royal person.* He declared his willingness to submit to an assize for witchcraft, and for seeking the king's life directly or indirectly, and after being tried and purged, to depart out of the realm, if it should be his majesty's pleasure, and to such place only as he should be pleased to appoint; to attempt no innovation on the State, or any change of the king's councillors, but "to like of them whom his majesty liked."† "You protest, forsooth," resumed James, "you only come to sue for pardon, to submit yourself to your trial for witchcraft, to be cleansed by your peers from the imputations which lie heavy on you. Does this violent manner of repair look like a suppliant? Is it not dishonourable to me, and disgraceful to my servants who have allowed it? What do you take me for? Am I not your anointed king, twenty-seven years old, and no longer a boy or a minor, when every faction could make me their property? But you have plotted my death, and I call upon you now to execute your purpose, for I will not live a prisoner and dishonoured." Lennox, Atholl, and Ochiltree, now warmly interposed their mediation, and James, becoming calmer, raised the suppliant earl from his knees, and drew him into a window recess, as if to converse with him aside. In the meantime, intelligence of Bothwell's enterprise had reached the magistrates of the city, who, hastily mustering an armed body of the inhabitants, flew to the king's relief, headed by the provost, Sir Alexander Hume, of North Berwick. The party had just entered the palace-yard, and Hume, standing beneath the window and seeing the king at the open casement, desired to know his condition and his pleasure; and pledged himself that, if his majesty should give the word, he and his men would instantly break down the doors, and either deliver him from restraint or lose their lives in the attempt.‡ James, who saw that a violent proceeding of this kind would expose his person to great danger, yielding to the suggestion of his tried friend the Earl of Mar, who had just entered the apartment, leant over the window, and answered that "the Earl Bothwell had come in upon him by his expectation and foreknowledge; had promised fair, and if he kept, he would keep to him."§ He, however, requested them to retire to a short distance, and promised that he would call for them again, and let them know the circum-

* Calderwood, vol. v. p. 256.

* MS. Letter, State Paper Office, Bowes to Burghley, 18th August, 1593; Tytler, vol. ix. p. 90; Melvil's Memoirs, Bannatyne Edition, pp. 414, 415.

† Calderwood, vol. v. p. 257. ‡ Ibid., vol. v. p. 257.

§ Ibid., vol. v. p. 257.

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stances in which he might be placed. They accordingly withdrew to "the south-west corner of the abbey close," and after a brief space Hume was recalled, and informed by the king that he and Bothwell "were finally agreed."* In his present alarming circumstances, James was fain to gain time by a pretended reconciliation to this arch-traitor. By the advice of Mar, and through the mediation of the English ambassador, he was induced to subscribe a capitulation, promising him, on condition of his peaceable behaviour and abstinence from all interference in State affairs, in the first place a fair trial, and, in the event of his acquittal, restoration to his rank and estates. It was farther stipulated that he should, in the meantime, retire from court, and Bothwell having signified his acquiescence, his peace was next day proclaimed by the heralds at the Cross of Edinburgh. According to agreement he now removed from the court, leaving behind him, however, a strong party of his confederates to watch the motions of the king.

He had hardly taken his departure when James, who was in reality a captive, began to concert measures for shaking off the humiliating yoke imposed on him by this insolent subject and his faction. Despite the wakeful vigilance of his enemies, he managed to consult with Lord Home and the Master of Glammis as to the means of effecting his release, and to communicate with Huntley, who was raising a large force in the north. It was arranged that the attempt should be made immediately after the trial of Bothwell. James, escaping from his guard, was to mount a swift horse, which was to be in readiness for him at the park-gate, and gallop to Lochleven; and, as a strong muster of Bothwell's faction was expected to take place on the day of trial, Hume was suddenly to attack them with all the forces he could assemble, when he hoped to be able either to seize or destroy their leaders.†

Trial and acquittal of Bothwell.

The trial came on, upon the 10th of August, and lasted from one o'clock in the afternoon until ten in the evening. The indictment accused Bothwell of three different attempts to take away the king's life by means of sorcery, the only evidence being the depositions of Richard Graham, who had been burned for witchcraft; but this evidence having been deemed contradictory, and in other respects inconclusive, the earl was triumphantly acquitted. Bothwell's complete restoration now became a matter of necessity, if not of justice; and the following "conditions" were accordingly granted by the king to him and "his partakers:"

Conditions granted to Bothwell.

—"Full remission of all bygone offences done to his majesty and his authority preceding this day; never to be quarrelled hereafter; that they receive present possession, restoration, and all other security of their lives, lands, goods, and houses; and his highness shall ratify the same in the parliament to be holden betwixt and the 20th day of November next to come, according to the act of repossession made in the parliament holden in Linlithgow; and this present act to serve as a sufficient security in the meantime till the parliament. These persons following shall no wise repair to the king's company: viz., the Lord Home, the Chancellor, the Master of Glammis, Treasurer, Sir George Home. His majesty's will is, the said earl, his company, and assisters, retire them to their own dwelling-places, or where they think good; and that he shall call unto him such as he shall think expedient to await on him."* All these conditions James promised on the word of a prince "to hold firm and stable;" and the document was subscribed by himself and a large number of noblemen, gentlemen, and Protestant clergymen. Notwithstanding all this formality, James had no intention whatever of fulfilling these stipulations. His aversion to Bothwell was extreme, and he determined to embrace the first opportunity of bringing about his ruin. Early the next morning, after the "conditions" had been granted, the king prepared to make his escape, and repair to Falkland; but Bothwell, who had slept that night in the palace, having got notice of the king's intention, stopped him just as he was ready to mount his horse. The king insisted that he would ride to Falkland, but Bothwell, with cool audacity, told him he should not leave the palace until public tranquillity was restored. After an unseemly altercation, during which Bothwell treated his sovereign with gross insolence and indignity, the king convened his council and sent for the ministers. He complained that he was a prisoner, and undutifully handled; but the council appointed that he should have liberty to go where he pleased, and take with him whom he pleased, with the exception of the parties named in the stipulation with Bothwell.† He, accordingly, set out for Falkland; but Lennox and some others of the faction accompanied him, in order to prevent the obnoxious councillors from obtaining access to him, and, if possible, to retain him in their own hands. James, however, was determined at all hazards to be free; and, indeed, he had now reached an age at which it was impossible for any faction, however strong, to hold him long under restraint. He now proved himself more than a match for his enemies in stratagem. Under pretence of concerting measures for quelling some disturbances that had arisen on the Highland Borders, James summoned a convention of the nobles at Stirling, and Bothwell's party being thus thrown off their guard, made no effort to appear in strength at the meeting. This was what James expected, and he eagerly availed himself of his opportunity. After a short conference on the ostensible object of the convention, he interrupted their deliberation by announcing that he had convoked them for the

* Calderwood, vol. v. p. 257.
† MS. Letter, State Paper Office, Bowes to Burghley, 11th August, 1593; Tytler, vol. ix. p. 98.

* Calderwood, vol. v. pp. 257, 258.
† Ibid., p. 259.

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purpose of asking their advice on a matter of great moment, and which nearly concerned his own honour. He then gave a minute detail of the various treasonable attempts made by Bothwell against his person and government, and the many insults and indignities which he had received at the hands of that nobleman; he declared that the conditions he had lately granted him, through the advice and mediation of others, had been extorted from him by force and fear, and he now desired to know whether, in their judgment, he was bound in honour to abide by them. A large majority of the convention concurred in opinion that the conditions so imposed were not binding, that Bothwell had been guilty of manifest treason, and that the pardon which had been granted him might be revoked if his majesty should think fit. James was extremely gratified by this decision, and, now that he was at liberty, he declared that he would grant the pardon if humbly sued for, but at the same time he desired and obtained from the convention a public act, declaring the enterprise of Bothwell and his associates to have been unlawful. Immediate intimation of this act was sent to Bothwell, together with the king's command, that, until the meeting of parliament on the 14th of November, he should absent himself from court. He was informed that upon his submitting himself to the royal mercy,* his majesty would then grant him a full pardon, and restore him to his estates and honours, after which he must leave the kingdom, but would be permitted the enjoyment of his revenues in his exile.

They are evaded by the king.

Bothwell, in the meantime, gave an unwilling acquiescence to conditions with which he felt himself no longer in a position to quarrel; and James, fortified by the support of so many of his nobility, found himself strong enough to recall to his councils the ministers whom he had temporarily discarded, in most reluctant deference to Bothwell and his formidable faction. During the sitting of the convention, Lord Home, the Master of Glammis, and Sir George Home, accompanied by a strong body of armed followers, had arrived in Stirling. James received and welcomed them with transports of joy, and, feeling that he could now set Bothwell and his allies at defiance, he was resolved to show that he had a will of his own, and was determined to exercise it. He invited the Countess of Huntley to court, and it was believed even consented to hold a secret meeting at Falkland with Huntley himself.† Shortly afterwards, James had the high satisfaction of receiving back into his councils the great chancellor, Maitland; who had now become reconciled to the queen, the Master of Glammis, the Duke of Lennox, and his other adversaries at court.*

Recall of the chancellor.

This unexpected revolution in James's affairs, and the unwonted energy and determination he had recently displayed in very trying circumstances, caused a reaction in his favour among the nobility. Many of them who had formerly stood aloof, and others who had more or less openly sympathised with his enemies, began, from motives of self-interest, to join the party which was now in the ascendant; and even the feuds among the barons, which had given James so much disquietude, now tended to strengthen his position by preventing their combination.

This change alarmed and perplexed Elizabeth and her ministers, who were still bent on their inveterate and disingenuous policy of weakening Scotland by fomenting dissension. Such was their ardent desire for the attainment of this sinister object, that notwithstanding their pretended zeal against popery, they entered into a correspondence with Huntley and the Romanist party, in the expectation of being able to effect a union between them and the faction of Bothwell, which was now dispirited, and ready to fall to pieces. The shameful inconsistency of this proceeding scandalized even Bowes himself, who, dreading the honest indignation of the ministers of the Kirk, wrote anxiously to Burghley:—"This cannot be kept from the ears of the Kirk here, who will greatly start and wonder hereat. Therefore I beseech your lordship that this may be well considered."†

Crooked policy of Elizabeth.

Bothwell, on hearing that the king had recalled his enemies to court, once more commenced his intrigues with England, and secured the co-operation of Atholl and Montrose, who agreed to bring down a strong force of their fierce and warlike retainers, to assist him in compelling the king to abide by the original "conditions," or at least to grant him an unconditional pardon. James, however, was on his guard, and, without allowing his enemies time to mature their plans and concentrate their strength, he marched directly with a strong force from Stirling, and coming suddenly upon Atholl, Gowrie, and Montrose, at the Doune of Menteith, where they had assembled a body of five hundred horse, attacked and routed them, and made prisoners Gowrie and Montrose; while Atholl, narrowly escaping the same, or a worse fate, fled precipitately with a few attendants to the security of his own wild and inaccessible district.‡ Bothwell, thus disappointed, once more fled to the Borders, and was proclaimed a rebel.

Abortive intrigues of Bothwell.

The small success that had hitherto attended the king's efforts against the popish lords, while it

* MS. State Paper Office, Bowes to Burghley, 10th September, 1593; same to same, 15th September, 1593; Tytler, vol. ix. p. 107.

† MS. Letter, State Paper Office, Bowes to Burghley, 15th September, 1593; also ibid., B. C., Mr. John Carey to Burghley, 13th September, 1593; Tytler, vol. ix. p. 108.

* MS. Letter, State Paper Office, Bowes to Burghley, 21st September, 1593; Moyse's Memoirs, Bannatyne Edition, p. 105; Tytler, *ut supra*.

† MS. Letter, State Paper Office, Bowes to Burghley, 6th September, 1593.

‡ MS. Letter, State Paper Office, Bowes to Burghley, 5th October, 1593; Tytler, vol. ix. p. 114.

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disappointed and grieved the ministers of the Kirk, and the more zealous of the Protestant party, led to imputations of remissness, and even strong suspicions of insincerity. It was remarked that the king had evinced a degree of vigour and determination in his proceedings against Bothwell, his personal enemy, which strangely contrasted with his feeble and undecided operations against the enemies of the Church; and from this circumstance inferences were drawn, which, though probably unwarranted, were not altogether unnatural. A very general apprehension began to be entertained that James had some secret partiality towards popery, and the clergy, participating in these fears, were ready to adopt extreme measures to ward off the threatened danger. The provincial synod of Fife, at this time distinguished by its ardent zeal against popery, happening to meet in the course of its ordinary convocations, a motion was made, and after much discussion agreed to, that the Roman Catholic earls and their adherents should be excommunicated as obstinate papists; and, notwithstanding the strong objection that the parties did not reside within the jurisdiction of the synod, the awful sentence was fulminated accordingly. It will be recollected that the censures of the Church now carried with them civil penalties of the most formidable description, since, by a recent act of parliament, obstinate contemners of her authority were denounced as rebels. That this sentence might have all the weight of a general decree, and should not be liable to be set aside on the plea of a want of jurisdiction in the synod of Fife, it was founded on the circumstance that many of the conspirators had been students at the University of St. Andrew's, and that all of them had resided within that district, and had, either by having been in connection with the Church, or by other acts, rendered themselves amenable to the synod's jurisdiction.* The synod farther appointed a deputation to communicate their proceedings to the adjacent synods for their approbation and assistance.†

Excommunication of the popish earls.

The king was highly enraged, as well as deeply grieved at this proceeding, which complicated the difficulties of his position with respect to the leaders of the popish faction. That faction was daily gaining strength, particularly in the north, and James naturally dreaded that extreme measures, so far from crushing them, would only have the effect of driving them, in self-defence, to the adoption of the most desperate expedients. He sent for Mr. Robert Bruce, and desired him at least to delay the publication of the sentence; but Bruce excused himself on the plea that none could interfere with the proceedings of the synod, except the General Assembly. James was deeply disgusted at the high attitude thus assumed by the Church, and mortified by the reflection that in his attempts to conciliate that body he had armed it with an authority which he had no longer the power to control; and he seems, from that moment, to have resolved to embrace the first opportunity of subverting its system of self-government, and once more establishing episcopacy. "Well," said he, in reply to Bruce, "I could have no rest until you got that which you call the discipline of the Church established; now, seeing I have found it abused, and none amongst you hath power to stay such disorderly proceedings, I will think of a mean to help it."* He reproached the ministers with cruelty, and said that as they sought for blood, they should have it †—a threat which, as it was not believed, appears to have given them no uneasiness. Nor was he more successful with some of the higher barons, whom he endeavoured to gain over to his views. He paid a visit to Lord Hamilton, for the purpose of sounding him on the subject of granting some degree of religious toleration to the Romish party, whom he considered as too formidable, and too bigotedly attached to their ancient faith, to be coerced into a recantation. He artfully introduced the conversation in such a way as to avoid alarming Hamilton's fears, or exciting his hostility. He remarked that, notwithstanding reports to the contrary, he was assured that he still enjoyed his lordship's confidence and friendship; and added, "Ye see, my lord, how I am used, and have no man in whom I may trust more than in Huntley. If I receive him, the ministers will cry out that I am an apostate from the religion; if not, I am left desolate."—"If he and the rest be not enemies to the religion," said Hamilton, "ye may receive them, otherwise not."—"I cannot tell," replied the king, "what to make of that, but the ministers hold them for enemies, *alwise*, I would think it good that they enjoyed liberty of conscience." Upon this, Hamilton, becoming greatly excited, cried aloud, "Sir, then we are all gone, then we are all gone, then we are all gone! If there be no more to withstand them, I will withstand." The king, fearing he had gone too far, attempted to back out of the difficulty, and, on the approach of some of the servants, abruptly concluded the conversation by saying, with a smile, "My lord, I did this to try your mind."‡

Dissatisfaction of the king.

In the meantime Huntley, Angus, and Errol, petitioned the king that they might be brought to trial for their alleged participation in the Spanish conspiracy, of which they protested they were entirely innocent. The only presumption of their guilt rested, they said, on a confession extorted by torture, and on certain signatures which, if an opportunity were granted, they could prove to be forgeries. And yet on such evidence as that they had been condemned unheard, excommunicated by the Church, banished from court, and driven like outlaws to the mountains. It was but justice, they said, that an opportunity should be given them of establishing their innocence; at

The popish earls demand a trial.

* Calderwood, vol. v. pp. 267, 268.
† Ibid., p. 268.

* Chambers' Life of King James the First, vol. i. p. 204.
† Calderwood, vol. v. p. 269. ‡ Ibid., v. vol. p. 269.

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all events, let them be brought to trial; if found guilty, let them suffer the penalty of the law; if otherwise, they would either make their peace with the Kirk, or retire into voluntary exile.* This apparently reasonable demand was shortly afterwards urged by the three earls in person, under circumstances which gave rise to the gravest suspicions of the king's complicity. Being about to set out on an expedition to the Borders, accompanied by Lord Home and the Laird of Cessford, he promised to the ministers of Edinburgh that he would enter into no conference with the popish lords until they should satisfy the Kirk. On the same day, however, the three earls suddenly presented themselves before him between Soltra and Fala, and, falling on their knees, implored him not to condemn them unheard, but to appoint a day for their trial; and, in the meantime, they professed their willingness to enter ward, wherever it should please his majesty to appoint. James affected great indignation at their presumption, and told them they should be worse handled for their boldness;† yet, before they parted, he not only promised them a trial, but suggested that by choosing an assize of their own friends, it would be easy to secure an acquittal.‡ In the meantime, they were ordered to repair to Perth, and to remain there until the necessary preparations for their trial should be completed.

It was universally believed that this interview took place by preconcerted arrangement with the king himself; and it was well known that the three earls had secretly summoned all their adherents to assemble in arms on the day of trial; while such was their power at that time that no witnesses for the prosecution could give evidence, no jury could convict, and no judge could condemn, but at the peril of their lives.§ This state of matters greatly alarmed the ministers of the Kirk and the whole Protestant party. An ecclesiastical convention, consisting of ministers, barons, and commissioners of burghs, was held at Edinburgh on the 17th of October, to deliberate as to the course to be pursued at a crisis so full of danger to the Church and the country, when it was thought good to appoint a deputation to wait on the king and present him with their advice. For this important mission they selected James Melvil, Patrick Galloway, the Laird of Calderwood, and the Laird of Murchiston, with two burgesses of Edinburgh, and one of Dundee,‖ who were immediately dispatched to Jedburgh, where the king was then holding a justice-ayre. They were instructed to entreat the king that the trial of the popish lords should be delayed, until the "professors of the gospel should be ripely advised what was meetest for them to do, since they had resolved to be the principal accusers of these noblemen in their foul treasons." They were farther commissioned to beseech his majesty that these noblemen, having been guilty of treason in its most aggravated form, should, "according to the loveable laws and customs of Scotland, be imprisoned till the Estates of parliament had advised on the manner of their trial; that the jury should be nominated, not by the accused, but by the accusers; that as the foresaid traitors were excommunicated and cut off from the society of Christ's body, they should not be admitted to trial, or have any benefit of the law, till they were again joined unto Christ and reconciled to his Kirk." They complained of the king's having permitted Lord Home, a professed Papist, and others, his followers, to attend upon him—men who were accounted dangerous to religion, as well as to his person and estate; and especially of his having admitted the excommunicated earls to his presence, and concerted measures with them to secure their immunity from the punishment due to their enormous offences. Finally, they desired that the "professors of religion may be his majesty's guard, and be admitted in the most fensible and warlike manner to be about the royal person, to defend it from violence, and accuse their enemies to the uttermost; and this," they added, "we are minded to do, although it should be with the loss of all our lives in one day,—for certainly we are determined that the country shall not bruik us and them baith, so long as they are God's professed enemies."* Nor was this an empty boast; arrangements were already made for assembling the noblemen, barons, gentlemen, and burgesses in arms, at Perth, on the 24th of October, when the trial was expected to take place; and twelve ministers were appointed commissioners to superintend these preparations, to watch the course of events, and to reside in the capital, until the king should return an answer to the message of the convention.†

Alarm of the protestant party.

They remonstrate with the king.

James received the deputation in no complacent mood. He inveighed bitterly against the synod of Fife for having excommunicated the three earls,‡ refused to acknowledge a convention which had met without his authority, and would give no written reply to their application. He declined even to return a verbal answer to the convention as a body, though he condescended to give certain explanations to the members of the deputation as individual subjects. These explanations were far from satisfactory. The Earl of Home, he said,

Their remonstrances are unheeded.

* MS. Letter, State Paper Office, Bowes to Burghley, 9th October, 1593; Tytler, vol. ix. p. 115.

† MS. Letter, State Paper Office, Bowes to Burghley, 12th October, 1593.

‡ Tytler, *ut supra*.

§ MS. Letter, State Paper Office, Bowes to Burghley, 18th October, 1593; Tytler, vol. ix. p. 116.

‖ Calderwood, vol. v. p. 270.

* MS. State Paper Office, Certain Petitions and Conclusions considered upon by the Commissioners for the Kirk, Barons, and Burgesses of Edinburgh 17th October, 1593; Tytler, vol. ix. pp. 116, 117.

† Ibid.

‡ Calderwood, vol. v. p. 270.

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would shortly be reconciled to the Church, or be refused admittance into his presence; and, as for the popish lords, he declared they had been brought before him without his knowledge, and he had promised them nothing more than a fair and impartial trial, to which, in common justice, they were entitled. He had, however, he said found it expedient to postpone the trial, and would, in the meantime, call a convention of the Estates to meet at Linlithgow, according to whose advice he would proceed in the matter.

Such were the mutual animosities and exasperated feelings of the two great parties at this moment, that the nation was in imminent peril of being involved in a most sanguinary civil war. This result appeared to the watchful eye of Bowes, the English ambassador, to be inevitable. Writing to Burghley on the eighteenth of October, he thus apprehensively alludes to the impending crisis:—"Yesterday, at the meeting of the commissioners of the Kirk, the barons and burghs convened here together. * * * Great preparations are made for the advancement of the course thus resolved, and to stop the trial to be given at this time to these earls, whose friends (as it is told me) have mustered, and are in readiness to come to Perth at the day limited; they have already provided that the Water Gate or Water Street shall be reserved for the earls and their companies; but Atholl, Gowrie, and many of the town, are rather disposed to keep them out. The convocation and access of people to that place is looked upon to be so great that thereon bloody troubles shall arise."*

Dextrous policy of James.

At this critical juncture the king, by a dextrous stroke of policy, averted a collision which, had the trial been allowed to proceed, would in all probability have been inevitable. On his return to the capital he issued a proclamation, attributing the delay that had taken place in proceeding against the popish lords to the distracted state of the kingdom, and to the interruption of public business consequent on the treasons of Bothwell; putting off the trial at Perth; intimating that he had summoned a convention of Estates to advise as to the time, place, and mode of the trial; and in the meantime prohibiting, under pain of sedition, all convocations of the lieges in arms, and ordering such as had already assembled to return home. The announcement of this new arrangement, which was considered so favourable to the accused, was followed by vehement complaints, remonstrances, and threatenings, on the part of the Kirk; but the cool determination of the king, strengthened by the support of the nobility, convinced them that farther opposition was hopeless.

The convention was opened at Linlithgow on the 12th of November, but was attended by very few of the nobility;† and after a brief deliberation, the whole matter respecting the popish lords was referred to a committee, who were appointed to meet at Edinburgh on the following month, and whose decision was to have the validity of an act of parliament. In this committee the three Estates of the realm—nobles, barons, and burgesses—were to be represented; six of the leading ministers of the Kirk were allowed to appear on the part of that body; and all the officers of State were appointed to assist in the deliberations.

Meeting of the convention of Estates.

Before the meeting of the committee the accused noblemen made offers of submission to the king and the Church. They solemnly protested their innocence of having signed the "Spanish blanks," or conspired for the admission of foreign troops into the country; but they admitted that they had renounced their adherence to the Presbyterian Church, after having subscribed the confession of faith, and had fallen away to Rome; that they had heard mass, and had been disobedient to the royal mandate when required to deliver themselves up; and for all these things they now humbly cast themselves on the king's clemency. When the convention met, these representations were laid before them; the king, in a lengthened address, urged the danger to the peace of the realm of adopting measures of extreme severity against such formidable criminals; and after some deliberation an act, termed an "Act of Abolition," which had been previously prepared by the council, was introduced, and, chiefly through the artful management of the Chancellor Maitland, received the sanction of the committee. By this act, which, in conformity with the appointment of the convention at Linlithgow, had all the legal authority of an act of parliament, it was declared that the king, "By this his highness's perpetual and irrevocable edict, statuteth and ordaineth that God's true religion, publicly preached, and by law established in the first year of his highness's reign, shall only be professed and exercised by all his majesty's lieges within this realm in time coming; and that none of them presume, or take upon hand to avow, profess, or exercise, any other form of religion within the same, or to receive, maintain, supply, or entertain intelligence with any Jesuits, seminary priests, or others, adversaries of the said true religion, under the pains contained in his highness's laws, and acts of parliament made thereanent; and that all his majesty's subjects, who have not as yet embraced and professed the said true religion, or that have made defection therefrom in time bygone, shall, before the first day of February next to come, effectually obey his highness's laws, by professing and exercising of the said true religion, and satisfying his highness, the true Kirk of God, and ministry thereof, in underlying and fulfilling such injunctions as shall be given by his highness and the Kirk, until there be a sufficient proof had of their effectual and unfeigned conformity in embracing and professing of the said

Act of Abolition.

* MS. Letter, State Paper Office, Bowes to Burghley, 20th October, 1593; Tytler, vol. ix. p. 118.

† Calderwood, vol. v. p. 282.

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true religion. Or if any of them shall think it difficult so to do, as not being yet persuaded in conscience, that then upon declaration to be made unto his majesty of their choice, and upon his highness's license first sought and obtained, they shall depart forth of the realm to such parts beyond sea as his majesty shall please and be contented with, betwixt and the first day of February next to come, and there remain, and nowise return in this realm, until first they be content to embrace and profess the said true religion, and satisfy his highness and the Kirk, and make security for that effect, in manner after specified; they and their heirs enjoying their lands, livings, and goods in the meantime to their own uses. To whom his highness giveth power and liberty, by the tenor hereof, by their procurators in their name, to stand in judgment, and pursue and defend their actions and causes by order of law, notwithstanding any act of parliament, or process led against them, wherewith his highness in that part, by these presents, dispenseth." *

It was further declared and ordained that William, Earl of Angus, George, Earl of Huntley, Francis, Earl of Errol, Sir Patrick Gordon of Auchindown, and Sir James Chisholm of Cornelix, knights, having been suspected and called before the late parliament for treasonable crimes, "upon occasion of blanks and letters intercepted, concerning trafficking with strangers for troubling of the said true religion and liberty of the realm, shall be free and unaccusable in time coming of the said crimes; and all process thereanent to be abolished, delete and extinct, and remain in oblivion for ever." They were at the same time certified that, in the event of their again intriguing with strangers for the subversion of the established Church, the disturbance of the country, or the overthrow of its liberties, then, and "in that case, this present abolition and annulling to be null, and the said persons to be accusable by law, for the same causes and crimes contained in the said summons, as if the same abolition and oblivion had never been granted." It was farther intimated to them, that if they chose to renounce popery, embrace the Presbyterian religion, and satisfy the Kirk, this must be done by the 1st of February; and if, on the contrary, they chose rather to adhere to the Roman Catholic faith, and retire into exile, they must give security to abstain from all trafficking with Jesuits and seminary priests, to the peril or detriment of their native country. And, finally, they were ordained, under pain of losing the benefit of the Act of Abolition, to make choice, before the 1st of January, of one or other of these alternatives, and to signify the same to his majesty and to the Kirk. †

The Act of Abolition was satisfactory to no party. That it should have been deeply distasteful to the Roman Catholics can excite no surprise, as it left them no alternative between the renunciation of their ancient faith, on the one hand, or perpetual exile, on the other. But this unmitigated intolerance was not severe enough to be acceptable to the party of the Kirk, who accordingly were filled at once with indignation and sorrow, and did not fail loudly to accuse the king of Romish predilections. They were scandalized that even in banishment these parties should be permitted to enjoy their estates, and to exercise at the same time the rites of the Roman Catholic religion, to which, it cannot be doubted, many of them were conscientiously attached. It is impossible for us to exculpate the leaders of the Presbyterian Church at this period from the charge of intolerance, and of recommending a course of policy as unwise as it was unmerciful and hostile to the spirit of Christianity. It would seem that the very idea of such religious toleration as at the present day is cordially cherished by Protestants, if it had ever entered their minds at all, was repelled with abhorrence as a profane or blasphemous suggestion of the enemy of mankind. Bowes, whose opportunities of observation were equal to his characteristic acuteness and vigilance, writing to Burghley at this time remarks:—"This edict and act of oblivion is thought to be very injurious to the Church, and far against the laws of God and this realm; whereupon the ministers have not only openly protested to the king and convention that they will not agree to the same, but also, in their sermons, inveigh greatly against it; alleging that, albeit, it has a pretence to establish one true religion in the realm, yet liberty is given to all men to profess what they list, so they depart out of the realm; and thereby they shall enjoy greater privileges and advantages than any other good subject can do." * The popish earls, in the meantime, still continued their treasonable intercourse with Spain, and, encouraged by promises of speedy assistance from that country, as well as confident in the numbers and strength of their adherents at home, were in no haste to avail themselves of the Act of Abolition; but, with a show of submission, temporised and procrastinated until the time appointed by the committee had passed, and they were once more left exposed to all the penalties of the law. A convention of the Estates, assembled on the 18th of January, passed a resolution declaring them to have forfeited the benefit of the articles; and the king, after having in vain laboured to persuade them to submission, was forced to require them, under the penalty of outlawry, to deliver themselves up for trial.

The Kirk dissatisfied with the Act of Abolition.

Continuous intrigues of the popish faction.

The urgent remonstrances of the English queen probably contributed not a little to impel James to a course so distasteful to him. Elizabeth was highly displeased with the leniency shown to the popish earls, and even entertained suspicions of his being secretly favourable to their designs. Her uneasiness on this head was greatly heightened by

* Calderwood, vol. v. pp. 284, 285. † Ibid., p. 285.

* MS. Letter, State Paper Office, Bowes to Burghley, 2nd December, 1593; Tytler, vol. ix. p. 122.

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information she had recently received of the unceasing plots of the Jesuits and seminary priests, with whom Scotland still continued to be infested; and she was still farther alarmed on receiving intelligence that another fleet and armament, destined for Scotland, were in course of preparation in Spain.* No sooner was she apprised of the decision of the committee with regard to the three earls, than she dispatched Lord Zouch as her ambassador to the court of Scotland, with instructions to represent to the king the danger to which he exposed himself and the country by his mistaken clemency; to remonstrate with him on the violation of his promises, to make no agreement with the traitors without her concurrence; and to require him to proceed against them with that rigour which their crimes had merited, and which the exigency of the time imperatively demanded. Besides these open instructions, Zouch was intrusted with a secret letter, written wholly in the queen's own hand, and which is well worthy of being recorded,—not only as affording a most interesting specimen of the private epistolary style of Elizabeth, but as showing in a strong light her views of James's policy, and the almost scornful contempt she entertained for her royal cousin. It runs thus:—

Elizabeth's letter to James.

"My dear Brother,—To see so much I rue my sight, that views the evident spectacle of a seduced king, abusing council, and wryguided kingdom. My love to your good and hate of your ruin, breeds my heedful regard of your surest safety. If I neglected you, I could wink at your worst, and yet withstand my enemies' drifts. But be you persuaded by sisters. I will advise you, void of all guile, and will not stick to tell you, that if you tread the path you chuse, I will pray for you, but leave you to your harms.

"I doubt whether shame or sorrow have had the upperhand when I read your last lines to me. Who, of judgment, that deemed me not simple, could suppose that any answers you have writ me should satisfy, nay, enter into the opinion of any one not void of four senses, leaving out the first.

"Those of whom you have had so evident proof by their actual rebellion in the field you preserve, whose offers you knew then so large to foreign princes. And now, at last, when, plainest of all, was taken the carrier himself, confessing all before many commissioners and divers councillors; because you slacked the time till he was escaped, and now must seem deny it (though all men know it): therefore, forsooth, no jury can be found for them. May this blind me, that knows what a king's office were to do? Abuse not yourself so far. Indeed, when a weak bowing and a slack seat in government shall appear, then bold spirits will stir the stern, and guide the ship to greatest wreck, and will take heart to supply the failure.

"Assure yourself no greater peril can ever befall you, nor any king else, than to take for payment evil accounts; for they deride such, and make their prey of their neglect. There is no prince alive, but if he show fear or yielding, but he shall have tutors enough, though he be out of minority. And when I remember what sore punishment those so lewd traitors should have, then I read again, lest at first I mistook your mind; but when the reviewing granted my lecture true, Lord! what wonder grew in me that you should correct them with benefits who deserve much severer correction. Could you please them more than save their lives and make them shun the place they hate, where they are sure that their just deserved haters dwell, and yet as much enjoy their honours and livelihoods, as if for sporting travel they were licensed to visit other countries? Call you this a banishment—to be rid of whom they fear and go to such they love? Now, when my eyes read more, then smiled I to see how childish, foolish, and witless an excuse the best of either three made you, turning their treasons' bills to artificers' reckonings with *items* for many expenses, and lacked but one billet which they best deserved, an *item* for so much for the cord whose office they best merited. Is it possible that you can swallow the taste of so bitter a drug, more meet to purge you of them, than worthy for your kingly acceptance? I never heard a more deriding scorn; and vow that, if but this alone, were I you, they should learn a short lesson.

"The best that I commend in your letter is, that I see your judgment too good to affirm a truth of their speech, but that alone they so say. Howbeit, I muse how you can want a law to such as whose denial, if it were ever, could serve to save their lives, whose treasons are so plain; as the messenger who would for his own sake not devise it, if for truth's cause he had it not in his charge, for who should ever be tried false if his own denial might save his life? In princes' causes many circumstances yield a sufficient plea for such a king as will have it known; and ministers they shall lack none that will not themselves gainsay it. Leave off such cloaks, therefore, I pray you; they will be found too thin to save you from wetting. For your own sake play the king, and let your subjects see you respect yourself, and neither to hide or to suffer danger and dishonour. And that you may know my opinion, judgment, and advice, I have chosen this nobleman whom I know wise, religious, and honest, to whom, I pray you, give full credit as if myself were with you; and bear with all my plainness, whose affection, if it were not more worthy than so oft not followed, I would not have gone so far. But blame my love if it exceed any limits. Beseeching God to bless you from the advices of them that more prize themselves than care for you, to whom I wish many years of reign."*

* MS. State Paper Office. The clause in the letter of James Craig, at Bourdeaux, to his brother, Mr. Thomas Craig, advocate in Edinburgh; Tytler, *ut supra*, p. 124.

* This letter was first printed in Tytler, vol. ix. pp. 124—127, from the original in the queen's own hand, preserved in the collection of Sir George Warrender. There is a contemporary copy in the State Paper Office.

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James, suppressing his resentment on the perusal of this caustic epistle, received the ambassador courteously, and with apparent cordiality. With regard to the Act of Abolition, which had been so displeasing to her majesty, he remarked that it had already become a dead letter, as the popish lords had declined to avail themselves of its provisions in their favour; and he appealed to the measures he had already taken to bring them to trial, as a sufficient proof that he meant to proceed against them with the most unsparing rigour. The ambassador, however, refused to be satisfied with this indefinite answer on a subject of such grave importance to both countries; and insisted that as the popish earls were still intriguing with Spain for the invasion of England through Scotland, and the subversion of the Protestant Churches in both kingdoms,* his mistress was entitled to be informed specifically, and in writing, what proceedings his majesty had resolved to adopt.

Birth of Prince Henry.

At this time an event occurred which diffused great joy throughout the kingdom. On the 19th of February, after having been married five years, the queen presented the nation with an heir to the Scottish throne. Prince Henry was born at Stirling Castle, and was at once committed by his royal father to the charge of the Earl of Mar, the hereditary governor of that important stronghold. The news was received everywhere with exultation, and with the outward marks of public rejoicing common at that period. A discharge of twelve pieces of artillery from the castle announced the intelligence to the inhabitants of the capital; and the king sent to the ministers, requiring them to call the people together to public thanksgiving, and to the magistrates "to cause set on bale-fires."† In all quarters of the kingdom the people manifested their loyalty by such extravagant demonstrations of joy, that a chronicler of the time declares the "people in all parts appeared to be *daft* for mirth."‡ Scarcely, however, had the young prince seen the light, ere faction began to contemplate employing the unconscious infant as an instrument for the promotion of its base designs. It was proposed by the conspirators to seize his person, and to retain him in their hands, as a means of strengthening their party, and forcing the king to submit to their terms. To the honour of Lord Zouch, however, to whom the suggestion was made, he peremptorily refused his concurrence, and the despicable expedient was discarded.

Conspiracy for seizing his person.

In the meantime, Zouch, though strictly watched, busied himself, in conformity with his secret instructions, in intriguing with such of the Scottish nobility as were opposed to James's temporising policy. He even entered into a correspondence with Bothwell, who now sought to cover the gratification of his own restless ambition under a pretended zeal to reform abuses in the State, and to secure the punishment of the open enemies of the Protestant faith. A new conspiracy for seizing the person of the king was not long in being organised. Zouch was the prime mover in this treasonable design, and among the leaders were — besides Bothwell — John Colville, brother of the Laird of Wemyss, Henry Lock, an agent of Sir Robert Cecil, and some of the most violent among the ministers of the Kirk. It was arranged that Atholl and Argyle should advance suddenly to the capital, at the head of a strong levy of their fierce northern followers, and having united their forces with those of Bothwell, Montrose, Ochiltree, and the Laird of Johnston, that they should attack the Chancellor Maitland, the Lord Home, and other friends of the king, seize and put to death Huntley, and other Popish leaders, forcibly drive all evil councillors from the king's presence, and take ample though late revenge for the death of the Earl of Moray.*

Conspiracy for putting to death Maitland, Lord Home, Huntley, and other friends of the king.

That this project received direct, though secret, encouragement from the English queen is unquestionable. She was no stranger to such dishonourable and treacherous policy; and it is not to be supposed that Lord Zouch would, without special instructions, have so far derogated from the respect due to himself and his high office, as voluntarily to place himself in the position of a felon in a country to which he had been accredited as an ambassador.

The plot was not long in reaching maturity. Bothwell, with characteristic impetuosity, hastily levied a force of about four hundred horsemen on the Borders; and, on the 2nd of April, at an early hour in the morning, suddenly made his appearance at Leith. In the meantime, however, the king had received secret intelligence of the conspiracy, and promptly adopted vigorous measures to defeat it. A gentleman belonging to the ambassador's suite, who had been detected in holding suspicious intercourse with the traitors, was, by the king's order, arrested and imprisoned; Lord Home, Cessford, and Buccleuch, were ordered to assemble their forces at Kelso, with a view to intercept Bothwell immediately on his crossing the Border; and several of the more violent ministers of the Kirk, who were suspected of favouring the designs of Bothwell, and even of assisting him with supplies of money, were apprehended and placed in confinement. Bothwell, who had escaped the vigilance of Home and Buccleuch, was quickly followed by them and their

Detection of the Plot. Vigorous measures of the king.

* MS. Letter, State Paper Office, Bowes to Burghley, 27th January, 1593-4; also ibid., B. C., Mr. John Carey to Burghley, 25th January, 1593-4; Tytler, vol. ix. p. 128.

† Calderwood, vol. v. p. 293.

‡ Moyse's Memoirs, p. 113.

* MS. Letter, State Paper Office, Lord Zouch to Burghley, 15th January, 1593-4; also MS. British Museum, Caligula, D. II., 151; instructions for Lord Zouch for treating with certain lords in Scotland; Tytler, *ut supra*, pp. 128, 129.

party; who, though amounting to not more than about one half of the followers of Bothwell, were ordered instantly to advance against the rebels. The king, who remained in Edinburgh with a few attendants, proceeded to the High Church, where, after sermon, he addressed the people. He informed them of the treasonable designs of Bothwell against his person, and of his near approach to the capital; and excited their fears by insinuating that, if these lawless Border freebooters should prove an overmatch for him, the property and personal security of the citizens would be at their mercy. He declared his resolution to march in person against the rebels with all the forces he could muster; he appealed to them as loyal subjects to assist in the defence of their sovereign; and, lifting his hand towards heaven, he solemnly vowed to God that, if they would now arm and advance with him into the field, and if it should please God to give him the victory, he would, on his part, in return for their loyal services, never rest until he had entirely crushed the power of the popish lords, and banished them from the kingdom.* The ministers warmly seconded the king's exciting appeal; and the people flew to arms, and cheerfully ranked themselves under the banner of their prince. He lost not a moment in placing himself at their head. His troops, when assembled, were found to consist—the advance, of a thousand pikemen and five hundred horse; the rear, of the infantry of the city of Edinburgh, amounting to one thousand musketeers; the whole being supported by three pieces of artillery, covered by two hundred horse. Bothwell still lay at Leith, where he seemed disposed to take up a position within the old entrenchments on the Links, and there await the arrival of Atholl and Argyle, whom he hourly expected to cross the Firth, and join him with their numerous bands of warlike followers. Hearing, however, of the king's approach with such a powerful force, he divided his company into two bands, and drew them off by the back of Arthur Seat towards Dalkeith. They halted at a place called Woomet, where they took up a strong position; while the king, who was made aware of their movements, fearing that Bothwell intended to make an inroad into the city from the south side, reversed his order of march, and proceeded by the Pleasance towards the Borough Muir, where he drew up his troops to protect the town. In the meantime he had dispatched Lord Home with the cavalry, with instructions to attack Bothwell in his new position; and the two opposing forces having encountered each other at a place called Edmestone Edge,† Home's party were quickly put to the rout, twelve of them were slain, and the remainder, hotly pursued by Bothwell and his company, were driven back on the main body. The king, alarmed for his personal safety, sought refuge within the town, which he entered at a gallop;* but fortunately his panic was groundless, for Bothwell, in the eagerness of his pursuit, was thrown from his horse, and so severely injured that he retired to Dalkeith, where he passed the night. Next morning, sensible that his success had been but partial, and despairing of being able to cope with the whole body of the royal forces, he dismissed his followers, and once more sought security on the English side of the Border.

James advances against Bothwell.

James at last began to feel that, in order to give contentment to the ministers of the Kirk, and the great body of his subjects, as well as to conciliate the English queen, it was absolutely necessary to drop his temporising policy, and proceed with vigour against the obnoxious popish lords; who, secure in their northern fastnesses, in open defiance of his authority, still continued their negotiations with Spain. He was further strengthened in his determination by the circumstance that these daring rebels had recently received a large supply of money from Philip, to be employed in the promotion of their treasonable designs. This once more roused the ministers of the Church, who, at a meeting of the General Assembly, held in the beginning of May, unanimously ratified the sentence of excommunication pronounced against "the apostate lords," by the synod of Fife, and ordained the whole pastors within the realm to intimate the sentence publicly to their congregations, that none might pretend ignorance. Lord Home, however, was relaxed from the sentence, as he had some time before "satisfied the Kirk."† The assembly, at the same time, sent a deputation of their number to work on the king, who was then at Stirling; to direct his attention to the imminent danger with which the country was threatened; to suggest such measures as they considered expedient at a crisis so alarming both to Church and State, and especially to move him to proceed against the excommunicated popish lords.‡ Proclamation was now made, commanding these noblemen to appear and submit to their trial before the parliament to be held in May; and the entire military strength of the country was ordered to be in readiness to meet the king in arms, in order, if necessary, to compel these powerful rebels to submission. James was at last in earnest; and, having now resolved to gratify the eager desire of the English queen for the suppression of the Spanish faction in Scotland, he felt himself entitled to remonstrate more strongly than ever against the countenance and encouragement which Bothwell still openly received in England, and had all along secretly received from the queen herself, and peremptorily to demand the expulsion of that rebel from her dominions. For this purpose he dispatched Colville of Easter Wemyss, a distinguished military leader, and Edward Bruce, an eminent minister of the Kirk, as ambassadors to the English court; and, as

The popish lords required to stand trial.

* Historie of James the Sext, p. 304.
† Moyse's Memoirs, p. 115.

* Calderwood, vol. v. p. 297.
† Ibid., p. 309.
‡ Ibid., pp. 310—314.

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James was still smarting under the cutting sarcasms contained in his "dearest sister's" late private epistle, he seized the opportunity of giving vent to his spleen in the following letter, which, in imitation of Elizabeth's, was private, and in his own handwriting:—

"So many unexpected wonders, madam and dearest sister, have of late so overshadowed my eyes and mind, and dazzled so all my senses, as in truth I neither know what I should say nor where at first to begin; but thinking it best to take a pattern of yourself, since I deal with you, I must, repeating the first words of your last letter (only the sex changed), say, I rue my sight that views the evident spectacle of a *seduced queen*. For when I enter betwixt two extremities in judging of you, I had far *rathest* interpret it to the least dishonour on your part, which is ignorant error. Appardon me, madam; for long approved friendship requires a round plainness. For when first I consider what strange effects have of late appeared in your country; how my avowed traitor hath not only been openly reset in your realm, but plainly made his residence in your proper houses, ever plainliest kything* himself where greatest confluence of people was; and, which is most of all, how he hath received English money in a reasonable quantity; waged both English and Scottish men therewith; proclaimed his pay at divers parish churches in England; convened his forces within England, in the sight of all that border; and therefrom contemptuously marched, and camped within a mile of my principal city and present abode, all his trumpeters and divers waged men, being English; and being by myself in person repulsed from that place, returned back in England with displayed banners; and, since that time, with sound of trumpet, making his troops to muster within English ground. When first, I say, I consider these strange effects, and then again I call to mind, upon the one part, what number of solemn promises, not only by your ambassadors, but by many letters of your own hand, ye have both made and reiterated unto me, that he should have no harbour within your country—yea, rather stirring me farther up against him, than seeming to pity him yourself; and, upon the other part, weighing my desires towards you,—how far being a friend to you I have ever been an enemy to all your enemies, and the only point I can be challenged in, that I take not such form of order, and at such a time, with particular men of my subjects, as peradventure you would, if you were in my room. When thus I enter in consultation with myself, I cannot surely satisfy myself with wondering upon these abovementioned effects: for to affirm that these things are by your direction or privity, it is so far against all princely honour, as I protest I abhor the least thought thereof. And again, that so wise and provident a prince, having so long and happily governed, should be so fyled and contemned by a great number of her own subjects, it is hardly to be believed. If I knew it not to be a maxim in the state of princes, that we see and hear all with the eyes and ears of others, and if those be deceivers, we cannot shun deceits.

"Now, madam, I have refuge to you at this time, as my only pilot to guide me safely betwixt this Charybdis and Scylla. Solve these doubts, and let it be seen ye will not be abused by your own subjects, who prefer the satisfying of their base-minded affections to your princely honour. That I wrote not the answer of your last letters with your late ambassador (Lord Zouch), and that I returned not a letter with him, blame only, I pray you, his own behaviour; who, although it pleased you to term him wise, religious, and honest, had been fitter, in my opinion, to carry the message of a herald, than any friendly commission betwixt two neighbour princes; for, as no reason could satisfy him, so scarcely could he have patience even to hear it offered. But if you gave him a large commission, I dare answer for it he took it as well upon him: and therefore have I rather chused to send you my answer by my own messengers. Suffer me not, I pray you, to be abused with your abusers, nor grant no oversight to oversee your own honour. Remember what you promised by your letter of thanks for the delivery of O'Rorick. I trust ye will not put me in balance with such a traitorous counterpoise, nor willingly reject me; constraining me to say with Virgil,—

'Flectere si nequeo superos, Acheronta movebo.'

And to give you a proof of the continuance of my honest affection, I have directed these two gentlemen unto you, whom I will humbly pray you to credit as myself in all they have in charge, and, because the principal of them goes to France, to return the other back with a good answer with all convenient speed." *

Whatever might be the feelings of the haughty queen on the perusal of a letter containing so much pointed rebuke, she betrayed no irritation to the ambassadors; and her subsequent demeanour towards Bothwell exhibited at least a change of policy, if not of sentiment. The ambassadors were charged to invite her, in the king's name, to stand godmother at the baptism of the infant prince—an office which she accepted with much apparent pleasure; and when pressed on the subject of money, and reminded of the exhausted state of James's exchequer, she promised him aid as soon as he evinced his sincere intention to punish the popish lords by actually marching against them.†

Meeting of parliament.

Parliament assembled at Edinburgh on the 31st of May,‡ but was very thinly attended; many of the nobles, either unwilling to concur in the condemnation of the three popish earls, or afraid to share in its respon-

* Showing.

* Quoted from the Warrender MSS. by Tytler, vol. ix. pp. 133—136.

† MS. Letter, State Paper Office, Mr. Edward Bruce to Lord Burghley, 16th May, 1594; Tytler, vol. ix. p. 138.

‡ Calderwood, vol. v. p. 329.

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sibility, having remained at home. The king delivered an address, in which he detailed the leading circumstances of the conspiracy, and dwelt upon its aggravations; and, although he professed to leave the Estates at liberty to pronounce what judgment they might think fit, it was evident to all that he expected and desired a verdict of condemnation. "My lords," he said, "howbeit I might vote, I will only sit here, see you do right, and inform you according to the laws. I will neither command nor forbid to agree to their forfaultin. This I will say: they have committed high treason and idolatry; for I assure you they have all the mass in their houses, which I could prove by witnesses; their trafficking with Spain is certain, and I could, if it were needful, prove the same at large. As for the blanks and evils, they are thus, I assure you; therefore look ye to it, as ye will answer to God and me."* Although there were several noblemen present connected with the conspirators by ties of blood or friendship, parliament proceeded to pass upon them the most rigorous sentence known to the law. Huntley, Angus, Errol, and all concerned in the conspiracy of the Spanish blanks, were declared guilty of high-treason, their estates and honours were forfeited,† and their banners ordered to be torn at the public market-place. Commission also was given to the Earl of Argyle, the declared enemy of the three earls, to enter and lay waste their territory, and pursue them with fire and sword. Several acts of unprecedented severity were, at the same time, passed against the papists. Amongst others, the saying of mass was declared to be a crime of the first magnitude, and punishable with death and confiscation.

The popish earls declared traitors, and forfeited.

In the meantime, the king had dispatched ambassadors to the courts of France, Denmark, and the United Provinces, with the joyful intelligence of the birth of an heir to the throne of Scotland, and invitations to send representatives to be present at the baptism, which had at first been fixed to take place on the 15th of July, though it was afterwards postponed until the last day of August. Elizabeth sent as her representative the Earl of Sussex, a young nobleman connected with her by the ties of blood, who reached the Scottish court, attended by a magnificent retinue, on the 27th of August, and brought with him a letter from his royal mistress, congratulating the king on the auspicious event, and abounding in expressions of friendly feeling, mingled, after her own quaint manner, with numerous advices. The baptism took place in the Chapel Royal, at Stirling, in the presence of the foreign ambassadors, and a numerous concourse of nobility. Mr. David Cunningham, Bishop of Aberdeen, was selected to officiate on the occasion, a circumstance which did not fail to excite remark, as indicating a continued secret predilection in the king's mind for episcopacy. The prince was baptized by the name of Frederick Henry, Henry Frederick; and immediately after the ceremony received the honour of knighthood at the hands of his father, who, at the same time, placed on his head a ducal coronet richly ornamented with precious stones. His titles were then proclaimed by the heralds and the Lyon King of Arms, as "Frederick Henry, Henry Frederick, by the grace of God, Knight and Baron of Renfrew, Lord of Isla, Earl of Carrick, Duke of Rothesay, Prince and Great Steward of Scotland."* The whole of the arrangements for the accommodation of the royal parents and their distinguished guests, both during the ceremony and the pageants that succeeded, were of the most gorgeous and costly description; and much ingenuity was expended by Mr. David Fowler, the master of the revels, as well as by the king himself, in planning masks, shows, and triumphs, together with curious and mysterious devices suited to the taste of that age.†

Baptism of Prince Henry.

The pageants being ended and the ambassadors dismissed, the attention of the king was forcibly directed to far different employment,—the subjugation of the northern earls, whose power was becoming daily more formidable. Bothwell had now entered into confederacy with them, and had concerted a new plot for seizing the king's person, and confining him in the Castle of Blackness, until the arrival of the Popish earls with their forces from the north. These audacious traitors were, at the same time, intriguing with Sir Robert Cecil, and endeavouring to tempt him, by a large bribe of Spanish gold, to unite with them against the king; and Bothwell, false to all parties, had the baseness to counsel him to accept the money, and then betray them to Elizabeth, on condition that she would still continue to befriend him in his present desperate circumstances. But the final ruin of this fierce and lawless villain was now at hand. By means of a servant of his, named Orme, his plot for seizing the person of the king was detected; Orme, together with the keeper of Blackness Castle, was executed at the Cross of Edinburgh; and Elizabeth, not less perfidious than Bothwell himself, finding him no longer a suitable tool for her base purposes, abandoned him to his fate. She ordered him forthwith to quit her dominions, and prohibited all her subjects, under pain of treason, from giving him either shelter or assistance.‡

Agreeably to his commission, Argyle, then a youth of nineteen, took the field against the northern earls, with an army of six thousand men, mostly on foot; but he expected a strong reinforcement, chiefly of cavalry, under Lord Forbes, the

Proceedings against the popish earls.

* Calderwood, vol. v. p. 329.

† MS. Letter, State Paper Office, Bowes to Sir R. Cecil, 30th May, 1594; ibid., same to same, 9th June, 1594; Tytler, vol. ix. p. 137.

* Calderwood, vol. v. p. 344.

† The reader curious in such matters will find ample details in Calderwood, vol. v. p. 343, *et seq.*

‡ MS. Letter, State Paper Office, Mr. John Colville to Sir R. Cecil, 31st July, 1594; also ibid., Bowes to Sir R. Cecil, 3rd August, 1594; Tytler, vol. ix. p. 143.

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Laird of Towey, the Dunbars, and other barons, shortly to join him. Meanwhile he led his forces across the mountains to Badenoch, and laid siege to Huntley's Castle of Ruthven. The place, however, was obstinately defended by the M'Phersons; and, being destitute of artillery, and learning that the earls were advancing to attack him, Argyle thought it prudent to raise the siege, and retire to Drimmin, in Strathdown, where he encamped on the 2nd of October, awaiting the arrival of Lord Forbes and the M'Kenzies, who were already on their march to his assistance. Huntley and Errol, however, who were at no great distance, resolved to attack him before the reinforcements should arrive. Their forces, indeed, were greatly inferior to those of Argyle in point of numbers, for they amounted to not more than from fifteen hundred to two thousand men; but, on the other hand, they were vastly superior in military skill, experience, and equipment. They consisted mostly of gentlemen of the low countries, well armed and mounted, were supplied with a train of artillery, and assisted by veteran officers. Huntley, dividing his little army into two bands, marched from Strathbogie to Auchindown, the castle of Sir Patrick Gordon, which he reached on the morning of the 3rd of October. Errol led the van, supported by Sir Patrick Gordon; while Huntley brought up the rear, with the artillery, consisting of six field-pieces. Argyle, on observing the approach of the enemy, withdrew his forces from their encampment on the plain, and took up a strong position on the adjacent heights, where he arranged his army in three divisions. The command of the van was entrusted to M'Lean of the Isles; Argyle himself led the rear, which occupied the more elevated ground, and was securely flanked by bogs and precipices. M'Lean commenced the attack, but had advanced only a short distance when Huntley's artillery, which, up to that moment, had been completely masked by the cavalry, opened fire, and, at the first discharge, so astonished and terrified the Highlanders, to most of whom the deafening sound and destructive power of cannon were till then unknown, that they were thrown into utter confusion. Many fell flat on their faces, and refused to stir; others rushed desperately forward, yelling and brandishing their weapons, to attack the cavalry, when a second discharge put to flight great numbers, who quickly disappeared behind the surrounding mountains. The great body, however, of Argyle's forces still firmly maintained their position, which had the advantage not only of superior elevation, but of being protected in front by uneven and marshy ground, in which cavalry could not act without difficulty and danger. Huntley's vanguard, however, under Errol and Auchindown, advanced resolutely to the attack. The former, making a circuit, endeavoured to take his enemies in flank, but was severely wounded in the attempt; while the latter, pushing straightforward, became entangled in the morass, where the greater part of his men fell under the fire of their opponents. The rest, still headed by their valiant chief, succeeded in extricating themselves, and were making their way up the hill, when Auchindown, who was conspicuous from his great stature, was pierced by a bullet, and, falling from his horse, was speedily dispatched by the Highlanders, who rushed on him with their dirks, and, cutting off his head, carried aloft in triumph the bloody trophy. At this crisis the force under Errol, surrounded by Argyle's vanguard, under M'Lean, was in danger of being cut to pieces, when Huntley, seeing their imminent danger, hastily bringing up the rear-guard, restored the action. The contest raged fiercely for upwards of two hours, when Argyle's troops began to waver, and, notwithstanding his most strenuous efforts to rally them, at last took to flight, hurrying along with them their youthful chief, weeping with mingled emotions of grief and indignation. The division under M'Lean, which had done the greatest execution, and suffered the smallest loss during the conflict, still retained their ground; but seeing the day irretrievably lost, they retired in good order from the field, though seven hundred of the retreating Highlanders were slain in the pursuit. In this contest,—generally known in history by the name of the battle of Glenlivat, though sometimes designated as that of Strathaven, Balrinnes,* or Glenrinnes,†—many gentlemen were slain, and a still larger number wounded, on both sides. On the side of Argyle there fell, Campbell of Lochnell, M'Neil of Barra, and about seven hundred of inferior rank; while Huntley lost Sir Patrick Gordon of Auchindown, and many others of his followers, amounting in killed and wounded together to about four hundred and sixty persons.‡

Battle of Glenlivat.

Defeat of the royal army.

Intelligence of this defeat reached James at Dundee,§ whither he had arrived with his army a few days before, on his way northwards against the rebels. The adverse tidings, however, seemed rather to inflame than to damp his ardour. Vowing vengeance against the audacious traitors, he immediately, notwithstanding the unfavourable state of the weather, and the consequent wretched condition of the roads at that season, set forward with his whole army to Aberdeen, which he reached on the 15th of October.‖ At his own desire, he was accompanied by Andrew Melvil, James Melvil, and various other ministers of the Kirk, in order that they might appease the jealousy of the people by bearing testimony to his sincerity, as evinced by the severity of his proceedings against the popish earls and their adherents.¶ On his march he was joined by the Irvines, Keiths, Leslies, Forbeses, and other clans at feud with Huntley and Errol, who, being weakened by the losses they had

The king proceeds northwards.

* Spottiswood, p. 409; account of the battle of Strathaven, or Balrinnes, printed with Scottish poems of the sixteenth century.

† Calderwood, vol. v. p. 348.

‡ Ibid., p. 352.

§ Ibid., p. 353; Spottiswood, p. 409.

‖ Calderwood, vol. v. p. 353.

¶ Ibid.

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sustained at Glenlivat, and still more by the desertion of many of their followers, who were unwilling to bear arms against the king in person, now fled to the mountains. But though the royal army met with no resistance, the object of the expedition was in imminent danger of being frustrated from another cause. The royal exchequer was exhausted; the king's credit was at so low an ebb, that he had no means of obtaining an advance of money; and the troops, becoming mutinous and discontented from the want of pay, were on the point of deserting their standards, and returning home, when James Melvil was dispatched with urgent letters from the king to the ministers and magistrates of Edinburgh, to move the well-affected of all ranks to raise by contribution, and "send with diligence the second month's pay."* From Aberdeen, James marched to Strathbogie, where stood, deserted by its master, who had fled into Caithness,† the magnificent residence of Huntley, which had occupied fourteen years in building. The majority of the king's advisers were inclined to spare this princely mansion; but James, yielding to the importunity of Andrew Melvil, Lord Lindsay, and others, who were opposed to this lenient policy, decreed its demolition, and it was accordingly blown up with gunpowder, and levelled to the ground; the only part left being the massive old tower, which baffled the skill and resources of the "sappers and miners" of that age. A similar destruction fell on Slaines Castle, in Buchan, belonging to the Earl of Errol; Culsamond, in Garioch, the mansion of the Laird of Newton-Gordon; and Bagays and Craig, in Angus, the castles of Sir Walter Lindsay and Sir John Ogilvie; and there is reason to believe that the whole district would have been laid waste had it not been for the earnest intervention of Thirlstane and Glammis, by whose advice, enforced by the scarcity of provisions which had begun to prevail in the camp, the king was induced to return to Aberdeen, after having garrisoned the strongholds of the other popish insurgents. Several of Huntley's followers, who had been taken prisoners, suffered death at Aberdeen by the hands of the executioner; after which the king issued an offer of pardon to all commoners who had taken part against Argyle at the battle of Glenlivat, on condition of their paying certain fines imposed by the council.‡ He next appointed the Duke of Lennox as his lieutenant in that part of the kingdom, with a body of two hundred horse and one hundred foot, under the command of Sir John Carmichael, to prevent or repress any outbreak in that quarter, and a council of barons and ministers to assist him in the government. The appointment of Lennox, however, was declared to be only temporary; and was to be followed by that of Argyle, as permanent governor in the north.

Flight of the insurgents, and destruction of their castles.

The popish lords, finding themselves reduced to extremity by the desertion of their followers, and by the rigour of the northern winter, which had now set in, implored and obtained the king's permission to depart out of the kingdom, having first given security that they would neither return without his consent, nor engage, during their exile, in any new attempt against the Protestant religion or the peace and liberties of their native country.*

Public tranquillity, which had never ceased to be disturbed since the discovery of the Spanish blanks, was now restored; and the rigour with which the king had at last dealt with the Roman Catholic earls and their supporters, had in a great measure dispelled the jealousy and suspicion with which he had been regarded by his Protestant subjects. Even the ministers of the Kirk were contented, and the pulpits resounded with commendations of his proceedings.† The papists, however, were not without reason deeply dissatisfied; and it could not reasonably be expected that the peace of the country could be permanently secured, so long as the intolerance of the law left to a large section of the community no alternative between renouncing their religion on the one hand, or perpetual exile on the other.

Bothwell, whose multiplied and audacious acts of treason had so long escaped the punishment they deserved, was now reduced to a most abject condition. He was cast off by the English queen, to whom he had lent himself as a tool for the promotion of her nefarious policy; he was deserted by his friends, who, though willing to profit by his success, now selfishly stood aloof from his falling fortunes; and, by his alliance with the popish lords, he had utterly forfeited the confidence of those who had been credulous enough to regard him as a champion of Protestantism, and as a patriot who desired only the common weal. In addition to these calamities, sentence of excommunication, which carried with it the highest civil penalties, was pronounced against him by the Church; he was driven from all his castles and places of shelter or concealment; and was now a wretched fugitive, hunted like a beast of prey, and chased from one quarter of the country to another. At length, after being keenly pursued through the county of Caithness, where he made many hair-breadth escapes, he found means of retiring to France.‡ From France he passed into Spain, and afterwards into Italy, where, having renounced the Protestant faith, he led for many years a life of obscurity and indigence, seeking for solace to his disappointed ambition in the indulgence of dissipation and debauchery. In vain

Miserable condition of Bothwell.

* Calderwood, vol. v. p. 354.
† MS. Letter, State Paper Office, Bowes to Sir R. Cecil, 29th October, 1594.
‡ MS. Letter, State Paper Office, Occurrents, 2nd November, 1594; Tytler, vol. ix. p. 153.

* Spottiswood, p. 404.
† Calderwood, vol. v. pp. 357, 358.
‡ MS. Letter, State Paper Office, Nicolson to Sir R. Bowes, 19th February, 1594-5; Tytler, vol. ix. p. 165; Historie of James the Sext, p. 344.

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did he attempt to reconcile himself, by the most abject submission, to the king; who, though in general facile and forgiving, continued to cherish the most implacable resentment against him, and refused to listen to any interposition in his favour.* His forfeited estates were divided among Buccleuch, Ker of Cessford, and Lord Home. To the first was assigned the lands of Crichton; to the second, the Abbey of Kelso; and to the third, that of Coldingham.†

The ministers of the Kirk were earnestly desirous that Huntley and his associates, now in exile, should be subjected to the same irretrievable ruin; and laboured to induce the king to alienate their estates, and reduce them to indigence. James, however, from motives of policy, as well as humanity, refused to accede to this unjust and cruel proposal; and the Countesses of Huntley and Errol were permitted to remain in Scotland, while the exiled earls were allowed, at least, a subsistence from their forfeited patrimony. Utterly to exterminate the families of these distinguished noblemen was inconsistent with the policy of James, who was desirous of strengthening his own position by balancing one party against another, and overawing the rivals of the exiled lords by threats of their restoration.

Dissension between the king and queen.

At the same time, the domestic happiness of the monarch was embittered, and his court divided into factions, by a contention with the queen as to the custody of the young prince. He had been committed by his royal father to the keeping of the Earl of Mar, while the queen warmly insisted that that charge should be devolved upon herself, and importunately demanded possession of the royal infant. In this demand she was supported by the Chancellor Maitland, who was at enmity with Mar, and was now joined by Hamilton, Home, Fleming, Livingstone, Buccleuch, Cessford, and the Master of Glammis. On this point, however, James was inexorable; and he had even been heard to swear that if he were on his death-bed, and unable to utter a word, the last sign he should make would be in token of his will that the prince should remain in the custody of Mar. So far did this contest proceed that, it would appear, Maitland, in conjunction with Buccleuch and Cessford, and with the connivance of the queen, had formed the design of seizing the persons both of the king and the young prince, and impeaching Mar of high treason. This design, however, was frustrated by Maitland himself, who at the last hour shrank from embarking in so dangerous an enterprise; and, through the intervention of the ministers of the Kirk, the queen was at last persuaded to submit to the will of her husband,‡ and a reconciliation was happily effected.

On the 3rd of October, after a lingering illness, died the Chancellor Maitland, Lord Thirlstane, one of the ablest Scottish statesmen of this or any preceding period. That could be no ordinary man, who was styled by the great Lord Burghley "the wisest man in Scotland." He had been eminently serviceable both to his sovereign and the country in times of unusual difficulty; he had laboured successfully to preserve amity between the two kingdoms, as well as between the king and the Kirk; and, it is probable, that to his wise counsels the decided measures ultimately adopted by the king against the popish faction were in a large degree attributable. But the vast superiority of his talents overawed all his competitors, and had procured him many enemies, especially among the old nobility, who regarded him as an upstart; and even the king himself, feeling that he had in the chancellor rather a dictator than a councillor, regarded him more with fear than with affection. The death, accordingly, of his great minister occasioned little regret to his royal master, who, though he wrote a poetical panegyric on his memory, was heard to observe that he would in future have no more great men as chancellors, "but such as he could correct, and were hangable."*

Death of the Chancellor Maitland.

The absence of the wise head and vigorous hand that had so long exercised supreme direction and control in every department of the public service was speedily felt. As if the restraints of law had been suddenly removed, the Border districts were distracted by deadly feuds between the Maxwells and Douglases, wasted and depopulated by spoliation and bloodshed, and harassed by invasions of the English.† The public mind was at the same time agitated by rumours industriously propagated by the ministers of the Kirk, that another powerful Spanish armament was preparing to invade both kingdoms, and that the exiled lords were on the point of returning home to assist in the subversion of the Protestant Church. In these alarming circumstances, James, in compliance with the urgent demands of the ministers of the Kirk, authorised them to assemble the whole population capable of bearing arms for the defence of the country; but while he professed his resolution to make common cause with England in support of the true religion, he peremptorily refused compliance with the request of the ministers to send an ambassador to England, to concert measures with the English government for the defence of both countries against the common enemy.‡ He complained that Elizabeth had broken her promises of pecuniary assistance; that notwithstanding all the proofs he had given of his sincere desire to resist the encroachments of popery, as well as of his own attachment to the Protestant faith, she still

* Spottiswood, p. 410.
† Aikman, vol. iii. p. 210.
‡ MS. State Paper Office, Colville, 18th August, 1595; same, 20th August; Tytler, vol. ix. p. 173.

* MS. Letter, State Paper Office, 8th October, 1595, Nicolson to Bowes; ibid., same to same, 11th January, 1595; Tytler, vol. ix. p. 183.
† MS. Letter, State Paper Office, Nicolson to Bowes, 20th October, 1595; Tytler, *ut supra*.
‡ MS. Letter, State Paper Office, Advertisements from Edinburgh, 6th December, 1595; Tytler, *ut supra*, p. 184.

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regarded him with distrust, and obstinately refused to advance him a farthing, although she knew he was overwhelmed with debts already incurred in his attempts to extirpate popery from his dominions, and to relieve her from all her fears of Spanish machinations. There was good ground for these complaints. He had been encouraged to undertake the expedition against the northern earls and their adherents by the express promise of Elizabeth instantly to supply him with money for the payment of his troops, but that promise had never been fulfilled; on the contrary, Sir Robert Cockburn, the Scottish ambassador, was artfully detained at the English court until the result of the expedition had been ascertained, and then an order which had already been issued for two thousand pounds was recalled and cancelled.* Such mingled meanness and perfidy could not fail to disgust the Scottish monarch, and utterly destroy his confidence in all promises of support on the part of his royal neighbour.

The king's financial embarrassments.

James's financial affairs, which had never been free from embarrassment, were now in a most ruinous condition; and it became evident that, without some speedy remedy, he must be involved in absolute bankruptcy, and be alike incapable of supporting his dignity as a king, and of carrying on the business of the State. His own want of economy, and the extravagant habits of his queen, had contributed largely to bring about this crisis; but great laxity, moreover, had been allowed to creep both into the levying and disbursement of the public revenue, which had now become quite inadequate to meet the necessary charges of the government. It became, therefore, imperative that a rigid investigation should be made into this department of the public service, and some strong measures adopted at once to meet the present exigency and prevent its recurrence. At this time the Master of Glammis held the office of treasurer; Seton, Laird of Parbreath, that of comptroller; and Douglas, the Provost of Glenclouden, that of collector; and it was believed that, under the protection of the late chancellor, with whom Glammis was on terms of intimate friendship, all of them had grown wealthy at the expense of the royal revenues. Before attempting any reform, therefore, it was deemed necessary to supersede these functionaries. The great power and influence of Glammis rendered him somewhat difficult to deal with; he hesitated to demit his office at the king's desire; and it was not until he had received six thousand pounds as a compensation for its loss, that he reluctantly complied.† The two others were dismissed without ceremony. The entire management of the royal revenues and household was at first committed to the councillors of the queen, Alexander Seton, Lord Urquhart, President of the Session, Mr. John Lindsay, Mr. James Elphinstone, and Mr. Thomas Hamilton; but as the important trust assigned to these gentlemen was considered too onerous for so small a number, four others were subsequently joined with them,—Walter Stewart, Prior of Blantyre, who was nominated treasurer,* Skene, the Clerk-register, Sir David Carnegie, and Mr. Peter Young, Master Almoner. This important committee, styled officially, commissioners of the exchequer, but, on account of their number, called by the people *Octavians*,† were invested with most extraordinary, and even unconstitutional powers. The king bound himself neither to add to their number, nor to supply any vacancy occasioned by death, without the consent of the survivors; and it was decreed that no alienation of any part of the revenue or property of the crown, no grant of a pension, nor order on the Treasury, even though signed by the king himself, should be held valid, unless countersigned by at least five of the commissioners. All their acts and decisions were declared to have the same authority as the judicial sentences of the courts of law; and on their simple warrant, without the intervention of any court, any person might be arrested or his goods distrained. They held their commissions directly and exclusively from the king himself, and were solemnly sworn to respect only the king's "weal and profit,"‡ in all their proceedings. They met daily in the Upper Tolbooth of Edinburgh, and although they acted without salary, they were amply compensated by the enormous power and influence which, through their extensive jurisdiction and the unlimited control they possessed over the public money, speedily passed into their hands. They, in fact, soon engrossed the whole executive power of the State. Forming a distinct and united body, they proved more than an overmatch for the rest of the ministers of the crown, and gradually possessed themselves of every office of honour and emolument. One important office alone, that of chancellor, escaped their rapacity; they had indeed allotted it to the president, but as he was known to be a papist, the king, aware that such an appointment would raise a storm of discontent throughout the country, and especially provoke the keen hostility of the ministers of the Kirk, refused to confirm it. Several of the commissioners, however, thus entrusted with almost unlimited authority, were either known, or supposed to have a leaning to popery, and this had already roused the ever-watchful jealousy, and called forth the ready denunciations of the guardians of the Church. The people viewed with doubt and distrust an irresponsible body of men clothed with a power in some respects superior to that of the sovereign himself, and intercepting the sunshine of the royal favour, which ought freely to fall on the whole body of his subjects; while the courtiers were incensed at finding every avenue to power and preferment blocked up, and the streams

The Octavians.

* MS. Letter, State Paper Office, Sir R. Bowes to Burghley, 23rd October, 1594; Tytler, vol. ix. p. 156.
† Calderwood, vol. v. p. 394.

* Calderwood, vol. v. p. 394.
† Ibid., p. 393.
‡ Ibid.

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of royal liberality at once stinted in their supply and diverted into new channels. Notwithstanding, however, this general discontent, the Octavians continued to maintain their power, and even to acquire some degree of favour by the regularity and economy with which they administered the finances of the kingdom.

Renewed preparations in Spain for the invasion of the island.

During the past year the public mind, both in Scotland and in England, had been kept in a state of constant alarm by vague rumours of renewed preparations on the part of Spain for the invasion of the island. Nor were these apprehensions chimerical: it was now ascertained, beyond a doubt, that Philip was occupied in organizing a powerful armament, destined, it was supposed, for Ireland, from which quarter England could be most conveniently attacked. At this crisis, Elizabeth began to feel the necessity of strengthening the bonds of amity with the Scottish sovereign, which had been not a little relaxed by her own mean and perfidious policy. She accordingly once more dispatched Sir Robert Bowes as her ambassador to Scotland, from which, more than a year before, he had been permitted, at his own earnest request, to return;* the English interest in that country having been, in the interval, entrusted to the care of Mr. George Nicolson, who, from having long acted as secretary to Bowes, had acquired an intimate knowledge of Scottish affairs. Bowes was instructed to assure James of the unalterable friendship of Elizabeth; but to add, that it was impossible for her at present to grant him the smallest pecuniary assistance, as her resources had been drained by the aid she had felt it necessary to give to Henry of France, whose throne had been in jeopardy; by the suppression of the rebellion in Ireland; and still more by the preparations, in which she was at that moment engaged, for the defence of the kingdom, Philip having fitted out for its invasion a more formidable armament than the armada of 1588. James, wisely considering that this was no time to insist on old grievances, received the ambassador with great apparent cordiality, expressed his satisfaction with the preparations of his sister against the threatened invasion, and declared his readiness, if necessary, to put to hazard his crown, his kingdom, and his life in the common cause. He made a delicate allusion, however, to the exhausted state of his own finances, and to the promises, as yet unfulfilled, which had been made both by Bowes himself and Lord Zouch, in the name of their mistress. He hinted also that the popish party were in no want of gold, and by no means niggard in its distribution; and that he himself had had an opportunity of refusing very large offers, which had been made to him on the part of Spain.

On this occasion James issued a proclamation, warning his subjects that a successful invasion of England would inevitably be followed by the conquest of their own country; and calling on them to give up their private animosities, to cultivate the friendship of their neighbours, and to be ready to unite with them in the common cause. It was not to be expected that the ministers of the Kirk would remain silent and unconcerned at such a conjuncture. Shortly after the arrival of Bowes, the General Assembly met in Edinburgh, and earnestly besought the king to adopt the severest proceedings against the Jesuits and excommunicated priests, many of whom still lingered in the country. They strongly remonstrated against the forfeited lords being still permitted to enjoy the revenues of their estates; and demanded that the entire livings of the rebels should be collected by officers appointed by the king for that purpose, and employed in the maintenance of hired soldiers for the defence of the "good cause," and for meeting other charges necessary for its advancement.* The line of policy thus recommended was utterly at variance with that which James was inclined, if not resolved, to pursue. Keeping his eye on the English succession, aware of the odium he had already incurred among the Roman Catholic party in both kingdoms by the intolerant laws to which he had given his consent, and sensible that his succession might be endangered, or at least the tranquillity of both countries most seriously disturbed, by any united opposition of the Roman Catholics at the important crisis in all probability now at no great distance, he was disposed rather to retrace his steps, to mitigate the punishment of the exiled lords, or even to restore them, if that could be done with safety. But, though the advice and remonstrance of the assembly must have been deeply distasteful to him, he dissembled so far as to return a favourable answer, and thus, for the time, to silence the clamours of these importunate counsellors. Some, however, there were who suspected James's sincerity, if they did not penetrate his designs; and mysterious surmises began to be circulated of the restoration of the popish lords, and other projects deemed dangerous to the Kirk.†

While the relations between the king and the more zealous and intolerant of his Protestant subjects were in this uncertain state, and a potent foreign foe was threatening the invasion of the island, an incident occurred, which, though unimportant in itself, had well-nigh compromised the peaceable relations of the two kingdoms. Lord Scrope was at that time the warden of the Western Marches of England, while Sir Walter Scott of Buccleuch held a similar office in Liddesdale, the opposite side of the Border. Both were among the bravest and most skilful military leaders of their respective countries, and each had under him a deputy, invested, in the absence of his principal, with equal power and authority. It had long been customary to hold warden courts, as they were called, for the adjustment of trifling disputes

* MS. Letter, State Paper Office, 19th October, 1594; Tytler, vol. ix. p. 186.

* Calderwood, vol. v. p. 400.

† MS. Letter, State Paper Office, Bowes to Burghley, 18th May, 1596; Tytler, vol. ix. p. 194.

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between the English and Scotch borderers, as well as for the punishment of outlaws, depredators, and other offenders; and, on such occasions, a truce was proclaimed by sound of trumpet; and, according to the law of the Borders, it was a capital offence for either Scotsman or Englishman to attack even his most deadly enemy from the time of the meeting of the court until sunrise the next morning. A gentleman of the name of Salkeld was at this time the deputy of Lord Scrope, while the deputy of Buccleuch was Scott of Haining, a baron of his own clan; and at one of the warden courts held by these gentlemen, at a place named the Dayholm of Kershope, where a small stream forms the boundary between the two kingdoms, the Scottish deputy was attended by William Armstrong of Kinmont, a daring freebooter, still known in Border tradition under the name of *Kinmont Willie*. As this person, who was one of the retainers of Buccleuch, and a great favourite with his chief, was riding peaceably home, after the meeting, with three or four companions, along the banks of the Liddel, on the Scottish side of the Border, he was observed by a party of about two hundred English borderers, who rushed towards him in a hostile manner, chased him for several miles, and, finally overtaking him, took him prisoner, and carried him before Mr. Salkeld, the English deputy, by whose orders he was bound to a horse, and conveyed to the Castle of Carlisle. Here he was delivered to the warden, Lord Scrope, who was also governor of the castle, by whom he was loaded with irons, and thrown into prison. Buccleuch wrote immediately to Lord Scrope, complaining of this outrageous violation of border law, and demanding that Armstrong should be set at liberty; but this Scrope refused, alleging that he could not comply with the demand of Buccleuch without an order from the queen in council. Thus repulsed, he next applied to the resident English ambassador, and finally to the king himself, who wrote to Elizabeth demanding Armstrong's liberation. No attention being paid to this last demand, Buccleuch boldly resolved to take the matter into his own hands, and swore that he would fetch Kinmont Willie out of the Castle of Carlisle dead or alive.* To effect this appeared to all an impossibility; and the menace was derided by Scrope and his garrison as an empty boast. Buccleuch, however, was in earnest, and immediately set about preparing for his desperate enterprise. Having furnished himself with scaling-ladders, sledge-hammers, crowbars, and other necessary implements, he assembled two hundred of his bravest followers, well mounted, at Morton Tower, about ten miles from Carlisle, an hour before sunset, on a dark and stormy night in the month of April, and proceeding thence towards Carlisle, he halted in a meadow, close by the brook Caday, at a short distance from the town. Here he ordered eighty of his men to dismount; and leading them forward himself, they soon reached the bottom of the wall inclosing the outer court of the castle. On applying the scaling-ladders, they were found to be too short; but observing a postern in the wall, they undermined it, and soon effected a breach sufficient for a man to pass, though with difficulty. Twelve of them made their way through, including Buccleuch himself, who was the fifth to enter.* These opened the postern from the inside, and admitted their companions. In an instant the watch, who were too much surprised to make more than a feeble resistance, were overpowered, disarmed, and made prisoners, and Buccleuch and his party found themselves masters of the stronghold. Buccleuch kept watch at the postern, while twenty-four of the assailants proceeded to the castle jail, and, breaking open the door of the cell in which Armstrong was confined, carried him off, fettered as he was, in triumph. As had been previously agreed on, the trumpet was sounded in token of success, and was answered by loud shouts from the rest of the party in the outer court. Lord Scrope and his deputy were both in the castle during these proceedings, but, believing that the place had been assaulted by at least five hundred of the Scots, and that consequently resistance was hopeless, they had never stirred from their chambers; and their prisoner, as he was borne along beneath their windows on the shoulders of his comrades, contemptuously bade them "good night." Having now effected his purpose, Buccleuch ordered the guard to be released, and, as he professed that his sole object had been to vindicate the honour of his sovereign, he prohibited all attempt at spoliation. The garrison being now at liberty, the alarm-bell was rung, and the beacon-fire was lighted on the top of the castle. The inhabitants of the town were summoned to the rescue by the bells of the cathedral and the town-house; and confusion and consternation everywhere prevailed. In the meantime, Buccleuch and his party had rejoined their companions outside the town; and the whole band, without losing a man, found themselves safe within the Scottish border about two hours before sunrise. This gallant and successful exploit excited at the time universal admiration; and, to this day, the story of the bold Buccleuch and Kinmont Willie, and other doughty heroes, who, on this occasion, bearded the English lion in his den, enlivens the fireside of almost every cottage in the Border districts of Scotland.

Surprise of Carlisle Castle by Buccleuch. Rescue of Kinmont Willie.

It may naturally be supposed that the English warden felt deeply mortified when he discovered that his garrison had been surprised and overpowered, and his prisoner, who had been so pertinaciously detained, liberated and carried off before his eyes, by a party of not more than eighty men; but, feigning great indignation at what he

* MS. Letter, State Paper Office, B. C., the names of such as enforced the castle for Kinmont, dated, in Burghley's hand, 13th April; Tytler, vol. ix. p. 196.

* MS. Letter, State Paper Office, B. C., the names of such as enforced the castle for Kinmont, dated, in Burghley's hand, 13th April; Tytler, vol. ix. p. 196.

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termed an "audacious outrage," he wrote immediately to Lord Burghley and the privy council, apprising them of the fact that her majesty's Castle of Carlisle had been attacked by a body of the Scots in time of peace, and urging the queen to demand of the King of Scotland that Buccleuch should instantly be delivered up for punishment. Elizabeth was, or pretended to be, highly indignant, and ordered Bowes to remonstrate in the strongest manner with the Scottish king, and to demand that Buccleuch should be unconditionally placed in her hands, as he had insulted and affronted her beyond endurance. James, who was not disposed to comply with this peremptory demand, replied, that he might, with equal reason, require Lord Scrope, who was the first aggressor, to be delivered up to him; as it was certainly a greater insult unlawfully to seize and imprison one of his subjects, than forcibly to liberate a prisoner who had been unlawfully seized. James was supported in his resistance by the unanimous voice of his privy council, the barons, the ministers of the Kirk, and the whole body of the people, who admired and applauded the bold exploit.* Elizabeth, however, continued to urge her demand with such vehement importunity that James, dreading a positive rupture, at last yielded, and Buccleuch was first imprisoned in the Castle of St. Andrew's,† and afterwards sent to England as a prisoner on parole. Elizabeth was satisfied with this appearance of submission, and, after a brief sojourn, the Scottish warden was permitted to return home.

Return of the popish lords.

Some time before this Bowes had written to Burghley, intimating that some measures were in contemplation in favour of the exiled lords; that they had determined to petition the king to permit them to return;‡ and that, notwithstanding the anticipated opposition of the ministers of the Kirk, as well as of Elizabeth and Burghley, James had now finally resolved on that bold measure. Information of the king's favourable disposition had been communicated to Huntley and his companions in exile, and, taking encouragement from this, they now ventured to return secretly into Scotland. Huntley, who had taken precedence of the others, landed at Eyemouth, and, passing in disguise through the southern counties of the kingdom, once more joined his friends in the north; who, availing themselves of the present temper of the king, earnestly supplicated permission for Huntley to return, promising that he should reside in whatever part of the country his majesty should be pleased to appoint, and also give security for his peaceable and loyal behaviour. Errol and Angus soon followed; the former having repaired to Huntley's castle at the Bog of Gicht, and the latter to Perth, incognito, from which, so soon as he was discovered, he was expelled by order of the magistrates.*

But however desirous for the restoration of the popish lords, James was too politic to take the whole odium of so unpopular a measure on himself. Accordingly, about the end of August, he summoned a convention of the Estates to meet at Falkland, to deliberate on this important matter, taking care to make such arrangements that none were present except those who were friendly to the excommunicated earls. Among these was Alexander Seton, then president of the session, who, in a premeditated speech, pleaded for the recall of the exiles as a matter of policy; lest, like Coriolanus the Roman, or Themistocles the Athenian, they should unite with the enemy, to the danger or ruin of the country.† Certain of the more moderate and pliant ministers of the Kirk had also been summoned to attend the convention, but all were found to be adverse to the king's design. Nevertheless, in the end, the Estates concluded, that the king and the Kirk being satisfied, it would be proper to call home the exiles, and "that his majesty should hear their offers for that effect."‡

This resolution, which seemed to realise their worst fears, threw the judicatories of the Kirk into a paroxysm of indignation and alarm. The members of a commission appointed by the last General Assembly, directed circular letters to be addressed to all the presbyteries of the kingdom, requiring them to publish anew from their pulpits the act of excommunication against the Catholic lords, and to lay under the same dreadful ecclesiastical censure—without the delays attendant on a formal trial—all persons suspected of being favourable to popery.

In the meantime, the Countess of Huntley, in the name, and by the authority of her husband, presented to the synod of Murray certain offers of reconciliation. She denied that he had, on any occasion during his residence abroad, intrigued with foreigners or others against the Reformed religion, or the estate of his native country; and he offered, she said, if accused, to submit to a legal trial, and, if found guilty, to suffer and underly the censures of the Church, and to submit to such punishment as the king and council should think meet to inflict. Secondly, she offered that he should find security neither to attempt, assist in, nor devise anything, in time coming, tending to the alteration of the religion presently professed within the kingdom; thirdly, that he should banish from his society all Jesuits, seminary priests, and known papists; fourthly, that he was willing to confer with any minister of the Kirk on the subject of religion, and, in the event of his being conscientiously persuaded by valid arguments to renounce the religion he at present professed, he should embrace that of the Reformed Church;

* MS. Letter, State Paper Office, Bowes to Burghley, 3rd July, 1596; Tytler, vol. ix. p. 199; Spottiswood, p. 416.

† MS. Letter, State Paper Office, Bowes to Burghley, 19th August, 1596; ibid., same to same, 12th October, 1596; Tytler, vol. ix. p. 199.

‡ MS. Letter, State Paper Office, Bowes to Burghley, 18th May, 1596; Tytler, vol. ix. p. 201.

* MS. Letter, State Paper Office, Bowes to Burghley, 29th October, 1596; Tytler, *ut supra*.

† Calderwood, vol. v. p. 438.

‡ Ibid.

fifthly, he offered, for his better instruction, to receive into his house, and maintain at his own expense, any ordinary presbyterian minister they might please to appoint; sixthly, for better assurance of his sincerity, he would willingly assist the Kirk in the maintenance of their discipline, and in the punishment of vice; and, lastly, he only desired in return that a reasonable time should be allowed him to be satisfied in his conscience, and that, in the meantime, he should be absolved from the sentence of excommunication, and that intercession should be made with his majesty to permit him to live unmolested within the country during the conference.*

These articles were presented on the 19th of October; and, upon the offers thus made on the part of Huntley, the popish earls were suffered by the king to continue in the country, and to retain their own houses and livings until the month of May following. †

Very different, however, was the reception which these offers met with at the hands of the Kirk. They were indignantly rejected as proceeding from an excommunicated traitor, who now added to his other crimes the presumption of proposing terms of accommodation with the Church, that had pronounced a sentence against him which had rendered him liable to the highest penalty of the law.

Contest between the king and the Kirk.

A contest now arose between the king and the Kirk, which raged for some months with unexampled violence, and terminated in the temporary overthrow of the presbyterian constitution and discipline, and the reintroduction of episcopacy. ‡ This unhappy dispute originated in a misunderstanding between the contending parties regarding the respective limits of the civil and ecclesiastical jurisdictions; and there cannot be a doubt that by pushing the claims of the Church beyond reasonable limits, the leaders of the Church unintentionally paved the way for the subversion of the presbyterian system.

Assault on the Tolbooth. The king in danger.

On the 17th of December, the citizens of Edinburgh, excited by the vehement zeal of Balcanquel, in an address from the pulpit, rose in arms, and assaulting the Tolbooth, where the king was then in deliberation with some of his privy council, put him in the greatest alarm for his personal safety; and there seems no reason to doubt, although the tumult was altogether unpremeditated, such was the pitch of rage to which the popular mind had been worked up, and such the confusion that prevailed, that the king's life was in actual danger. § The king, greatly enraged at this insult offered to his authority, next morning, at an early hour, withdrew with his whole court to Linlithgow, and issued a proclamation, which was read by a herald at the Cross of Edinburgh, ascribing the treasonable tumult of the preceding day to the seditious speeches uttered by the factious ministers of Edinburgh from the pulpit, and accusing them of having incited the citizens to take arms, and thereby put his life in jeopardy. He declared that he could no longer consider the capital as a fitting place either for his own residence, or for the holding of the courts of justice; that he had, in consequence, retired from it with his court; and he now discharged, under pain of death, the lords of session, sheriffs, and other judges, from holding their courts in Edinburgh, and commanded them to be in readiness to repair to such other place as should be appointed by a subsequent proclamation. He likewise ordered all persons not ordinarily resident within the city to quit the same, within six hours, under pain of treason.*

This proclamation struck dismay into the hearts of the citizens, who beheld in it the decay of their trade and the ultimate ruin of the capital. The magistrates and town-council made the most humiliating submission, and offered to make most unworthy and degrading concessions, but, for a time, James refused to be pacified. "Fair words," he said, "could not atone for such a fault, but he would come, ere it was long, and let them know he was their king." The council pronounced the tumult to be treason; the whole magistracy were ordered to enter themselves in ward, and stand their trials; and, on account of some trifling informality with regard to their appearance on that occasion, the burgesses were declared rebels, and all the public property of the burgh was confiscated to the crown. Elizabeth now interposed, and wrote a letter to James on behalf of the distressed citizens; and some of the nobles having also interceded for them, his majesty was pleased to recall the courts of law and pardon the town, having first subjected it to a fine of 20,000 marks, imposed several new and heavy burdens on the citizens, and deprived them of the privilege of electing their own magistrates and ministers.†

The queen gives birth to a daughter.

Shortly before these events, the queen was delivered of a daughter at Dunfermline. She was baptized at Edinburgh on the 28th of November, but without any public solemnity. She was named Elizabeth, after the Queen of England, Bowes, the English ambassador, officiating as the representative of his sovereign. After the ceremony, she was proclaimed by the heralds, under the title of "Lady Elizabeth," the first daughter of Scotland.‡

The late outrage in Edinburgh tended rather to consolidate than to shake the royal authority, and the king, having achieved such an easy victory over the citizens, now resolved to employ his utmost efforts to reduce the power and influence of the clergy, and to bring about such changes in the constitution of the Church as should subject its

* Calderwood, vol. v. pp. 441—443; MS. State Paper Office, offer of the Countess of Huntley, 19th October, 1596; Tytler, vol. ix. p. 202; Rymer's Fœdera, vol. xvi. p. 305. † Calderwood, vol. v. p. 443.
‡ Robertson, vol. ii. p. 300.
§ Spottiswood, p. 417; Calderwood, vol. v. pp. 510—513.

* Calderwood, vol. v. p. 514; Spottiswood, pp. 429, 430.
† Ibid., pp. 434, 444.
‡ Calderwood, vol. v. p. 438.

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courts and functionaries to the control of the crown, and for ever set to rest those contentions on the subject of jurisdiction, which had so long disturbed his government and imbittered his life. Accordingly, the history of Scotland for some months presents us with few events of public importance, except the proceedings of ecclesiastical courts, the crafty dealings of the king to pave the way for the introduction of prelacy, and the stormy contentions between him and the Kirk.

Amidst all these distracting cares, James found leisure to turn his attention to a project he had much at heart, that of reconciling the popish earls to the Kirk. As a preliminary step, he gave them unequivocally to understand, that he held this as an indispensable condition to their being permitted to remain in the country. He wrote to the Earl of Huntley, informing him that if his conscience would not permit him to accept of this condition he must "look never to be a Scotsman again," and concluded in these peremptory terms:—"Deceive not yourself, to think that by lingering of time your wife and your allies shall ever get you better conditions. I must love myself and my own estate better than all the world; and think not that I will suffer any professing a contrary religion to dwell in this land."* The same conditions were imposed on all the three earls,—that they should acknowledge the Kirk of Scotland to be a true Church, that they should join its communion, submit to its discipline, and subscribe the Confession of Faith; and farther, that they should banish from their society and estates all Jesuits and seminary priests. To these conditions, after some little delay, they professed their assent; and, at a meeting of the General Assembly held at Dundee on the 10th of May, it was agreed that the three earls had fulfilled all the conditions required of them, and might now be absolved from the sentence of excommunication, and received into the bosom of the Church. During these proceedings, however, the accomplices of the popish lords were busily engaged in concocting new plots; and as it was not till after the failure of these that they consented to the conditions imposed on them, there is strong reason to believe that these projects were concerted with their knowledge and consent. This presumption is greatly strengthened by the fact, that not many years afterwards they renounced Protestantism, and were once more reconciled to the Church of Rome. At this very time, it was discovered that Huntley was in close communication with Gordon, a Jesuit, who was labouring to dissuade him from consenting to the prescribed conditions; and a Roman Catholic gentleman, named Hugh Barclay, of Ladyland, in anticipation of a descent of the Spaniards on the west coast of Scotland, had taken possession of the island of Ailsa, a lofty and precipitous rock lying off the coast of Ayrshire, and was employed in fortifying and victualling the place for their reception. This gentleman had formerly been confined in the Castle of Glasgow, whence he had made his escape and fled to Spain, where he had received the commission on which he now acted as a popish emissary to facilitate the invasion of his native country. His base project, however, was defeated by Mr. Andrew Knox, minister of Paisley, who had performed such good service to his country five years before in apprehending George Kerr, and thus defeating the conspiracy of the Spanish blanks. This martial ecclesiastic, having got notice of Barclay's treasonable attempt, speedily armed himself, and proceeding in a boat to Ailsa with a small party of courageous men, besieged Barclay in his stronghold, who, finding himself unable to hold out, and preferring death to captivity, plunged headlong into the sea and perished.* The failure of this enterprise—probably the forlorn hope of the popish lords—was followed by their immediate reconciliation to the Kirk, and their restoration to their honours and estates. The ceremony took place on Sunday, the 26th of June, in the old kirk of Aberdeen, in presence of noblemen, barons, and people of all ranks; and the following day their reconciliation was publicly proclaimed by a herald, amidst the joyous acclamations of assembled multitudes, who drank their healths, and in the exuberance of their exultation threw their goblets into the air.†

The popish earls reconciled to the Kirk.

Presbyterianism has ever been regarded with distrust and aversion by the abettors of arbitrary power, against the encroachments of which it has at all times presented a formidable barrier; and the spirit of democracy, to which it is undoubtedly favourable, was in this age powerfully sustained and cherished by the university. To this, therefore, as well as to the Kirk, James now began to direct his attention; and while he steadily, but cautiously, pursued his great project for overturning the constitution of the Reformed Church, he made a more open and direct attack on the University of St. Andrew's, which, under the principalship of the learned, able, and indomitable Andrew Melvil, was believed to be a perfect hotbed of democracy. A strict investigation into the proceedings at this ancient seat of learning was accordingly ordered, and, though many complaints and accusations were made against its venerable principal, no culpable act could be proved against him.‡ Notwithstanding this, he was deprived of his rectorship, which was conferred on Mr. George Gladstanes, minister of St. Andrew's, and appointed instead Dean of the Faculty of Theology. At the same time, many new orders and laws were introduced; the professors were enjoined to adopt a prescribed mode of teaching; and it was ordained that no

Attack on the University of St. Andrew's.

* Original in the king's hand, Warrender MSS., vol. A. p. 169, printed by Spottiswood, with some words and sentences omitted; Tytler, vol. ix. p. 232.

* Spottiswood, p. 445; MS. State Paper Office, without date; Tytler, vol. ix. p. 233.

† Thomas Melhson to Mr. Robert Paip, Aberdeen, 28th June, 1597; Analecta Scotica, p. 299.

‡ Calderwood, vol. v. p. 651.

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masters or professors of the university, or doctors of divinity, should be allowed to sit in the presbytery on matters of discipline.* A special council was also appointed to manage the financial affairs of the university, and a more rigid economy in the disposal of its rents was introduced.

James had been so long and so arduously occupied with the affair of the popish lords and other cares of government, that many matters of internal policy had been comparatively neglected; and he seemed now resolved, by a vigorous effort, to consolidate his power, and convince all ranks of his subjects of his determination and ability henceforward to rule them with a firm hand. In no part of his dominions had the evils resulting from his hitherto feeble and vacillating administration been so severely felt as on the Borders, which were now reduced to a condition approaching to anarchy. Ruthless and lawless rapine everywhere prevailed; might was substituted for right—life and property were alike insecure. James now planned and conducted an expedition into the disturbed districts; succeeded in capturing fourteen of the most noted offenders, who were instantly hanged; apprehended and brought prisoners to Edinburgh thirty-six of the principal barons, who had countenanced these violations of law and order; and appointed Lord Ochiltree as his lieutenant and warden in that part of the kingdom.

This year was distinguished by the occurrence of a natural phenomenon, happily rare in Scotland, or in any part of the island. On the 23rd of July, between eight and nine o'clock in the morning, the whole northern counties of the kingdom were shaken by an earthquake,† which, although it does not appear to have been attended with any of those dreadful disasters which in less favoured regions frequently result from these appalling convulsions, cast a gloom over the minds of men by whom its causes were not understood, and was regarded by the superstitious as a portent of some approaching national calamity. About the same time, the capital and its neighbourhood were visited by a destructive agent still more alarming—the plague, whose ravages drove many of the inhabitants from the town, and did not abate until towards the end of autumn.‡

Earthquake and plague in Scotland.

But, in the midst of real evils, the mind of James was engrossed with others, which were probably in the present instance only imaginary. He was haunted by the fear of witches and sorcerers, whose numbers, it was reported, were alarmingly on the increase; and he once more embarked in a crusade against these emissaries of the prince of darkness. On this, as on a former occasion, many unfortunate creatures suspected of this mysterious crime were seized and put to the torture, in order to extort confessions, which were expected to minister to a diseased curiosity by exposing the secrets of "Satan's invisible world." In the course of these investigations an unhappy woman, named Margaret Aitkin, upon whom suspicion had fallen, was, among others, apprehended, and, amid the agonies of the torture to which she was subjected, confessed herself guilty. On being further interrogated, she named certain individuals as her accomplices, declared that she knew a witch at one glance by a particular mark in the eye; and offered, on promise of her life being spared, to assist, by means of this knowledge, in ridding the country of the whole hellish sisterhood. Unfortunately she was believed, and her offer accepted; for several months she was carried through the country; all she accused were apprehended, and numbers of women, in different parts of the kingdom, but particularly at Glasgow, were, on little or no other evidence of their guilt, condemned and put to death at the stake. At last, suspicion of deception having arisen, some experiments were instituted with a view of testing the reality of this wonderful power of recognition, when the horrible discovery was made that the whole was an imposture. A woman, in whose countenance she pretended to have discovered the fatal marks, was, after the lapse of a short time, again brought before her in a different dress, and at once declared innocent. A similar trial of her skill was made again and again with the like result; and the wretched creature, on being charged with the shocking fraud, fell on her knees and implored mercy, confessing that the fear of torture had first induced her to accuse herself, and the dread of a violent and painful death had led her to adopt the fiendish expedient of accusing others. She adhered to this confession at her trial, and repeated it at the stake, to which she was sentenced, admitting, without reservation, that all her accusations, both of herself and others, were groundless falsehoods. Horror-struck by this disclosure, the king recalled the commission of inquiry he had appointed to proceed against the witches, and ordered the immediate liberation of all who had been apprehended on the charge of witchcraft, excepting such as had made voluntary confession of their guilt, whom he directed to be detained until the mode of their trial should be determined by the Estates in parliament.*

Renewed proceedings against witches.

At this period Scotland enjoyed a degree of tranquillity to which for some years it had been a stranger; and the king, freed from a multitude of harassing cares by which his time and attention had been absorbed, had now leisure steadily to direct his mind to a subject of such importance that, for a time, it engrossed his thoughts, to the exclusion of almost every other matter of public policy. This was no other than his right of succession to the English throne, which it was evident, from the advanced age and increasing infirmities of Elizabeth, could not much longer be occupied

* Calderwood, vol. v. p. 651.
† Ibid., p. 655. ‡ Ibid.

* Spottiswood, p. 448; MS. Letter, State Paper Office, Bowes to Cecil, 15th August, 1597; same to same, 5th September, 1597; Tytler, vol. ix. p. 249.

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by that great princess. His title was beyond a doubt, but had nevertheless recently become matter of dispute. It had been questioned and discussed in the English parliament; it had been assailed by various competitors, who were actually intriguing to establish their pretensions; and more than one publication had appeared in England claiming the succession for the Infanta of Spain. In addition to these causes of uneasiness, the king had the mortification to find that he had, by his treatment of the popish lords, lost the confidence both of the Roman Catholics and the Kirk. To the former it appeared unjust, intolerant, and unmerciful; to the latter lax, impolitic, and betraying either an entire absence of principle, or a secret leaning towards popery. There were thus two parties, formidable both from their numbers and their influence, each ready to support the cause of any pretender professing a thorough devotion to its own exclusive and illiberal policy. All these circumstances concurred to throw a shade of uncertainty over his succession, that kept the mind of James in a state of nervous anxiety, which was greatly heightened by the mysterious and obstinate silence still maintained by Elizabeth on this delicate subject, though she was actually applied to by other competitors, who were busily intriguing to advance their respective pretensions. James omitted no precaution for strengthening his position. With this view he dispatched extraordinary ambassadors to the Protestant princes of Germany, to many of whom he was allied by marriage, in order to demonstrate to them the legality of his title; to secure their aid against any competitor who might venture to dispute his just claim; and, in the meantime, to move them to send a joint embassy to the English queen, requesting her to name her successor. These princes fully acknowledged the justness of his title, and readily promised their assistance in case of need, but declined sending the desired embassy. James next instructed Edward Bruce, Abbot of Kinloss, his ambassador at the English court, to solicit Elizabeth to recognise his title by some public act; and thus, by at once and for ever putting an end to all uncertainty on this important matter, avert from her subjects the calamities usually attendant on a disputed succession. All Bruce's efforts, however, failing to extort from Elizabeth any satisfactory answer, he was directed to address himself cautiously to the leading men amongst the nobility, and labour to gain them over to his master's cause. In this mission he was more successful, many nobles of the highest rank having unreservedly pledged themselves to support the claims of the Scottish king, in opposition to those of any pretender. As a last resource, James appealed to the great body of the people, through the medium of the press. Many books and pamphlets, containing attacks on the validity of James's title, had been written, and had obtained extensive circulation, especially in England. To counteract the prejudicial effects of these publications, he employed and encouraged learned men to write in his favour on this question; and the country was speedily inundated with ingenious disquisitions on the law of succession, and the results of laborious genealogical investigations. But whatever might be the value of these performances, a still deeper impression was made on the popular mind by the numerous works which now issued from the press, setting forth the advantages which might be expected to accrue to both kingdoms from the union of the two crowns in the same line of sovereigns. Nothing, perhaps, evinced so strongly the intense anxiety of James to fortify his title at every point, than an absurd attempt to vindicate the memory of his mother from imputations which had been cast upon her. The great English poet, Spenser, had been supposed, probably without reason, to allude to Mary under the character of Duessa, in his "Faërie Queene," and James had the almost incredible folly and indiscretion to direct his secretary of state to demand that the poet should be severely punished.

Proceedings respecting the succession to the English crown.

Death of Sir Robert Bowes.

On the 16th of November, the English ambassador, Sir Robert Bowes, who had so long acted a conspicuous, and, in many instances, not a very creditable part at the Scottish court, expired at Berwick, worn out with the incessant cares and anxieties of his arduous office. He was succeeded by Sir William Bowes, who, shortly afterwards, arriving in Scotland, was admitted to an audience, during which James complained, with some acrimony, of a want of confidence on the part of his royal sister, of her readiness to give credence to every false rumour regarding him, and of the harshness and severity of her remonstrances. He vindicated the steps he had taken with a view to establish his title to the succession, and declared that his desire to maintain amicable relations with England remained unabated.* Elizabeth, however, entertained great doubts of the sincerity of this declaration. Her temper, naturally suspicious, was now aggravated by the infirmities of advancing years, and was kept in a state of still greater exasperation by the representations of Nicolson, her agent in Scotland, who, during the declining health of Sir Robert Bowes, had been entrusted with the management of the English interest in that country. Various circumstances had occurred which appeared to justify a suspicion that the sentiments of the Scottish court, with respect to the sister country, had undergone an unfavourable change. The Secretary Elphinstone, who stood high in the confidence of the king, was believed to be unfriendly to England; the Countess of Huntley, an avowed and bigoted papist, was on such a footing of cordial intimacy with the queen, that they frequently occupied the same bed;† while the education of the two young

* MS. Letter, State Paper Office, Sir William Bowes to Sir R. Cecil, 1st February, 1597-8.

† MS. State Paper Office, Occurrences, 2nd February, 1597-8; Tytler, vol. ix. p. 246.

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princesses was committed to the care of Lady Livingstone, also a Roman Catholic. The jealousy of Elizabeth being thus excited, she was in a fit frame of mind to listen with credulity to almost any accusation against the King of Scots; and it was not long ere a mysterious story was got up, which, although altogether incredible, had well-nigh issued in a real estrangement, if not in an open rupture between the two sovereigns. From some motive, which does not very clearly appear, an obscure individual, named Valentine Thomas, had the audacity to accuse James to the English government of having engaged him in a conspiracy against the life of Elizabeth; and this absurd charge, if not fully believed, produced such an impression on the mind of the English queen, that she thought it expedient to submit the matter to a solemn investigation by Sir Edward Coke, Sir Francis Bacon, and other eminent lawyers. Filled with indignation at the importance attached to an accusation so obviously false and calumnious that it ought at once to have been dismissed, and immediately followed by the punishment of the villain who had dared to prefer it, James demanded the fullest and most searching inquiry, and the infliction of the severest vengeance of the law on his vile accuser. Elizabeth, now alarmed by the serious consequences of her imprudent credulity, wrote to James with her own hand, disclaiming all belief in so scandalous an imputation on the honour of her royal brother, declaring that she was not "of so viperous" a nature as to entertain such a thought against him, and promising that the author of the audacious calumny should be punished as he deserved.* James, however, who naturally dreaded the prejudice which such an accusation, so publicly made and so solemnly entertained, might excite against him among the people of England, was not so easily pacified. He insisted that the allegations of Thomas should be cancelled by a public and formal disavowal on the part of Elizabeth; and he did not rest until this was obtained.

Accusation of Valentine Thomas against the king.

Amidst all these transactions, James did not lose sight of the great object of overturning the constitution of the Church, and establishing his favourite system of episcopacy. He had artfully prevailed on the commissioners appointed by the last General Assembly to complain to the Parliament that the Church was the only great institution in the kingdom that was not represented in the national council, and to petition that a certain number of the clergy should be admitted to a share in the legislature. On the 19th of December a parliament was held, at which this claim was discussed; and the Estates, acting under the influence of the king, decreed—"That such pastors as his majesty should invest with the office of bishop, abbot, or other prelate, should have the same right to vote in parliament as ecclesiastics had in former time; and that all vacant bishoprics, or such as might become vacant, should be only given to actual preachers or ministers, or to persons who were fit to fulfil, and would pledge themselves to perform, the duties of the office." With a view, however, to prevent alarm on the part of the clergy, a clause was added, remitting to the General Assembly to consult, and, in conjunction with his highness, to determine what spiritual power and jurisdiction the new order of bishops should exercise in the Church. This act went far towards accomplishing James's long-cherished purpose; but it was not until the 28th of March, 1600, that presbyterianism was finally subverted, and prelacy formally established, by a General Assembly held at Montrose.

Renewed attempts to introduce episcopacy.

James now took advantage of a season of comparative tranquillity to turn his attention to the condition of the Highlands and isles. These remote districts of the country had long been in a most anomalous state. Though forming a portion of the kingdom of Scotland, and nominally subject to the royal authority, they were in reality governed by native chiefs, each exercising an independent and hereditary sway over his own sept, the members of which yielded him a ready and affectionate obedience. These petty leaders had recently become united under the conduct of one powerful chieftain, Donald Gorm Macdonald, who, assuming the proud title of Lord of the Isles of Scotland, and Chief of the Clandonnel Irishmen, had the boldness to open up a communication with the Queen of England, offering, on "reasonable motives and considerations," to devote himself to her service, and shake off all allegiance to the Scottish king. Nor was this all; he declared that he and the numerous chiefs who had ranged themselves under his banner were able and ready, if her majesty so pleased, to excite rebellion throughout the whole kingdom of Scotland. Elizabeth does not appear to have seriously listened to these proposals; but it was evident that such a state of matters could not with safety be permitted to continue. The difficulty was to determine what should be done. Many different projects had been suggested, considered, found impracticable, and abandoned. At one time, James had it in contemplation to put himself at the head of a numerous army, and, supported by a powerful fleet, to enter the territories of these semi-barbarians, and compel them to respect his authority; but the difficulty of making head against savage tribes, entrenched behind inaccessible mountain fortresses, and scattered throughout numerous islands, surrounded by stormy and unfrequented seas, appeared so great, that the enterprise was never undertaken. Nor did the scheme of sending a deputy, invested with royal authority, appear, on mature consideration, more feasible; although it had proceeded so far, that

Condition of the Highlands and isles.

* MS. Letter, State Paper Office, 11th May, 1598, Nicolson to Burghley; MS. Letter, State Paper Office, Royal Letters, Scotland, Elizabeth to James, 1st July, 1598; Tytler, *ut supra*.

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the Duke of Lennox had been twice appointed to that honourable and important post.* At last, a remarkable and somewhat ingenious expedient was devised for the gradual introduction of civilization and order among these turbulent and unmanageable hordes. This was to colonize with lowland noblemen and gentlemen, and their agricultural assistants and dependents, under the protection of the crown, two of the principal islands of the Hebrides. With this view, a company of barons, mostly belonging to the county of Fife, was formed for the purpose of occupying and cultivating the Isle of Lewis; and another, composed of noblemen and gentlemen in the Lothians, for taking possession of the Isle of Skye. These associations obtained leases from the crown of the islands which they had respectively selected as the field of their operations. The conditions were that they should, after seven years' possession, pay to the king an annual rent of 140 chalders of victual, and that they should *conquer* their farms at their own charges. In anticipation of opposition from the natives, a force of 600 soldiers was provided to accompany them; and, thus fortified, the whole colony proceeded to take possession of their island territory. They had no sooner arrived than they had to encounter the hostility of the inhabitants, and, instead of commencing the peaceable pursuits of agriculture, had to fight for their very existence. The contest was maintained for some time with the greatest fury, but at length the colonists, having formed an alliance with some of the native chiefs, their assailants were no longer able to cope with them in the open field. Still the islanders were as far as ever from making peace with their Saxon invaders. They harassed, plundered, and assassinated them on every opportunity; until at last, after the lapse of a few years, worn out with incessant disquietude, obstructed in the pursuits of industry, and thinned by disease, famine, and slaughter, the colony could no longer maintain its existence. The principal gentlemen belonging to it were made prisoners, and were only liberated on condition of their giving up all claim to the land they had occupied, and taking an oath never to return.†

Scheme for colonising Lewis and Skye.

It is difficult to characterise the government of Scotland at this period. Theoretically it was far removed from what in modern times we are accustomed to regard as a simple despotism. The fundamental laws of the realm were enacted by the Estates in parliament, and were held to be equally binding on the prince and the people. Still the power and prerogatives of the crown were far from being strictly defined, and consequently it was no uncommon occurrence to find the will of the monarch expressed either by private warrant or public proclamation, possessing all the validity of established law, and enforced even with more stringent severity. It was at once the fault and the misfortune of James, and of all the race of monarchs to which he belonged, to be ever inclined to stretch this elastic prerogative to an extent utterly inconsistent with public liberty; while, at the same time, the genius of the people over whom they ruled was equally incompatible with arbitrary government. Two instances occurred at this time, in which James had the mortification to find his will successfully checked and resisted by the administrators of the law, and which, it has been well observed, "had he been accustomed to watch such political indications, might have been full of warning and instruction."* A criminal, who had been arrested by order of the magistrates of Edinburgh, was rescued by a gentleman of the king's household, and set at liberty. A prosecution was instituted by the civil authorities against the courtier, who was in the first instance so leniently dealt with that he was simply compelled to promise to deliver up the culprit to justice. Failing, however, to perform his engagement, the magistrates had him apprehended and committed to prison. James, who seems to have taken this as an affront to himself, commanded the magistrates to set his attendant at liberty. This mandate, however, they declined to obey; and a more peremptory order, which was instantly issued, was met by an equally prompt and peremptory refusal. They professed their readiness to resign their offices, if required, into the hands of the king, but declared that so long as they remained in office they would do their duty. James had the penetration to see that to pursue this altercation further would only be to incur additional mortification. He smothered his indignation, and allowed the municipal authorities to deal with the courtier as with a common offender.† The other instance was of a much graver character, being no less than an attempt on the part of the king to overrule the decisions of the supreme court of the kingdom. Mr. Robert Bruce, one of the ministers of the Kirk, having been deprived of his stipend by an order from the king, raised an action against the crown for its restitution before the court of session, and obtained judgment in his favour. Against this judgment the king entered an appeal, appeared in court in person, pleaded his own cause with great warmth, and concluded by commanding the judges to reverse their decision. To their honour, however, they boldly asserted their independence, and maintained the supremacy of the law. Sir Alexander Seton, the president of the court, rising from his chair, thus addressed the monarch:—"My liege, it is my part to speak first in this court, of which your highness has made me head. You are our king; we, your subjects, bound and

The king's commands resisted by the magistrates of Edinburgh and the court of session.

* Gregory's History of the Western Highlands and Isles of Scotland, pp. 267, 283.

† Ibid., pp. 290, 299; MS. Letter, State Paper Office, Nicolson to Cecil, 1st July, 1598; Tytler, vol. ix. p. 255.

* Tytler, vol. ix. p. 255.

† MS. Letter, State Paper Office, Nicolson to Cecil, 27th February, 1598-9; Tytler, *ut supra*.

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ready to obey you from the heart, and, with all devotion, to serve you with our lives and substance: but this is a matter of law, in which we are sworn to do justice according to our conscience and the statutes of the realm. Your majesty may indeed command us to the contrary, in which case I, and every honest man on this bench, will either vote according to conscience, or resign and not vote at all." Lord Newbattle, another of the judges, next rose and remarked, "that it had been spoken in the city, to his majesty's great slander, and theirs who were his judges, that they dared not do justice to all classes, but were compelled to vote as the king commanded—a foul imputation, to which the lie that day should be given; for they would now deliver a unanimous opinion against the crown." Accustomed to the flattery and obsequiousness of his courtiers, including some of the proudest of the ancient nobility, and not unused to the subserviency even of parliament itself, James was wholly taken by surprise to find such steadfast resistance to his will on the part of men whom he himself had placed in their present dignified position, and whom it would be no great stretch of power to deprive of office. He made one effort more to induce them to comply with his wishes, and in a prolonged and vehement harangue exhausted all his powers of persuasion, and had the meanness even to descend to taunts and menaces. All, however, was unavailing. With only two dissentient voices, the judges affirmed their original decision; and the king, in a paroxysm of rage, rushed out of court, muttering vengeance against these obstinate ministers of the law.*

Pecuniary embarrassments of the king.

James was now once more distracted by pecuniary embarrassments. The Octavians, who had managed his financial affairs with signal ability and success, unable to maintain their ground against the envy and enmity of the other courtiers, and weakened by disunion amongst themselves, had some time before resigned their invidious functions; and the care of the royal revenues had in consequence been devolved upon others, by whom they were neither collected with the same diligence, nor administered with the same frugality. Meantime James's own profuse habits, his lavish gratuities to his favourites, and the ruinous extravagance of his queen and household, had concurred in bringing matters to an alarming crisis, and had reduced him to a condition alike incompatible with his own dignity and the safety of the State. It was in vain to apply to Elizabeth, whose repeated violation of her promises of assistance had already disappointed and disgusted him, and whose niggard parsimony left him nothing to hope for the future. In this exigency he was led once more to dally with the popish party, in the hope that by resuming friendly intercourse with them, and indirectly flattering their expectations, some aid might be tendered him in the shape of Spanish or Roman gold. This apparent tendency towards Romanism alarmed Sir Robert Cecil, who had succeeded his father, the great Lord Burghley, recently deceased, in the office of English secretary of state, and had for some time taken the principal management of the English interest in Scotland. There were many circumstances, indeed, calculated to excite a suspicion that James had cooled in his attachment to the Reformed Church. His principal secretary of state, the president of the court of session, and Lord Livingstone, the governor of the young princesses, were all Roman Catholics; and Huntley, whose sincerity, notwithstanding his reconciliation with the Kirk, was still strongly suspected, stood high in his confidence.* These and other circumstances were all esteemed by Cecil as symptoms of declension, and did not fail to excite serious apprehensions in Elizabeth and her ministers. These alarms, however, appear to have been groundless. All this apparent leaning towards popery was the result of James's deplorable poverty, which had now reached such an alarming crisis, that it was with the utmost difficulty he could get any of his ministers to accept the office of lord high treasurer. Even so insignificant a matter as the expenses attendant on the baptism of the Princess Margaret, which took place at this time, was found too much for the royal resources; and these charges were actually paid by the lords of the bedchamber out of their own private pockets.†

James accused of corresponding with the pope.

A transaction which came to light at this time tended to confirm all Elizabeth's suspicions of the king's defection. James, it appears, had written a letter to Pope Clement VIII., in which, after many expressions of regard, he promised to treat the Roman Catholics with greater indulgence, professed a desire to have a resident minister at the court of Rome, and requested that Drummond, Bishop of Vaison, a Scotchman, should be appointed a cardinal. The restless and intriguing Master of Gray, who had been for some time in Italy, apparently acting as a spy for the English court, had procured a copy of this letter, and transmitted it to Elizabeth; and as she had previously received some information regarding this correspondence from another source, she could entertain no doubt of its reality. Elizabeth was, notwithstanding, scarcely prepared for such a discovery, and she instantly dispatched Bowes to the Scottish court, with instructions to inquire fully into the matter, and to reproach James with his inconsistent and disingenuous conduct. James heard the accusation with unfeigned astonishment, confidently denied all knowledge of the letter, and pronounced the whole story a vile calumny, devised by his enemies in order to throw suspicion on his sincerity with respect to religion, and damage his reputation with the Protestants of England. His

* MS. Letter, State Paper Office, Nicolson to Cecil, 16th March, 1598-9; Tytler, vol. ix. p. 257.

* MS. State Paper Office, memorial of the present state of Scotland.

† MS. Letter, State Paper Office, Nicolson to Cecil, 20th April, 1599; ibid., same to same, 10th April, 1599; Tytler, vol. ix. p. 261.

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secretary, Elphinstone, made a similar disavowal of the obnoxious document, and at once pronounced it to be a forgery. A dark shade of uncertainty was thus left on the whole affair; but some years afterwards an accidental circumstance occurred, which brought to light the secret history of this singular production. James had published a controversial treatise, in which he exposed some of the errors and corruptions of the Church of Rome; and Cardinal Bellarmine, who undertook to reply, produced and published the identical letter in dispute, in proof that James had once entertained opinions respecting the Romish religion very different from those for which he now contended. It was impossible for James to allow an imputation by which his own honour was so seriously compromised to pass unnoticed; and Elphinstone, on being interrogated, admitted that he had surreptitiously introduced the letter among other papers requiring the royal signature, and the king, having no suspicion of the deceit, had, without being aware of the contents of the paper, signed it along with the others. He protested, however, that his only motive was his zeal for the king's service. His object was to conciliate the Roman Catholic party, and, by leading them to look forward to the enjoyment of greater toleration and indulgence under the government of the king, to obviate all opposition on their part to his accession on the demise of the Queen of England. For this offence, however, he was arraigned on a charge of treason, found guilty, and condemned to death; but, on the intercession of the queen, received the royal pardon.* Elphinstone's account, notwithstanding the danger and distress which it had brought upon him, was far from being universally believed. It was suspected that, to save his master's honour, he had sacrificed his own, as well as hazarded his life. "It is not likely," says a contemporary historian, "that he would have been so forward for the advancement of the king to the crown of England if the king himself had not been privy to it, yea, an urger of it; howbeit after, when he was troubled (to procure the king's favour), he did cast this cloak upon it."† Be this as it may, it is certain that, with a view to the English succession, James was at this time labouring to gain the confidence and affection of the Roman Catholics; and, in this way, incurred the heavy suspicion of Elizabeth, who kept an anxious and watchful eye over his conduct.

The "Basilicon Doron."

During this year, James signalised himself as an author by the publication of a treatise on government, the fruit of some years' previous study at intervals of leisure from the cares of the State. This work, entitled "Basilicon Doron," was addressed to his son Prince Henry, for whose instruction it had been drawn up, and does not appear to have been originally intended for general perusal. The prince was yet an infant, but such was the anxiety of James that his son should receive this royal gift, even if he himself should not survive to present it, that he caused seven copies of it to be privately printed, each of which he committed to the care of some confidential person, under strict injunctions of secrecy. It so happened, however, that one of the gentlemen of his household, Sir James Sempil, who had been employed in transcribing it for the press, showed it to Mr. Andrew Melvil, who, taking exception to certain passages relating to the Kirk, procured copies of them, and, without communicating the name of the author, submitted them to the consideration of the presbytery of St. Andrew's. The Kirk was speedily in a ferment; the passages contained an attack on the presbyterian form of church government; the Reformation itself was denounced as the offspring in part of "popular tumult and rebellion, of such as were blindly doing the work of God, but clogged with their own passions and particular respects." The authorship could not be concealed; and James perceiving the storm he had raised, and imagining that the detached passages, which had given such offence, might be explained or modified by other parts of the work, ordered the publication of the whole treatise.

In point of literary merit, it is admitted that the "Basilicon Doron" is a respectable production, and not inferior to most of the works which appeared in that age. With respect to the political doctrines it inculcates, and the sentiments it expresses regarding the Reformation and the Presbyterian Church, not merely different, but diametrically opposite opinions have been entertained from the time of its production up to the present day. By the abettors of despotic government, and the advocates of prelacy, it has been lauded as a masterpiece of political sagacity and ecclesiastical wisdom; while the friends of constitutional government and the independence of the Church, have justly regarded it as the most direct and undisguised defence of unlimited kingly power over all matters, spiritual and temporal. According to Archbishop Spottiswood, the impression it produced in England was highly favourable to James, and contributed more to reconcile the people to his succession than all the dissertations that had been published on that subject. High expectations of national happiness and prosperity were entertained under the rule of a prince who had evinced so much wisdom and piety, and such paternal solicitude for the welfare of his subjects.* Very different were the sentiments which this piece of royal authorship excited among his subjects in Scotland. Though their notions of public liberty and of the necessary limitations on the royal prerogative were not very strictly defined, the genius of the people had ever been essentially free; and this native instinct, while it probably contributed to the establishment of that peculiar form of church polity to which they were so much attached, was in turn fostered by it. Presbyterianism has always been,

* Spottiswood, pp. 456, 457.
† Calderwood, vol. v. p. 740.

* Spottiswood, p. 456.

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and, from its very nature, must ever be, in antagonism with arbitrary power. The publication, accordingly, of a work by the sovereign, in which he inculcates upon his son, the heir-apparent to the throne, principles of unmitigated despotism, and labours to excite his aversion to the men who were regarded as the ornaments and champions of the national Church, could not fail to rouse strong feelings of indignation and alarm. The ministers of the Kirk were exasperated to the highest pitch when they found their most distinguished brethren stigmatised in such terms as these:—"Take heed, therefore, my son, to such Puritans, very pests in the Church and commonweal, whom no deserts can oblige, neither oaths nor promises bind; breathing nothing but sedition and calumnies, aspiring without measure, ruling without reason; and making their own imaginations (without any warrant of the word) the square of their conscience. I protest before the great God,—and, since I am here as upon my testament, it is no place for me to lie in,—that ye shall never find with any Highland or Border thieves greater ingratitude, and more lies, and vile perjuries, than these fanatic spirits." The dangers to which the Kirk and the nation appeared to be exposed were sought to be averted by humiliation and prayer. A general fast was proclaimed, and observed for the unusual period of two days, with a solemnity that struck the English ambassador with astonishment and awe.* On this occasion, the ministers, in their addresses from the pulpit, expatiated, with all their ancient license, on the state of the nation. They lamented that the enemies of the Church, who had been driven into exile, were now permitted to return; they openly censured the king as the calumniator of the Kirk, and a favourer of popery, as was manifest by his committing the education of his children to the care of an excommunicated papist; and they denounced the declension of the nobility in sending their sons to be instructed abroad, whence many of them returned either atheists or Roman Catholics.†

At this crisis the apprehensions of the ministers of the Kirk were strengthened, and the jealousy of the English queen once more roused, by the arrival of a French ambassador at the Scottish court. This event, sufficient of itself to cause uneasiness to the Protestant party, was attended by circumstances which gave rise to the gravest suspicions of some popish intrigue in which James himself was an accomplice. The ambassador, though a papist, was received with marked cordiality; he had brought with him a Jesuit, who was admitted to repeated private interviews with the king; and, above all, he was allowed openly to exercise all the superstitious observances of the Romish Church. Even the prescribed mass itself, which, in less tolerant times, it was death to celebrate, had been once more set up, to the great grief and scandal of every true son of the Kirk.

Alarm at the arrival of English actors.

The heart-burnings arising from these causes were just beginning to subside, in the expectation of the immediate departure of the ambassador and his companion, when an occurrence of a very different nature gave a new direction to the fiery zeal of the ministers of the Kirk. This was no other than the arrival of a company of comedians from England, at the special invitation of the king, who took great pleasure in theatrical representations, and had granted them a license to enact plays within the capital. Whatever diversity of opinion may now exist as to the moral influence of such entertainments, it is certain that they were viewed by the early fathers of the Kirk, and probably by the more rigid members of their flocks, with extreme abhorrence. Accordingly, the appearance of a company of play-actors, men who, in addition to their obnoxious profession, were at this period generally openly licentious and profligate in their lives, was followed by a fresh outburst of clerical alarm; the kirk sessions prohibited attendance on theatrical performances under pain of ecclesiastical censure; and the magistrates of the city, acting in accordance with the earnest exhortations of the clergy, issued a proclamation containing a similar prohibition under civil penalties. James was highly offended by these interdictions, which, by annulling his license, he considered a direct encroachment on his royal prerogative. He summoned the provost and town-council before him, and compelled them to withdraw their prohibition. He caused proclamation to be made that the actors should proceed with their performances; and ordered the ministers to announce from their pulpits on the following Sunday that the people were at liberty to attend the "comedies and plays," without incurring the censures of the Church. The ministers at first showed a disposition to resist this mandate; but, afraid to risk the consequences of a fresh contest with the king, they at last yielded a reluctant compliance.

General "band" on the succession.

Towards the close of this year, an association was formed for the purpose of aiding the king in securing his succession to the English crown. According to the fashion of the times, a *band* or covenant was entered into, "purporting to be made by the good subjects of the king's majesty, for the preservation of his person, and the pursuit of his undoubted right to the crown of England and Ireland."* This confederacy, there was reason to believe, originated in a suggestion of the king himself, who continued in a state of feverish anxiety on the subject of his succession; and he hoped to be able to manage the matter with such secrecy, that no intimation of it should reach the English queen, to whom there was reason to fear

* MS. Letter, State Paper Office, Bowes to Cecil, 25th June, 1599; Tytler, vol. ix. p. 263.
† Ibid.

* MS. State Paper Office, "A general band voluntarily made by the good subjects of the king's majesty, &c.;" Tytler, vol. ix. p. 268.

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it would be peculiarly offensive. "Princes," however, according to Elizabeth's own saying, "have long ears:" Nicolson had found means to penetrate the secret, and, on the 27th of November, wrote thus to Cecil:—"I hear, which I beseech your honour to keep close, that there is a general band subscribed by many, and to be subscribed by all earls, lords, and barons, binding them by solemn vow and oath to serve the king with their lives, friends, heritages, goods, and gear, and to be ready, in warlike furniture, for the same, on all occasions, but especially for his claim to England."* In a parliament which was convened in the following month, it was expected that some measure would be adopted for replenishing the king's exchequer, to enable him to arm his subjects, if necessary, in vindication of his title; but the appeal which he made to them was listened to with coldness, and answered by delay; and various schemes of taxation which he proposed, and which were remarkable for their simplicity and moderation, were warmly discussed and finally rejected. To James's honour it should be recorded, that in all these expedients for raising money—of which he stood lamentably in need—he evinced an evident desire to press lightly on the less opulent classes of his subjects, and was ready to abandon his most favourite plans if any less burdensome could be proposed.† But though he had employed extraordinary and even unconstitutional means to bend this parliament to his purpose, all he could obtain from them was a general assurance, that when he should find it necessary to have recourse to arms, they would take care that, in accordance with an act passed two years before, the country should be furnished with munitions of war.‡

The year appointed to commence on the 1st of January.

At this time, an act of permanent importance was passed by the king with the concurrence of his secret council. Previously to this period, the Scottish year had commenced on the 25th of March. It was now ordained that, in all time coming "the first day of the year should begin on the 1st of January." The statute was appointed to take effect "upon the first day of January next to come, which shall be the first day of January, 1600."§

The Gowrie Conspiracy.

Amidst the comparative tranquillity which Scotland at this period enjoyed, there occurred one of the darkest and most mysterious events in Scottish history. This was the affair commonly termed the Gowrie Conspiracy. Its author was the grandson of Patrick Lord Ruthven (who was so deeply implicated in the atrocious murder of Riccio), and the son of William, first Earl of Gowrie, the associate of Lord Lindsay in extorting from the unhappy Mary the surrender of her crown at Lochleven, and who was ultimately found guilty of treason, and executed at Stirling, in 1584.* King James, however, after the downfall of the infamous Arran, restored the title and estates to Gowrie's eldest son, and treated the whole family with the greatest kindness. Two of the daughters he placed in the suite of his consort; others he married to influential noblemen—one, in particular, to the Duke of Lennox, his most favoured courtier.

Character of the earl.

The young earl dying soon after the restoration of the family honours was succeeded by his brother John, the author of the conspiracy, who manifested at a very early age the hereditary disposition of his race to engage in perilous intrigues and enterprises. In 1594 he was implicated in the plots of the popish earls, mainly, it is supposed, through the influence of his brother-in-law, the Earl of Atholl; but the offence was either unknown to the king, or was overlooked by him on account of Gowrie's extreme youth. Having received the royal license to complete his education abroad, the earl, along with his younger brother Alexander, passed into Italy, and studied for five years with great distinction at the University of Padua. Like his father and grandfather, he was addicted to the study of the pretended science of magic, for which Italy was then famous, and he was also a dabbler in chemistry and judicial astrology. On leaving the continent in 1599, he passed through England, where he was received by Elizabeth with flattering distinction, and, it is said, was even allowed by her a guard to watch over his safety. It is probable that these attentions, acting upon a mind naturally ambitious and proud, inspired the youthful earl with a lofty notion of his own power and importance; and, combined with the desire to revenge his father's death, induced him to form a conspiracy against the person of his sovereign.

On the return of the earl to Scotland, in May, 1600, he was received with every mark of popular favour. His entry into the capital took place amidst a brilliant retinue of friends and dependents, and great crowds of the citizens went out to welcome his approach. His handsome countenance and graceful manners soon rendered him a special favourite of the queen; while his learning and scholarship made him equally acceptable to the king, who often conversed with him on strange and abstruse subjects.† It speedily became apparent, however, that Gowrie had no intention of becoming a courtier, or of looking to the royal favour for promotion.

Project of the king at this time.

The mind of James was, at this time, almost exclusively occupied with the necessity of making preparations for the death of Elizabeth, with a view to secure his peaceful succession to the English throne. He, therefore, summoned a convention of the three Estates to meet on the 20th of June, for the purpose of grant-

* MS. Letter, State Paper Office, 27th November, 1599, Nicolson to Cecil.

† MS. State Paper Office, copy of the Act of Convention at St. Johnston; Tytler, vol. ix. p. 270.

‡ MS. Letter, State Paper Office, 15th December, 1599, Nicolson to Cecil; Tytler, vol. ix. p. 269.

§ MS. State Paper Office, Act for the year of God to begin the 1st January yearly.

* See *supra*, p. 193.

† Calderwood's History.

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ing him a sum of money to raise and equip a body of troops, which should be in readiness on the queen's death to maintain his title and to overawe his enemies. To his great surprise and indignation, however, the barons and the representatives of the burghs stoutly resisted the proposal, and all the entreaties and threats of the king and his courtiers failed to convince them of the necessity of taxing themselves to raise the sum he required. In the end, they declared their willingness to raise an army when this should be actually needed; and, instead of forty thousand crowns which James demanded, they offered to give forty thousand pounds Scots, on condition that they should never again be taxed in his time, and that the money should go to supply his own wants, and not be lavished on his needy courtiers. This offer, however, was contemptuously rejected by the king, who insisted that it should be put to the vote whether it had not been agreed in a former convention at Perth, that a thousand persons should advance a hundred thousand crowns for his majesty's use.

Rejected by parliament.

The opposition to the king's demand was headed by the young Earl of Gowrie, who contended that the offer of the barons and burghs was every way a reasonable proposal, and ought to be accepted; that the demand of the king would bring discredit upon all parties; and that it was dishonourable for a monarch to ask more than his subjects could give, and for a people that their poverty should be disclosed to the world. This daring conduct of the earl excited great surprise in the assembly. "Alas!" said Sir David Murray, "yonder is an unhappy man; his enemies are but seeking an occasion for his death, and now he has given it."

Opposition headed by Gowrie.

The king's displeasure.

The king was enraged beyond measure at his defeat, and dismissed the assembly with loud and angry invectives against their behaviour, reminding the burghers that their matters might come in his way, and that he would assuredly remember this day and be even with them. "It was I," he added, "who gave you a vote in parliament, and it will be well for such as you to remember that I can summon a parliament at my pleasure, and pull you down as easily as I have built you up." The Laird of Easter Wemyss courageously replied to this insulting speech, and reminded the king how much he owed them, and what great sums they had given him in his necessities. "We have done your majesty," said he, "as good offices for *our* Estate, and we, your majesties burghs and barons, are as worthy your thanks as the proudest earl, or lord, or prelate here. Our callings may be inferior, but our devotedness is as great, and so your majesty will find it when the proper time arrives. As for our places in parliament and convention, we have bought our seats; we have paid your majesty for them; and we cannot with justice be deprived of them. But the throne is surrounded by flatterers, who propagate falsehoods against us. Let us be confronted with our accusers, and we engage to prove them liars."*

Gowrie's views and feelings.

It is supposed that the actual rise of the Gowrie conspiracy may be dated from this moment, but there can be little doubt that the earl had at a much earlier period begun to cherish feelings of revenge against all who had been concerned in his father's death, the king himself not excepted. On one occasion, shortly after his return to Scotland, as he was entering the long gallery at Holyrood, he perceived Colonel William Stewart enter it from the other end, having just left the apartment of the king. As this officer had taken an active part in apprehending his father at Dundee, the earl, from a natural repugnance to meet him, stepped aside to permit Stewart to pass. One of his servants, however, observing this, called out, "What, my lord! will you give back for any man here? Come forward boldly." Gowrie then resumed his walk along the centre of the room, which being observed by Stewart, and construed into an insult, he returned to the king's chamber, and entered a complaint against the earl. "Sir, will it please you," said he, "to listen to this strange matter? that for service done to your majesty I should be so evil rewarded as I am. Here comes in the Earl of Gowrie, and I see he intends to begin with me; but beware the best of you all!" The earl, entering the apartment at this moment, Stewart withdrew without saying more. To the surprise of all present, Gowrie took no notice of the complaint, but conversed with the king about other matters. Being afterwards asked the cause of this, he replied by quoting the significant proverb, "Aquila non captat muscas."† It is remarked by an old chronicler, that this brief and proud answer was a covert intimation that he scorned to punish the subordinate agent, but would revenge his father's death upon the king.‡

Object of the conspiracy.

The precise object of the plot is still enveloped in mystery, but there is no reason to believe that the conspirators cherished any design against the king's life. The probability seems rather to be that they intended an enterprise similar to the Raid of Ruthven, in which Gowrie's father was concerned; and that their object was to make themselves master of the king's person, to administer the government in the royal name, and thus to gratify at once their ambition and their revenge. The most extraordinary thing about this conspiracy is the small number of persons who seemed to have been privy to it. Gowrie, it appears, had deeply studied the various plots which chequer the history of Scotland, and had observed that most of them had failed in consequence of too many being admitted as accomplices. William Rhynd, his tutor, gave evidence afterwards, that, having several times

* MS. Letter, State Paper Office, 29th June, 1600; Tytler, ix. p. 326.

† The eagle does not catch flies.

‡ Pitcairn, vol. ii. p. 297.

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FAST CASTLE, BERWICKSHIRE.

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conversed with the earl regarding the best way of conducting a dangerous enterprise, his lordship always professed for his opinion, that he was not a wise man that, having intended the execution of a high and dangerous purpose, communicates the same to any second person—because, keeping it to himself, he could never be discovered or disappointed.* This statement is corroborated by a curious anecdote preserved by Spottiswood. A few days before the earl's unhappy death, William Couper, minister of Perth, found him in his library perusing a work on the subject of "Conspiracies against Princes," probably the Latin translation of Machiavel's "Discourses on Livy," and, on inquiring the subject of his studies, was told that it was a collection of the conspiracies made against princes. "A perilous subject," was Couper's reply.—"Yes," said the earl, "because most of such plots have been foolishly contrived, and faulty either in one point or other; for he that goeth about such a business should not put any man on his counsel."†

Gowrie's accomplices.

Acting on these views, Gowrie took into his confidence only his brother Alexander, commonly called the Master of Ruthven; Robert Logan of Restalrig; an old borderer called Laird Bower, a follower of Logan's; and a fourth conspirator, still unknown, who appears to have been a person of rank, and was probably connected with the royal household. Logan was a gentleman of ancient family, the uterine brother of Lord Home, but a reckless, unprincipled villain—a scoffer at religion, and a person of openly profligate life: in the words of the Governor of Berwick, "a main loose man, a great favourer of thieves reputed."‡ He was, indeed, an adherent of the infamous Bothwell, to whom, as he boasted, he had at one time given shelter in his unapproachable eyrie of Fastcastle. This fortalice, which is perched on the brink of a steep and almost perpendicular rock, two hundred feet above the German Ocean,§ formerly belonged to a branch of the powerful family of Home, and had recently come into Logan's possession by marriage. It is supposed that it was to this impregnable tower, which twenty men could have maintained against an army, that the conspirators designed to convey the king after getting possession of his person; and the selection of this remote and inaccessible place of detention, so near the English Border, renders it by no means improbable that Elizabeth was privy to the scheme.

Letters of the conspirators.

Several letters, which Logan addressed to his brother conspirators, have been preserved, and throw considerable light on the object of the plot, and the means by by which it was to be carried into effect. It appears, from these documents, that early in the month of July, 1600, Gowrie wrote to Logan, appointing a secret meeting, to confer "on the purpose he knew of;" that later in the month the Master of Ruthven and Logan met, and arranged the mode in which the plot was to be executed, and resolved that "the king's hunting" was the most favourable time for their attempt, in which "life, land, and honour," were to be perilled, "in case the matter were not wisely used;" and that between the 18th and the 27th of July the conspirators held another meeting, to complete their arrangements, and that it only remained to fix the precise day. The last two letters of the series are so important that we give them entire. The first is dated July 29th, only a week before the fatal result of their attempt, and was sent to Gowrie by Laird Bower, Logan's household man, as he termed him.

"My Lo.,—At the receipt of your lordship's letter I am so comforted, especially at your Lo.'s purpose, communicated unto me therein, that I can neither utter my joy, nor find myself able how to encounter your Lo. with due thanks. Indeed, my Lo., at my being last in town, M. A. your Lo.'s brother imparted somewhat of your lordship's intention anent that matter unto me; and if I had not been busied about some turns of my own, I thought to have come over to St. Jo.,* and spoken to your lordship. Yet also my Lo., I beseech your Lo., baith for the safety of your honour, credit, and, more than that, your life, my life, and the lives of mony others, who may perhaps innocently smart for that turn afterwards, in case it be revealed by any; and likewise the utter wrecking of our lands and houses, and extirpating of our names; look that we be all as sure as your Lo.; and I myself shall be for my own part; and then I doubt not, but by God's grace, we shall bring our matter to a fine,† which shall bring contentment to us all that ever wished for the revenge of the Maschevalent‡ massacring of our dearest friends. I doubt not, but M. A., your Lo.'s brother, has informed your Lo. what course I laid down to bring all your Lo.'s associates to my house of Fastcastle by sea, where I should have all materials in readiness for their safe receiving a-land, and into my house, making, as it were, but a matter of pastime in a boat on the sea in this summer-tide; and none other strangers to haunt my house while§ we had concluded on the laying of our platt, which is already devised by Mr. Alexander and me. And I would wish that your lordship would either come, or send M. A. to me; and thereafter I should meet your Lo. in Leith, or

* MS. History of Scotland, quoted in Pitcairn's Criminal Trials, vol. ii. p. 221.

† Ibid., Note; Spottiswood's History of the Church of Scotland, book vi. p. 461.

‡ MS. Letter, State Paper Office, B. C., Lord Willoughby to Cecil, 1st January, 1598-9.

§ It was believed by Logan that his castle contained a vast quantity of hidden treasure; and a curious agreement is still extant between him and Napier of Merchiston, in which that celebrated philosopher consents to make search for the treasure by divination, on condition that he was to obtain half of all that should be discovered, and to have his expenses paid, whatever might be the result. It is scarcely necessary to say that the project was completely unsuccessful. Fastcastle, now in ruins, is the Wolf's Craig of "The Bride of Lammermuir."

* St. Johnston, or Perth.
† End.
‡ Machiavelian.
§ Until.

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quietly at Restalrig, where we should have prepared a fine hattit kit,* with sugar confits and wine, and thereafter confer on matters: and the sooner we brought our purpose to pass it were the better, before harvest. Let not M. W. R. [Mr. William Rhynd], your old pedagogue, ken† of your coming; but rather would I, if I dare be so bold to entreat your Lo. once to come and see my own house, where I have kept my Lo. Bo. [Lord Bothwell] in his greatest extremities, say the K. and his council what they would. And in case God grant us a happy success in this errand, I hope both to have your Lo. and his Lo., with many others of your lovers and his, at a good dinner before I die. Always I hope that the king's buck-hunting at Falkland this year, shall prepare some dainty cheer for us against that dinner the next year. *Hoc jocose*, to animate your Lo. at this time; but afterwards we shall have better occasion to make merry.

"I protest, my Lo., before God, I wish nothing with a better heart nor‡ to achieve to that which your Lo. would fain attain unto; and my continual prayer shall tend to that effect, and with the large spending of my lands, goods, yea, the hazard of my life, shall not affright me from that, although the scaffold were already set up, before I should falsify my promise to your Lo., and persuade your Lo. thereof. I trow your Lo. has a proof of my constancy ere now.

"But, my Lo., whereas your Lo. desires in my letter that I crave, my Lo., my brother's mind anent this matter, I alluterly§ dissent from that, that he should ever be a councillor thereto, for in good faith he will never help his friend nor harm his foe. Your Lo. may confide more in this old man, the bearer thereof, my man Laird Bower, nor in my brother; for I lippen my life, and all I have else, in his hands; and I trow he would not spare to ride to Hell's Yett‖ to pleasure me; and he is not beguiled of my part to him. Always, my Lo., when your Lo. has read my letter, deliver it to the bearer again, that I may see it burnt with my ain een,¶ as I have sent your Lo.'s letter to your Lo. again; for so is the fashion I grant. And I pray your Lo. rest fully persuaded of me, and of all that I have promised; for I am resolved, howbeit I were to die the morn,** I maun†† entreat your Lo. to exspede‡‡ Bower, and give him strait direction, on pain of his life, that he take never a wink of sleep until he see me again, or else he will utterly undo us. I have already sent another letter to the gentleman your Lo. kens, as the bearer will inform your Lo. of his answer and forwardness with your Lo.; and I shall show your Lo. farther at meeting, when and where your Lo. shall think meetest. To which time, and ever commits your Lo. to the protection of Almighty God. From Gunnisgreen, the 29th of July, 1600.

"Your Lo.'s own sworn and bound man, to obey and serve with efald* and ever-ready service, to his utter power, to his life's end.

"RESTALRIG."

"Prays your Lo. hold me excused for my unseemly letter, quilk is not so well written as mister† were, for I durst not let ony‡ of my writers ken of it, but took two sundry idle days to it myself.

"I will never forget the good sport that M. A., your Lo. brother, told me of a nobleman of Padua; it comes so oft to my memory; and indeed it is a *paras teur*§ to this purpose we have in hand."

Two days after the date of this letter to Gowrie, Logan wrote the following letter to the unknown conspirator, from his house of Gunn's Green, near Eyemouth.

"RIGHT HONOURABLE SIR,—My hartly duty remembered. Ye know I told you at our last meeting in the Canongate, that M. A. R., my Lord of Gowrie's brother, had spoken with me anent the matter of our conclusion; and for my own part I shall not be hindmost; and sinsyne‖ I got a letter from his lordship's self for that same purpose; and upon the receipt thereof, understanding his lordship's frankness and forwardness in it, God kens¶ if my heart was not lifted ten stages!

"I posted this same bearer to his lordship, to whom you may concredit all your heart in that as well as I; for if it were my very soul, I durst make him messenger thereof, I have such experience of his truth in many other things. He is a silly auld, gleyd** carle,†† but wondrous honest; and as he has reported to me his lordship's own answer, I think all matters shall be concluded at my house of Fastcastle; for I and M. A. R. concluded that you should come with him and his lordship, and only one other man with you—being but only four in company—into one of the great fishing boats, by sea, to my house, where ye shall land as safely as on Leith shore; and the house agane his lordship's coming to be quiet; and when you are about half a mile from shore, as it were passing by the house, to gar set forth a waff.‡‡ But, for God's sake, let neither any knowledge come to my Lo. my brother's [Lord Home] ears, nor yet to M. W. R. [Master Wm. Rhynd], my Lo.'s old pedagogue, for my brother is kittle to shoe behind,§§ and dare not enterprise for fear, and the other will dissuade us from our purpose with reasons of religion, which I can never abide. I think there is none of noble heart, or carries a stomach worth a penny, but they would be glad to see a contented revenge of

* A Scottish dish, composed of coagulated milk, and eaten with rich cream and sugar.
† Know. ‡ Than. § Utterly, entirely.
‖ Hell's Gate. Bower was trained up under David Home of Manderston, commonly termed "Davie the Devil," and was a greater villain than his master.
¶ Own eyes. ** To-morrow. †† Must.
‡‡ Hasten.

* True. † Need were. ‡ Any.
§ *Apropos*. ‖ Since then. ¶ Knows.
** Old, squinting. †† A man above fifty years of age.
‡‡ To cause set forth a signal.
§§ Not to be trusted. An allusion to the hazard of shoeing a treacherous or ill-broken horse behind.

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Grey Stiel's death;* and the sooner the better, or else we may be marred and frustrated, and therefore pray his lordship be quick, and bid M. A. remember on the sport he told me of at Padua,† for I think with myself that the cogitation on that should stimulate his Lordship. And, for God's cause, use all your courses with discretion. Fail not, sir, to send back again this letter—for M. A. learned me that fashion—that I may see it destroyed myself. So till your coming, and ever, commit you heartily to Christ's holy protection. From Gunnisgreen, the last of July, 1600."

From these remarkable letters we learn that the conspirators were determined to revenge the Machiavelian massacre of their dearest friends, and especially anticipated a glorious revenge for the death of Grey Stiel—the *soubriquet* of the late Earl of Gowrie; that, under the pretence of a pleasure party on the sea, they were to hold a secret rendezvous at Fastcastle; that an appointed signal was to be given to those who were to be on the outlook from the fortalice; that a previous secret conference was to be held at Restalrig over their "hattit kit and wine;" that the king's buck-hunting was expected to bring them good cheer and happy success; that Logan's assistance had been secured by the promise of the valuable estate of Dirleton, then the property of Gowrie; that Lord Home and the earl's old tutor, Mr. William Rhynd, were not safe persons to be entrusted with the secret—the former on account of his timidity, the latter because he would dissuade them from their purpose "with reasons of religion," which, the profligate Borderer characteristically adds, "I can never abide;" and that his resolution to go through with the plot was so strong, that he would not be deterred from keeping his promise, "although the scaffold were set up."

Proceedings of the earl and his brother.

The last letter of Logan was written on the 31st of July; and on the night of Monday, the 4th of August, the Earl of Gowrie called his chamberlain, Andrew Henderson, into his bedchamber, and asked him what he intended to do next day. Henderson, who seems to have been a simple-minded person, answered, that he thought of riding to his lordship's estate of Ruthven, a few miles distant, to confer upon some matters of business with the tenants. The earl said, "Stay that journey; you must ride to-morrow to Falkland with my brother and Andrew Ruthven. See that you be ready at four in the morning; and if my brother directs you back to me with a message or letter make all the haste you can." Accordingly, Mr. Alexander left Perth next morning early, accompanied by Henderson and Andrew Ruthven, and made the best of his way to Falkland, where he arrived a little after six o'clock.

The king enticed to Gowrie House.

The king was at this time residing at the palace of Falkland, for the purpose of buck-hunting, of which he was very fond; and on the morning in question the nobles were assembled in the great park, between six and seven o'clock, ready to proceed to their sport, "the weather being wonderful pleasant and seasonable." His majesty was walking in his boots towards the stables, when the Master of Ruthven came up, and, with a low courtesy, addressed the king in a perturbed manner, and requested a private audience on a matter of great importance. James stepped aside with him, and Ruthven began, with eyes bent upon the ground, to relate a singular adventure which he said had befallen him on the preceding evening. In taking a walk through the fields, near Perth, he had met a man of mean appearance, with his face muffled in a cloak; and perceiving that he faltered in his speech and became confused, when questioned, he had seized him, and on searching had found under his cloak a large pot full of broad gold pieces. He had immediately taken the fellow into custody with his treasure, and, without mentioning the matter to any person, had confined and bound him in a solitary house. Believing it to be his duty to communicate the matter immediately to his majesty, he had come to Falkland for that purpose, and now besought the king to ride with him to Perth on the instant to take possession of the money. According to the king's own account of this conference, his first answer was that the treasure could not by law belong to him, unless it were found under the earth; but afterwards suspecting that the man was some trafficking priest, who had come to Scotland with money to stir up a new popish rebellion, he inquired what kind of coin it was, and what sort of a fellow he was that carried it. Ruthven at once caught at the suggestion; and replied that the coin seemed foreign, and that although the man appeared a native of Scotland, yet he could not recollect to have ever seen him before. James then proposed to send a warrant to the magistrates of Perth to receive the man and the treasure from the Master's hands, and to inquire into all the circumstances of the story. Ruthven, however, protested strongly against this step: if either his brother, he said, or the bailies got possession of the money, his majesty would receive but a poor account of it; it was only for the great affection which he bore to the king that he had preferred him both to his brother and himself in this matter; and that all the recompence he asked for this service was that the king would ride with him to Perth, see the treasure, and judge for himself.

James alleges that he still continued irresolute; and that as his attendants were all on horseback, the game found, and the huntsmen impatient at

* William, Earl of Gowrie, who was beheaded May 28th, 1584, was known among his contemporaries by the chivalrous *soubriquet* of Grey Stiel, a hero of popular romance.

† This story, probably some dark tale of Italian vengeance, seems to have taken a deep hold of the imagination of the Master of Ruthven. In a previous letter, Logan says M. A. R. "is very conceity. For God's sake be very ware of his reckless toys of Padua, for he told me ane of the strangest tales of ane nobleman of Padua that ever I heard in my life, resembling the like purpose."

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the delay, he was obliged hastily to break away from the Master, with a promise that he would give a definite answer when the chase was concluded. Ruthven expressed great dissatisfaction at the delay, observing that there was not such a hunting to be got every day as that which he had proposed to his majesty; that the man and the treasure might be discovered and meddled with during his absence; and that his brother, who with the townspeople was at church, might miss him; whereas, if the king were immediately to accompany him to Perth, they might investigate the matter before the dismissal of the congregation. The king proceeded to join the hunt, but the story haunted him; and sending for Ruthven, who lingered near at hand, he informed him in a whisper that he had formed the resolution to accompany him to Perth as soon as the chase was ended. The Master then, unknown to the king, dispatched Henderson to inform his brother that his majesty was coming to Perth with a few attendants, and to desire him to cause dinner to be prepared.

About eleven o'clock, after a very hard chase, the buck was brought down about the distance of two arrow-flights from the royal stables; and James suddenly announced to his courtiers that he was going to Perth to speak with the Earl of Gowrie, and should be back before the evening; and without remaining as usual to superintend the "curry," or dissection of the deer, or even waiting till fresh horses could be brought for himself or his attendants, he rode off instantly at a rapid pace with Ruthven. Within a mile he was overtaken by a fresh horse, which his servants sent after him; but he was some miles on the road before he was overtaken by Lennox and the rest of his suite. All this time the behaviour of Ruthven was calculated to excite the king's surprise: he urged him to finish the chase with all speed; to set out the moment it terminated, and especially not to permit Lennox, Mar, or any of the other nobles, to follow him, as it might spoil all; and, though his jaded horse could scarcely keep pace with the king's, he still continued eager and importunate in his entreaties to him to make haste. This extraordinary deportment on the part of the young man excited the king's surprise and suspicion that "he was not well settled in his wits," and, taking Lennox aside, he said to him, "You could not guess what errand I am riding for? I am going to Perth to a get a *pose*.* Mr. Alexander Ruthven has informed me that he has found a man that has a pitcher full of coined gold of great sorts." And he asked the duke "what humour he thought Mr. Alexander to be of." Lennox answered that he knew nothing else of him "than that he was an honest, discreet young man." James then related to the duke the whole circumstances connected with the alleged discovery of the treasure, to which the duke replied, "Sir, I like not that; it is not likely." The king, however, went on, but he took the precaution to enjoin Lennox to observe where he and Ruthven went, and to follow him—an order which he repeated after his arrival in the Earl of Gowrie's house. This private conference was observed by Ruthven, and, coming close to the king, he implored him to make none living acquainted with their purpose till he had himself seen the fellow and the treasure. James replied, with a laugh, that "he was no good teller of money, and behoved, therefore, to have some to help him in that errand." Shortly after leaving Falkland, the Master had dispatched his other servant, Andrew Ruthven, to ride forward with a second message to the earl; and, on coming within a mile of Perth, he requested, and received, permission to ride on before, in order to make some preparations for his majesty's arrival.

Progress of the plot.

Meanwhile, Henderson, on his arrival in Perth at ten o'clock, found the Earl of Gowrie in his chamber engaged with two gentlemen. He instantly withdrew to another room, and earnestly inquired what word he had brought from his brother—had he brought a letter? how had the king taken with the Master? what number of persons were with the king at the hunting—what noblemen? To these questions Henderson answered by giving the message with which he was entrusted—that the king would be at Gowrie House incontinent, and that the earl must prepare dinner. He added that the Master "was weel tane with, and when he did his courtesy the king laid his hand upon his shoulder;" that his majesty had sundry of his own suite with him, and some Englishmen; and that the only nobleman he noticed was my Lord Duke. Henderson then went to his own house, pulled off his boots, and returned to Gowrie House about eleven, when the earl commanded him to put on his "secret"* and plate sleeves, as he "had a Highlandman to take in the Shoegate.† Henderson did as he was ordered, and afterwards assisted in taking up the earl's dinner, which was served at half-past twelve. Apparently that the king's visit might appear to take him by surprise, Gowrie entertained at dinner three friends who had happened to wait upon him, and as they sat at table, Andrew Ruthven, the Master's second messenger, came into the room, and whispered to the earl that the king was on his way. Soon after the Master himself came in, and announced his majesty's approach, upon which the earl hastily rose from the table, and, assembling his servants, walked to the South Inch, or meadow, immediately without the town-walls, where he met the king. The royal retinue did not exceed fifteen persons, including Lennox, Mar, Sir Thomas Erskine, Lords Inchaffray and Lindores, and a few others, who were armed only with a sword or deer-knife at their girdle, and wore hunting-dresses, with a horn slung over their shoulder. The earl was attended by nearly a hundred of his retainers and fellow-townsmen, who had turned out to welcome his majesty.

* A hoarded or concealed treasure.

* A secret shirt of mail worn under the clothes.
† The street in which Gowrie House was situated.

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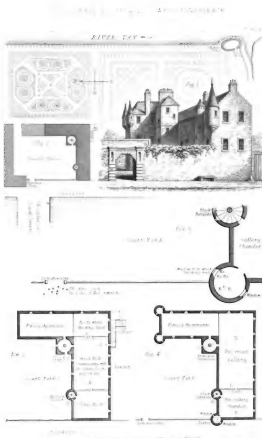

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RIVER TAY
N
Fig. 1
Fig. 2
Fig. 5
Black Turnpike
Gallery Chamber
Court Yard
Window
Fig. 3
Family Apartments
B
Fig. 4
Family Apartments
The Great Gallery
Court Yard
The Gallery Chamber
Turret
Window

[illegible]

[illegible]

Construction of Gowrie House.

Gowrie House, into which James was thus conducted, was a large baronial mansion of quadrangular shape, standing on the bank of the Tay, which formed the eastern boundary of the garden. In the south-east corner of the garden stood the Monk's Tower, and to the westward of the house stood the Spey or Spy Tower, a strong fort which guarded the south gate of the city. The city wall extended in a line nearly due west and east from the Spey to the Monk's Tower. The house itself formed three sides of a square, the fourth side, that which abutted upon the street, being formed by a wall, in which was the entrance gate into the interior court. It consisted of three stories, the lower being occupied by cellars and the apartments of the servants; the second, by a dining-room (A) looking out upon the river, a hall in the centre (B), and a room at the further end looking out upon the street; and the third, chiefly by a long picture gallery (D), which extended along one side of the square, and communicated by a door at the end (E) with a chamber (F), which, in its turn, led to a small circular room (G), constructed in the interior of a turret overhanging the outer wall, in which were two windows, the one looking towards the Spey Tower, the other looking out upon the court, but visible from the street before the court. It was in this, the most ancient part of the house, on the south side of the square, that the affray took place. The various apartments were arranged, as was usual in those times, *en suite*, and so as to communicate with each other. The principal access to the various stories was by a spiral stair (C), which was at the south-east angle of the court. But there was another and smaller stair, called the "Black Turnpike" (H), which led direct to the chamber on the third floor, at the end of the picture gallery, opening into the turret. It is necessary that the reader should keep these details in mind in order to understand the subsequent narrative.

The arrival of the king caused a considerable commotion in Gowrie's household. The earl himself appeared exceedingly embarrassed respecting the proper entertainment of his dignified and apparently unexpected guest. Craigengelt, the master of the household, was obliged to leave his sick bed to take charge of the preparation of his majesty's dinner, and messengers were dispatched throughout Perth to seek for some delicacy fit to be set upon the royal table. The king, though very hungry from the effects of six hours hard riding, was obliged to wait more than an hour for his dinner—to his no small annoyance.* During the interval, his majesty asked the Master, in a whisper, if they might not now go to examine the man and his pot of gold. But Ruthven told him it would be better to wait till after dinner; and in the meantime he entreated the king not to seem too familiar with him, lest it might excite the suspicions of his brother. James then addressed himself to the earl, but was surprised to find that he could not engage him in anything like conversation, his whole discourse consisting of "half words and imperfect sentences."

Arrangements of the conspirators.

It appears to have been about this time that Alexander Ruthven sent for the key of the gallery chamber; and soon after the king had sat down to dinner, Gowrie sent for Henderson his chamberlain, and bade him go to his brother in the gallery. He obeyed, and was instantly followed by the earl himself, who commanded him to remain there and obey the Master's orders. Henderson, who was now fully armed except the head, apprehending some danger, asked "what they were about to do with him?" They replied by directing him to enter the little round closet, and locking the door, left him there. Gowrie then returned to take his place at the table of his royal guest, and stood at the end of it, "very pensive, and with a dejected countenance, oft *rounding* [whispering over his shoulder] one while to one of his servants, and another while to another, and ofttimes went out and in to the chamber."* When the king had almost dined, the earl conducted Lennox, Mar, and the other noblemen into the adjoining hall, and saw them sit down to meat; but, instead of taking his own place at the board, as seems to have been the custom, he immediately returned, and resumed his position at the bottom of the king's table. At this moment Alexander Ruthven whispered into the king's ear that now was the time, when the courtiers were all engaged, to step away by themselves to see the treasure, if they could get rid of the earl his brother. James then turned to Gowrie, and in a "merry and homely manner" accused him of having been so long in foreign parts as to have forgotten his Scottish courtesies. "Wherefore, my lord," said he, "since ye have neglected to drink either to me or my nobles, who are your guests, I must drink to you my own welcome. Take this cup, and pledge them the *king's scoll*† in my name." Gowrie accordingly carried the pledge to the noblemen in the hall, and while they were busy returning the health, the king and the Master passed quietly through the hall, and ascended the great stair which led to the gallery. Before rising up, James desired Ruthven to call Sir Thomas Erskine, but he evaded the message, and Erskine never received it. Lennox, too, proposed to follow his majesty, as he had been enjoined, but was prevented by Gowrie, who alleged that his highness had retired on a quiet errand, and would not be disturbed.‡

The king and Alexander Ruthven proceeded through the picture gallery and the chamber be-

* Mr Patrick Galloway, in a sermon preached before the king, on the 11th of August, 1600, dwells with special emphasis on the fact that the earl gave his majesty "ane cauld denner, yea, ane very cauld denner; ane cauld denner and ane far caulder welcome."

* The King's Narrative, Pitcairn's Criminal Trials, vol. ii. p. 214.

† The king's health.

‡ Lennox's declaration, Pitcairn, vol. ii. p. 172.

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yond, the Master carefully locking the doors as they passed, and observing with a smile, 'We'll make very sure of him." At last they entered the small room in the round turret already mentioned. On the wall hung a picture with a curtain before it,* and beside it stood a man clad in armour, with a sword and dagger by his side. James started back in alarm, and Ruthven, having first locked the study door, clapped his hat on his head, snatched the dagger from the girdle of the man in armour, and drawing aside the curtain from the picture, showed the features of the late Earl of Gowrie, his father. Holding the dagger with a threatening aspect to the king's breast, he exclaimed, "Whose picture is that? Remember ye not the murder of my father? Does not thy conscience accuse thee of his innocent blood? I shall be avenged upon thee now. Thou art my prisoner; thou must be in my will, and be used as I list." He also, according to James's account, "swore many bloody oaths that if the king cried one word, or opened a window to look out, that dagger should presently go to his heart." James, although greatly alarmed by these threats, did not lose his presence of mind, but began to expostulate with Ruthven, who stopped him by the fierce rejoinder, "Hold your tongue, sir, or by Christ ye shall die!" But here Henderson wrenched the dagger from the Master's hand, and the king, resuming his remonstrance, said in his homely dialect, "Maister Alexander, ye and I was very great† together; and as touching your father's death, man,‡ I was but ane minor, my council might have done anything they pleased. And further, man, albeit ye bereave me of my life, ye will not be king of Scotland; for I have baith sons and dochters, and there is men in this town and friends that will not leave it unavenged."§ Ruthven, seemed moved by this appeal, and protested that his life was not what was sought. "What racks‖ then," said the king, who, amid all his perturbation, forgot not his princely demeanour, "albeit ye tak off your hat?" Ruthven uncovered himself, and the king proceeded to say, "What is it ye crave man, an ye crave not my life?" Ruthven replied, "Sir, it is but ane promise."—"What promise?" inquired James.—"Sir," said the Master, "my brother the earl will tell you." The king then desired him to bring his brother. Ruthven, having exacted a promise from his majesty that he should not open the windows or cry out while he was absent, commanded Henderson to keep the king at his peril, and then left the room, locking the door behind him.

James follows the Master of Ruthven to the study.

Immediately after his departure, James entered into conversation with Henderson, and asked him how he came there. "As God lives," answered the unfortunate and trembling chamberlain, "I was shot in like ane dog."—"Do you think my Lord of Gowrie will do me any evil, man?" inquired the king. The man answered, "I vow to God, sir, I shall die first." James then, apparently thinking that, although he had promised not to open any window himself, he might command the chamberlain to do so for him, said, "Open the window." Henderson immediately opened one of the two small windows by which the turret was lighted—that which looked toward the Spey Tower. "Fye!" cried the king, "the wrong window, man." Henderson instantly perceiving his mistake, crossed towards the opposite window, but before he reached it Ruthven again broke into the room, and exclaiming, "By God, sir, there is nae remeid!" sprang at the king, and attempted to bind his hands with a garter which he had brought with him.* James, by a strong effort, wrenched his hands loose from the gripe of the conspirator, exclaiming, "I am ane free prince, man, I will not be bound!" and Henderson at the same moment snatching away the garter, the king "leapt free," and had almost reached the window when Ruthven again seized him by the throat with one hand, and thrust the other into his mouth, to prevent him giving the alarm; while they were struggling in this attitude close by the window, Henderson put his hand over the king's left shoulder, and drew up the movable wooden board which, according to the general custom in Scotland at that period, constituted the lower part of the casement. James had thus an opportunity of thrusting his head half through the opening, and shouting to a group of his attendants on the public street below—"Treason! help!—Earl of Mar, I am murdered!" Ruthven, however, succeeded in dragging him back into the chamber, and calling out to Henderson, "Is there nae help with thee? woe worth thee! thou wilt cause us all die!" he attempted to draw his sword, which James prevented by grasping his right hand. During this desperate struggle they reeled out of the closet into the chamber adjoining, and the trembling and panic-struck chamberlain unlocked the door of the room which opened upon the Black Turnpike, for the double purpose, according to his declaration, of making his own escape and letting in the king's servants.†

The struggle between them.

We must now return to the Earl of Gowrie, who, shortly after the king's departure from the dining-hall with his brother, asked Lennox and the other nobles to step with him into the garden, and take an additional dessert from his cherry-

* This highly graphic and dramatic circumstance is not mentioned in the depositions, or in the account published by authority; but it is to be found in Johnstone's Contemporary Narrative of the Conspiracy, and it greatly heightens the force of Ruthven's language when about to commence his treasonable attempt. (See Pitcairn, vol. ii. p. 295.)

† On very intimate terms.

‡ A familiar and homely phrase, frequently used in Scotland, expressive of kindly feeling.

§ Deposition of Andrew Henderson, Pitcairn, vol. ii. p. 127.

‖ What forbids.

* This garter was afterwards found by Graham of Balgone, one of the king's suite, lying among the bent or rough grass with which the floor of the round chamber was covered.

† Pitcairn, vol. ii. p. 178.

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trees. Opening a side door in the hall, he led the way, by an outer stair, into the garden, on the south side of the house. They had not been long there, however, when Thomas Cranston, one of Gowrie's domestics came to them hastily, and informed his master that the king had left the house, and was riding over the Inch. The earl then cried to horse; and he and Lennox, with the rest of the courtiers, rushed through the hall into the courtyard, shouting for their horses. On coming to the outer gate, the Duke of Lennox asked the porter if the king had passed. The man replied in the negative; and persisted in his affirmation, although his master angrily told him he lied, for his majesty had left the house by the back gate, and gone through the Inch. "That cannot be," said the porter, firmly, "for I have the key of the back gate, and of all the gates of the place." Gowrie, somewhat confused, proposed to run back to the house to ascertain the truth.* Returning in a few minutes, he informed the courtiers that the king had really left the house. At this moment a shrill cry was heard, betokening the extremity of mortal fear; and the Duke of Lennox exclaimed to the Earl of Mar, "That is the king's voice, be he where he will himself!" and looking up they saw the king's face at the window of the turret—the head uncovered, the features red, and a hand grasping his mouth, while he cried out, in a tone of extreme distress and terror, "I am murdered! treason, treason! my Lord of Mar, help!" Sir Thomas Erskine and his brother James seized the Earl of Gowrie by the collar, exclaiming, "Traitor, this is thy deed!" and threw him on the ground. The earl asserted his innocence; and his servants soon rescued him from the gripe of Sir Thomas, who then hastened to the assistance of the king. Meanwhile Lennox and Mar, and some others of the royal suite, crossed the courtyard, and rushed up the great staircase to the long gallery, which they found open, but the door (E) of the chamber (F) at its upper extremity was locked, and resisted all their efforts, although they battered it with a ladder which lay hard by. At this critical moment a page, named John Ramsay, who had heard the king's cry for help, observing the door of the Black Turnpike standing open, rushed up the stair to the top, dashed open the door of the chamber with his foot, and perceived the king and Ruthven wrestling in the middle of the room—the Master's head pressed under the king's left arm, and his hand thrust upwards against his majesty's face. Ramsay was hampered by a hawk, which had that day been presented to the king, and which at that moment he carried upon his wrist; but casting off the bird, he drew his whinger, or short hunting-sword, and stabbed the Master, the king calling out, "Fye! strike him low, he has on a pyne doublet!"* The next moment, James, exerting all his strength, thrust him out of the chamber, and down the stair. Ramsay then ran to the window, and perceiving Sir Thomas Erskine in the courtyard, called upon him to come up the turnpike. Sir Thomas immediately complied; and entering the staircase, followed by Hugh Herries, the king's physician, and George Wilson, a servant, he met Alexander Ruthven staggering downwards, bleeding in his face and neck, and cried out, "This is the traitor! strike him!" The unhappy youth was mortally wounded by Herries, and almost instantly expired, exclaiming as he turned in the death agony, "Alas! I had not the wyte† of it!"

Death of the Master of Ruthven—

The king was for the moment rescued, but the danger was by no means over. His friends were only four in number, for Henderson had glided down the turnpike and fled from the house immediately after Ruthven was dispatched; and they were uncertain whether the attempts of Lennox and Mar to break open the door by which the chamber communicated with the gallery were made by friend or foe. At this moment the alarm bell rung out, and the din of the gathering citizens, who were devoted to their provost, Gowrie, was heard from the town. There was besides a still more imminent danger.

The earl on being rescued by his servants from the grasp of Sir Thomas Erskine, retired a short way, then drawing two swords which he wore in one scabbard, and, with one in each hand, rushed into the courtyard, exclaiming that he would either be in his own house, or die by the way. One of his lackeys put a steel bonnet on his head, and, thus armed, he crossed the court and entered the Black Turnpike, preceded and followed by seven of his retainers. At the bottom of the stair lay the dead body of Alexander Ruthven. "Whom have we here?" said Thomas Cranston, one of the earl's attendants, for the face was turned downward. "Up the stair!" was Gowrie's brief and stern reply. Cranston accordingly ran up the stair, followed by the earl and the rest of his servants, who all rushed together into the gallery chamber, where they found Erskine, Ramsay, Herries, and George Wilson, standing with their

* It is supposed by some that Gowrie ran back for the purpose of holding a conference with his brother, for the Master's retirement from the round turret corresponded, in point of time, with the earl's going up into the house; and the circumstance of the gallery-door, which is said to have been locked by Ruthven, being open when Lennox and Mar went up to the king's rescue, seems to prove that the Master came out to the staircase, or else admitted his brother into the gallery, for the purpose of holding a conference with him. On the other hand, Andrew Henderson was of opinion that the Master did not leave the back of the door; and his return was so precipitate as to have left little or no time for a conference with his brother. The probability is that Ruthven had been abashed by the collected demeanour of the king, and had become quite unnerved by the desperate situation in which he felt himself placed, and therefore availed himself of the king's proposal to call for the earl, his brother, to retire, and "screw up his courage to the sticking point." John Ramsay entered the gallery shortly after the king and Ruthven passed through it, and spent some time in examining the pictures with which it was adorned; and it is probable that this took place at the very time that the king was remonstrating with Ruthven in the round room.

* A secret shirt of mail worn quilted in the dress.

† Blame.

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swords drawn, having previously provided for the safety of the king by thrusting him into the round closet within the turret. A fierce contest now ensued, in which the king's friends were all wounded at the first onset and completely overmatched; for not only were they greatly inferior in numbers, but Gowrie was renowned for his skill in the use of the double sword,* while Dr. Herries, one of the king's party, was embarrassed in his movements by a clubfoot. The contest, however, was speedily decided, for Ramsay, calling out that the king was slain, the Earl of Gowrie dropped the points of his weapons, as if paralysed with horror at such a catastrophe, and Ramsay, throwing himself within his guard, ran him through the body, and the unfortunate nobleman fell to the ground, and expired without uttering a word. His servants, seeing their master fall, and having received several wounds, immediately fled. Mar, Lennox, and the other nobles continued all this time battering with hammers the door of the gallery chamber, but in vain; and the party of the king were afraid to open lest they should give admission to another company of Gowrie's retainers. It was at length ascertained who they were, and a hammer being handed through a hole in the door, the lock was forcibly wrenched off, and an entrance effected. The first object that met the eyes of the astonished courtiers, was the dead body of the Earl of Gowrie, whom they had so recently parted with in the street, and the king standing unarmed amid his brave deliverers. James, now assured that the principal danger was over, piously knelt down upon the floor, and, surrounded by his friends in the same attitude, returned fervent thanks to God, "out of his own mouth, for that miraculous deliverance and victory."†

—and of the Earl of Gowrie.

The danger, however, was not yet over. An immense mob of the citizens, among whom the earl was very popular, had assembled at the sound of the alarm bell, and, together with the retainers of Gowrie, beset the house, and with shouts and maledictions threatened vengeance on the "bloody butchers" who had murdered their young provost, and his brother. Violet Ruthven, and other females, ran wildly out to the street, crying, "Thieves, limmers, bloody traitors that have slain these innocents; may God let never nane of you have sic [such] plants of your ain. The Earl of Gowrie had anew to tak meat and drink fra him, but has nane to revenge his deid." Others exclaimed, "Greencoats, we shall have amends of you. Ye shall pay for it. Give us our provost." Many did not hesitate to threaten the king himself, crying out, "Come down, come down, thou son of Seignor Davie! thou hast slain a better man than thyself."‡ One of the citizens brought a beam to break open the door of the vaults; and Alexander Ruthven, a near relative of the Gowrie family, cried for gunpowder, and searched some of the merchants' booths for it to blow up the house.* A number of Gowrie's retainers, mingled with the citizens, rushed up the Black Turnpike, and thrust their pikes and halberds through the small square aperture, which, according to an old custom in Scotland, was left in the lower corner of the door. By one of these weapons "Meikle John Murray," a retainer of Tullibardine, was wounded in the leg.† James endeavoured to pacify the enraged multitude by addressing them from the windows, and explaining what had taken place, but for some time without effect. At length the magistrates, having made their way into the house, received from his majesty an account of all that had happened; and, returning to the crowd, commanded them to disperse, which they were at last persuaded to do.‡ The king then committed the bodies of the two brothers to the care of the magistrates; and on searching the pockets of the earl for any documents that might throw light upon the conspiracy, they found a little parchment bag full of "magical characters and words of enchantment," which his tutor, Rhynd, recognised as the same he had discovered him wearing at Padua, and which he would never suffer to go out of his possession.§ It is gravely stated, in the royal narrative, that no blood had issued from the wound till the spell was removed from the body, after which it gushed out profusely.‖

Popular tumult.

James left Perth at eight in the evening, and rode to Falkland amid crowds of his subjects, who had already heard vague reports of his danger, and poured in from all quarters to ascertain that he was safe. The

James returns to Falkland.

* It appears that these swords were, according to a custom then prevalent in Italy, worn in one scabbard, and served for double defence, as the sword and dagger. The earl was singularly skilled in the use of arms.

† The King's Narrative, Pitcairn, vol. ii. p. 217.

‡ Pitcairn, vol. ii. pp. 197—199.

* Pitcairn, vol. ii. p. 200.

† Ibid., Deposition of Lennox, p. 174.

‡ It appears that the people of Dundee bore a bitter grudge towards the citizens of Perth, in consequence of an ancient dispute between the two towns for burghal precedency; and a rumour respecting this tumult having reached Dundee, twenty miles distant, in a remarkable brief space of time, the inhabitants expecting, and no doubt hoping, that the rival town would be given up to pillage, armed themselves and came up in a body, in the course of the evening, for the purpose of obtaining a share in the spoil. Doubtless to their great disappointment, on their arrival they found everything quiet. (Fleming's MS. Chronicle; Pitcairn, vol. ii. p. 247.)

§ Declaration of W. Rhynd, ibid., p. 220. The propensity to magical pursuits seems to have been hereditary in the Ruthven family. Patrick Lord Ruthven, the murderer of Riccio, gave Queen Mary a magic ring as a preservative against poison. His son, the first Earl of Gowrie, when in Italy, had his fortunes foretold by a wizard. His example was followed by his son John, the author of the conspiracy. Nicolson, in a letter to Cecil, 12th November, 1600, says, "One Colvil hath sent the king the collection of the fortune to befal Gowrye upon his nativity, written with the earl's hand in French, at Orleans, and there found; containing that he should return, be in great credit, seek for a wife, and yet die with his sword in his hand before he should be married." It was stated in evidence by James Wemyss of Bogie, one of his friends, that he was present with the earl in Strathbran, when some of the company killed an adder, and that Gowrie told them if the adder had not been slain they should have seen good sport, for he would have made it stand still by pronouncing a certain cabalistic Hebrew word, which he had learned from a great necromancer in Italy. (Pitcairn, vol. ii. pp. 218, 219.)

‖ Ibid., p. 218.

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account of his danger and remarkable escape having been brought to Edinburgh next day, the privy council commanded the ministers of the city instantly to assemble the people, and to return thanks to God for the king's deliverance from the imminent danger with which he had been threatened. A few days after, James himself returned to the capital, and was met on the sands at Leith by the citizens, headed by their magistrates and the judges, who welcomed him with enthusiastic demonstrations of joy. The king went first to the church of Leith, where prayers were offered up; he then, followed by an immense concourse of all classes of his people, proceeded to the Cross, where his chaplain, Mr. Patrick Galloway, preached a sermon to the assembled multitude, and related all the circumstances of the conspiracy, and the king's miraculous deliverance. At the close of the discourse, James himself rose, and, in the hearing of the people, solemnly attested the truth of his chaplain's narrative. Soon after an account of the whole transaction was drawn up by the king, and published; and his statements regarding all the leading facts were confirmed by the evidence of Lennox, Mar, Erskine, and Ramsay, and especially by the testimony of Andrew Henderson, Gowrie's chamberlain, who, upon a promise of pardon, had discovered himself, and confessed all that he knew.

His reception when he returns to Edinburgh.

The royal narrative, however, was somewhat exaggerated in its statements; many parts of it seemed exceedingly improbable; in various minor points it did not agree with the evidence of Henderson, and of the courtiers, which was only what might have been expected, considering the confusion and terror accompanying the event. These circumstances, together with the apparent absence of all confederates—the strange and unaccountable behaviour of the man in armour in the turret—and especially the unusual presence of mind and energy which James represented himself to have displayed, gave rise to strong and not unnatural suspicions respecting the credibility of the narrative, and even led some to hint that the plot was a conspiracy of the court against the two brothers, not of Gowrie against the king. The ministers of Edinburgh, in particular, still continued incredulous and unconvinced, and refused to do more than return thanks in general terms for the preservation of their sovereign's life, declaring that their consciences would not permit them to mingle what might be false with the edicts of truth. James was exceedingly provoked at their refusal to obey his injunctions, and after several fruitless attempts to remove their scruples, and to explain and reconcile every minute particular in his narrative with the deposition of the nobles, he became so incensed at their obstinacy, that he banished them from the capital, and interdicted them, under pain of death, from preaching in any part of Scotland. In the end, they all declared themselves satisfied of the truth of the conspiracy, except Mr. Robert Bruce of Kinnaird, a younger son of the family of Bruce of Airth, in Stirlingshire, and one of the leaders of the National Church. Being well aware of the great influence which Bruce possessed among the people, as well as among his brethren, James held several personal interviews with him, and used every effort to remove his doubts. He was at last brought to express his belief of the guilt of the Ruthvens, but he peremptorily refused to preach upon the subject in the manner prescribed by the king, declaring that his conscience would not allow him to submit to the dictation of any man respecting the mode in which he was to conduct public worship. "Are you willing to preach according to these articles?" said the king, in his third conference with him.—"I am discharged [forbidden] to preach the pleasure of men," said the undaunted successor of John Knox. "Place me where God placed me,* and I shall teach fruitful doctrine as God shall give me grace. But we have not that custom to be enjoined to preach, nor I dare not promise to keep that injunction. It lieth not in my hand to make a promise. I know not certainly what God will suffer me to speak."† The king was so displeased at this refusal that he deprived Bruce of his benefice, and banished him to France.

His impolitic proceeding.

Refusal of Robert Bruce to obey the royal edict.

His banishment.

Measures of the most revolting severity were speedily adopted against the ill-fated family of Ruthven; and the king and his greedy courtiers sought, with the most disgraceful avidity, to hunt them down, and extirpate them like wild beasts. On the very night of the catastrophe, after the king's return to Falkland, two of Gowrie's sisters, who were maids of honour to the queen, were dismissed from office, and expelled from the palace.‡ On the same night an attempt was made to seize the two surviving brothers of the family, who at the time were living with their mother at Dunkeld; but they fortunately received some intimation of their danger, and, accompanied by their tutor, succeeded in making their escape in disguise to England.§ At the meeting of parliament, which was

The truth of his narrative suspected.

Extreme severity of the proceedings against the house of Ruthven.

* Restore me to my pulpit.

† Pitcairn, vol. ii. pp. 300—313.

‡ "The king at his return to Falkland presentlie caused thrust out of the house, from the queen, Gowrie's two sisters, in chief credit with the queen; and swears to root out that whole house and name." (Letter from Nicolson, the English ambassador, to Cecil; Pitcairn, vol. ii. p. 314.)

§ Ibid., p. 316. The following extracts from the letters of Sir John Carey, Governor of Berwick, to Sir Robert Cecil, may serve to show the keenness of the pursuit made after the two younger brothers of Gowrie, and the vindictive cruelty with which the king and his grasping courtiers sought to revenge the crime of the Ruthvens on their innocent kinsmen:—

"*Aug.* 10. The king has made great search, and lays great wait, for the two younger brothers, who, by great fortune, escaped from the schools; and not daring to tarry in Scotland, they are this day come into Berwick closely in

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held in the month of November, the dead bodies of the unhappy brothers were produced there according to law, and tried, and found guilty of treason; their estates and honours were forfeited; their bodies were hanged and quartered; their heads were fixed on the top of the Tolbooth of Edinburgh, where they remained till some time during the civil war; and their quarters exhibited in the most conspicuous places of Perth, Stirling, and Dundee. The very name of Ruthven was abolished; those who had borne it were forbidden to approach within ten miles of the king; and the brothers and posterity of the house were declared to be for ever incapable of enjoying inheritance, place, or dignity in Scotland. So ruthlessly did James carry into effect his threat, to "root out that whole house and name," that no male descendant of the family is now known to exist.*

In keeping with these cruel proceedings was the treatment of Gowrie's servants. Three of them—Thomas Cranston, George Craigengelt, and John M'Duff, were brought to trial as accomplices in the conspiracy of their master; and though it was evident that they had no knowledge of the plot, and their conduct in drawing their swords against the king's attendants in the gallery chamber was entirely in accordance with the ordinary ideas of the time regarding the duty of a servant to a master, they were found guilty of treason, and executed.* On the other hand, the king granted the sum of a thousand marks yearly to the poor out of the rents of the forfeited estates, as a token of his gratitude to God for his remarkable preservation; and the fifth of August was appointed to be held annually as a day of thanksgiving for his deliverance.

Discovery of Logan's letters.

It was not until eight years after the fatal result of the conspiracy (August 1608) that Logan's share in it was discovered. Laird Bower, to whom Logan committed the perilous task of carrying the letters which passed between him and the other conspirators, was unable to read or write, and had been obliged to obtain the assistance of George Sprot, a notary in Eyemouth, a seaport near Fastcastle, to read the instructions which were addressed to him by his master. Sprot kept the secret till after the death of Logan and Bower, when he was so imprudent as to hint to several persons that he was acquainted with some secrets respecting the Gowrie conspiracy. These intimations were reported to the privy council, who immediately caused Sprot to be apprehended and examined by torture. He made a full confession of all that he knew, and, in confirmation of his testimony, five of Logan's letters,—which, fatally for himself, Sprot had stolen from among Bower's papers,—were produced, and, after a careful examination, were proved to be in Logan's handwriting.†

disguised apparel; and being brought to me, they only desire that their lives may be safe, and they may have a little oversight here till the truth of their cause may be known. And the pitiful case of the old, distressed, good countess hath made me, the willingher, to give my consent for their stay here awhile, till I may, by your honourable means, know the queen's majesty's pleasure, whether they shall stay here, or go some whither farther into the country; for they only desire the safety of their lives; and the old countess's case is pitiful and lamentable. I beseech your honour let me know her majesty's pleasure with as much speed as may be; for that I would do nothing to offend her majesty. The poor gentlemen stole into the town this morning closely, and I could not well turn them out again; seeing they come for refuge to save their lives, till I know her majesty's further pleasure therein.

"*Sept.* 4. Before this day, I could not by any means get the present Earl of Gowrie and his brother out of the town; for that they had sent to their mother for maintenance, and could not hear till now anything from her; and now it falls out so ill with them as she hath sent them no manner of maintenance, hoping they should have staid here still; neither dares she trust many of her servants; for if it should be known that she did any manner of way either give them succour, or maintenance, or any manner of help, she should presently forfeit, and be thrown out of all that she hath. Such secret search and privy spial there is through the whole country for her and her sons, as no friend either dare or can travel between them. Such privy search is laid for them in all places, as almost no man can travel in their country but he is searched. And if I had sent them away sooner, I should but have sent them to very great danger either of being killed or taken; so that they being very poor themselves, and having no friends nor any acquaintance, could neither have told whither to have gone or what to do. I have sent them with a man of my own to Durham, where they shall be secretly for twenty days, and then they mean to travel to Cambridge, and there to study for a time." (Pitcairn, vol. ii. pp. 316, 317.)

* The first Earl of Gowrie, who was executed at Stirling in 1584, left five sons and eight daughters, viz.:—1. James, second Earl of Gowrie, who was restored in 1586, and died at the age of fourteen, in 1588. 2. John, third earl. 3. Alexander, commonly called the Master of Ruthven, who was born at Perth, 22nd January, 1580-1, and was killed along with his brother. 4. William, who was famous for his skill in alchemy, &c., and died abroad. 5. Patrick, who was for many years confined in the Tower of London; he wrote the admirable letter to the Earl of Northumberland, published in the "Cabala," (*Scrinia Sacra*, 4to, London. 1654. p. 106.), which shows talents of no ordinary description. His daughter married Sir Anthony Vandyke, the celebrated painter. The Earl's daughters were:—1. Mary, married to John Stewart, fifth Earl of Atholl. Their daughter Dorothea was married to William Murray, Master of Tullibardine, who was of the king's retinue during the affray at Gowrie House. 2. Jean, married to James, Lord Ogilvie. 3. Sophia, married to Ludovic, Duke of Lennox. 4. Elizabeth, married to John, Lord Graham, Master of Montrose, afterwards the fourth Earl of Montrose; she was the mother of the great Marquis of Montrose. 5. Lilias, married to Sir Robert Gordon of Lochinvar. 6. Dorothea, married to Sir John Wemyss, of Pittenerieff. 7. Catherine, died unmarried. 8. Beatrix, married to Sir John Home of Coldingknowes; she was lady of the bedchamber, and in terms of the closest friendship with the queen. (Pitcairn, vol. ii. pp. 297—319.)

* Ibid., p. 153.

† These letters have been engrossed in the records of parliament, and the originals are still preserved in the Register Office, at Edinburgh. The whole of the documents connected with this memorable conspiracy—the depositions of the king's suite, of Henderson and other retainers of Gowrie, and of the citizens of Perth—the royal narrative—the sermons preached by the king's chaplain—the letters of Logan—the examination and confession of Sprot, &c. &c.—have been published by Mr. Pitcairn in the second volume of his valuable work "Criminal Trials in Scotland." John Pinkerton, in a dissertation prefixed to the first edition of Malcolm Laing's "History of Scotland," endeavours to prove that it was not Gowrie and his brother who conspired against the king, but the king, who by a prearranged plan murdered them in their own dwelling. And an attempt has recently been made by Mr. James, in his novel of "Gowrie; or, the King's Plot," to revive this exploded theory. But the evidence on the other side is quite overwhelming; and the recent discovery of the originals of Logan's letters, at Edinburgh, has set the question finally at rest. The Gowrie conspiracy has been made the sub-

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The unfortunate notary was condemned to be hanged for misprision, or concealment of treason. He adhered to his confession to the last, and after being thrown off the ladder by the executioner, he thrice clapped his hands in confirmation of the truth of his deposition. The bones of Logan were dug up and tried for high treason, and, by a sentence which has justly been pronounced equally odious and illegal, his lands were forfeited and his posterity declared infamous.

A strong suspicion had taken possession of the mind of James, that the mysterious conspiracy to which he had so nearly fallen a victim, had been secretly encouraged by the English queen. Many circumstances concurred to create and to foster such a suspicion. It was quite in accordance with the base policy of her government, to seek to strengthen the English interest in Scotland by covertly seizing on every opportunity of fomenting dissension in that country. In every treasonable attempt that had hitherto been made to disturb the king's government, or to seize his person, English influence could distinctly be traced; and, on the present occasion, it was known that for some time before the treason of Gowrie, that nobleman had stood high in the favour of Elizabeth, and enjoyed her intimate confidence. Nor were these suspicions confined to the king. The Earl of Mar even accused Lord Wylloughby, the governor of Berwick, of being accessory to the conspiracy,—a charge which seems to derive some colour of probability from his close familiarity with Gowrie during his residence at the English court, but which he scornfully declined either to admit or to deny.* Many of the nobility concurred in the views of the king, whose convictions of English complicity, thus corroborated, became so strong, that when Nicolson, the English envoy, expressed gratitude to God for his majesty's preservation, James smiled incredulously, without returning any reply. On the other hand, there were many persons, as we have seen, who persisted in altogether denying the existence of the conspiracy; and Nicolson, Lord Scrope, and Sir William Bowes, in their communications to their government, threw the principal blame on the king himself.

In the meantime, James sent Captain Preston to inform Elizabeth of his narrow escape. Chafed however, by James's intrigues with reference to the painful subject of the succession, she was in no mood warmly to congratulate the Scottish king on his preservation; but she dispatched to him Sir Harry Brunker with a letter written by her own hand, in which, after some slight expressions of joy for his safety, she gave vent to her spleen in obscure sarcasms, and indirectly reproached him with betraying an indecent impatience for her death:—

Elizabeth's letter to James.

"And though a king I be," she says, "yet hath my funerals been prepared, as I hear, long ere, I suppose, their labour shall be needful; and do hear too much of that daily, as I may have a good memorial that I am mortal: and withall so be they, too, that make such preparation aforehand; whereat I smile, supposing that such facts may make them readier for it than I.

"Think not but how wilily soever things be carried, they are so well known that they may do more harm to *others* than to me. Of this my pen hath run farther than at first I meant, when the memory of a prince's end made me call to mind such usage, which too many countries talk of, and I cannot stop my ears from. If you will needs know what I mean, I have been pleased to impart to this my servant some part thereof; to whom I will refer me; and will pray God to give you grace to know what best becomes you. Your loving sister and cousin."*

Though some of the passages in this strange epistle are of dark or doubtful import, it is easy to gather from it that Elizabeth was fully aware of James's busy intrigues with respect to the succession,—a subject on which she had always been reserved, but which, as her end approached, she regarded with increasing aversion. His embassies to foreign princes with reference to this matter, his attempts to ingratiate himself with the Roman Catholic party, and the "band" recently formed among his own subjects in defence of his title, had all given deep offence, and were probably still rankling in her mind. It was painful to see that the decay of nature, which she would fain have concealed even from herself, was obvious to others, and that such anxious preparations were in progress in anticipation of her decease. But the source of deepest mortification was the correspondence of James with her own courtiers, and the eagerness with which, as she was well aware, they "were looking," as she expressed it, "to the rising sun."

Birth of Prince Charles.

On the 19th of November, James's queen gave birth to a son, at Dunfermline.† On this occasion the king remarked,—probably with some sentiment akin to superstition,—the singular coincidences that he himself was born on the 19th of June, Prince Henry, his son, on the 19th of February, Lady Elizabeth, his daughter, on the 19th of August, and that he himself first saw the queen on the nineteenth day of the month.‡ On the 30th of December§ the infant prince was baptised with much state and ceremony, under the style and title of Prince Charles—a name afterwards distinguished in history as that of the unfortunate Charles I.

ject of a masterly tragedy by the Rev. Mr. White, in which the facts and probable motives of the actors are admirably set forth and discriminated.

* MS. Letter, State Paper Office, Nicolson to Cecil, 6th August, 1600; ibid., 10th August, 1600; ibid., B. C., Wylloughby to Cecil; Tytler, vol. ix. p. 323.

* MS. Letter, State Paper Office, Royal Letters, Scotland, copy of her Majesty's to the King of Scots, written with her own hand, and sent by Sir Henry Brunker, 21st August, 1600; Tytler, vol. ix. p. 324.

† Calderwood, vol. vi. p. 100.

‡ Ibid.

§ MS. Letter, State Paper Office, Nicolson to Cecil, 30th December, 1600; Tytler, vol. ix. p. 327.

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At this time James was gratified by the receipt of a friendly letter from Elizabeth, conveyed to him by his ambassador, Captain Preston, who had just returned from the English court, to which he had been commissioned to carry an account of the Gowrie conspiracy. Concerning that event Elizabeth expressed herself in her letter with great warmth, and professed deep thankfulness to the Almighty Power, by whom the king's life and liberty had been so wonderfully preserved. James in return frankly communicated to her all the secret intelligence he had received from Spain, and promised to assist her in the pacification of Ireland with a force of two thousand Highlanders.* He reckoned, however, without his host: the Highlanders, regarding the Irish as their kinsmen, and the Saxons as their ancient and bitterest enemies, peremptorily refused to stir on such an expedition. Fortunately their services were not required, as shortly afterwards the Earl of Mountjoy gained a decisive victory over the united forces of the Spaniards and Tyrone.†

Rivalry of Essex and Cecil.

At this time, two rival factions contended for the chief management of public affairs at the English court. These were headed respectively by the Earl of Essex, and Sir Robert Cecil, son of the lord treasurer, Burghley, both men of great ability and address, but of very different characters. In the former were united political talent of a high order, with the polish and affability of a courtier, and the generous bravery of a chivalrous soldier. The latter inherited much of the coolness, caution, penetration, and forecasting sagacity by which his father was so eminently distinguished. As might naturally have been expected, each sought to strengthen his present position, and to lay a foundation for a claim to future preferment, by securing the friendship of the King of Scots. James had the art to coquet with both, and thus to profit by their counsel, and to secure their interest, without fully committing himself with either. Essex, however, was deficient in caution. His correspondence with the Scottish king became known to Elizabeth, and probably contributed more than any other cause to render her inexorable in his hour of utmost need. Essex had been an especial favourite with the queen, even from his youth. She admitted him at an early age into her most intimate confidence, and distinguished him by the highest honours. At his own earnest desire, seconded by the insidious advice of his rival, Cecil, who gladly embraced the opportunity of getting him removed to a distance from the queen, he was appointed to the command of the army employed against Tyrone, in Ireland, and preferred to the high office of lord-lieutenant of that kingdom. His partial failure in both these capacities irritated the fretful temper of Elizabeth, who, urged on by the malicious representations of the opposite faction, wrote him a letter, in which she censured his conduct with a severity that drove him to despair. In the first paroxysm of his grief and indignation he contemplated making a sudden irruption into England, at the head of a chosen body of troops, and violently expelling his enemies from court. On further reflection, however, he abandoned this hazardous design; and, summoning around him a few confidential adherents, he suddenly embraced the resolution of repairing to the queen's presence, where he hoped, by his personal influence, to regain the favour of his mistress, and turn the tide of royal resentment against his enemies. Accordingly, travelling with the utmost expedition, he arrived at court, and presented himself unexpectedly before the queen, who, being taken by surprise, received him at first without any marked indications of displeasure. On the same day, however, having had time to reflect on his misconduct, she ordered him to be committed to the custody of the Lord-Keeper Egerton, and to be examined by the privy council. He was afterwards brought to trial, on the charge of misgovernment of Ireland, and of having relinquished the duties devolved upon him without the permission of her majesty. He was found guilty, and sentenced to deprivation of all his offices, and to imprisonment during her majesty's pleasure. The haughty spirit of Essex could ill brook this disgrace; and, after an unsuccessful attempt to incite James to interpose in his behalf through promises of assistance in vindicating his title to the English crown by force of arms, he broke out into open insurrection, a crime for which he was tried by a jury of his peers, and condemned to death.

Treason of Essex.

Though James was too prudent to consent to the violent measures proposed by Essex, he entertained a warm affection for that unfortunate nobleman, and a high admiration of his genius, and was quite willing to accept the offer of his assistance in the event of any contest for the succession. Accordingly the present unhappy and precarious condition of Essex, now a prisoner in the Tower, under sentence of death, excited in James most painful sentiments of anxiety and commiseration. With the hope of arresting by intercession the fate impending over his friend, James lost no time in dispatching two ambassadors to the court of England,—the Earl of Mar, one of his most confidential friends, and Edward Bruce, Abbot of Kinloss, who is described as "a person of great judgment and experience." They took their departure about the middle of February,* but so slow was the process of travelling at that period, that they arrived too late to save the unfortunate earl, who was brought to the scaffold on the 25th of the same month.†

Embassy of Mar and of Kinloss to the English court.

This object of their mission being unhappily

* MS. Letter, State Paper Office, Nicolson to Cecil, 4th July, 1602; Tytler, *ut supra*.
† Ibid., 3rd January, 1601-2; Tytler, *ut supra*.

* MS. Letter, State Paper Office, Nicolson to Cecil, 15th February, 1600-1; Tytler, vol. ix. p. 330.
† Hume, vol. iv. p. 430.

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frustrated, the ambassadors, in the name of their master, congratulated the queen on her escape from the treasonable attempts of Essex. Elizabeth, who was perfectly aware of James's correspondence with Essex, received their congratulations with coldness; and, on being presented with a sealed letter written by the king's own hand, complaining of her credulity in giving ear to every calumny raised against him by his enemies, she manifested strong symptoms of displeasure. When reminded of James's pecuniary necessities, and urged to make him some advances in return for his assistance against the common enemy, she refused to give any ready money, but promised to add two thousand pounds per annum to the pension she already allowed him,—querulously remarking, however, that while boasting of his services against the common enemy, it would be but consistent to hold less frequent intercourse with the pope and the court of Spain. On being moved to give some explicit declaration respecting the succession, she assumed a haughty and indignant tone, and expressed her astonishment at their presumption in daring to bring so repulsive a subject under the notice of her and her council.* The ambassadors were somewhat discouraged by this uncourteous reception; but their commission embraced other objects, in which they were more successful. They were instructed to sound the English nobility on the great subject of the succession, and labour to gain them over to the interest of their master; and as Essex, on whose influence James had placed so much reliance, was now dead, they were commanded, above all, to endeavour to gain over Cecil, who now, without a rival, wielded the whole power of the state, and as James expressed it in his secret instructions to the ambassadors, was "king there in effect."† The success of the ambassadors in these delicate and important negotiations amply compensated for the coldness and reserve of Elizabeth. Many of the English nobility, and other persons of rank and influence, professed their attachment to the cause of the king, and gave assurances of their support in the maintenance of his just claim against every competitor. Even the cautious Cecil, who had hitherto stood aloof, now signified his adherence, and opened up a secret correspondence with James, who thus had the happiness to find the main obstacle interposed between him and the accomplishment of his hopes, converted into an auxiliary, and to feel that the great prize so long and so ardently coveted was already within his grasp.

Cecil professes his attachment to the king's interest.

Previously to this happy result of their labours, the ambassadors had written to their master, requesting instructions as to their parting interview with the queen, provided she continued to maintain the same reserved and sullen demeanour. The answer of James is too remarkable to be altogether omitted. It exhibits a favourable specimen of his temper and his talents, and shows that he had pondered at once deeply and wisely the points to which it refers. "As to your doubt," he says, "in what sort to leave there, it must be according to the answer you receive to the former demands: for if ye be well satisfied therein, then must ye have a sweet and a kind parting; but, if ye get nothing but a flat and obstinate denial, which I do surely look for, then are ye, in both parts of your commission, to behave yourself thus:—

"First, ye must be the more careful, since ye come so little speed in your public employment with the queen, to set forward so much the more your private negotiation with the country; and if ye see that the people be not in the highest point of discontentment (whereof I already spake), then must ye, by your labours with them, make your voyage at least not all utterly unprofitable; which doth consist in these points: *First*, to obtain all the certainty ye can of the town of London, that in due time they will favour the right; *Next*, to renew and confirm your acquaintance with the lieutenant of the Tower; *Thirdly*, to obtain as great a certainty as ye can of the fleet by the means of Lord Henry Howard's nephew, and of some seaports; *Fourthly*, to secure the hearts of as many noblemen and knights as ye can get dealing with, and to be resolved what every one of their parts shall be at the great day; *Fifthly*, to foresee anent* armour for every shire, that against that day my enemies have not the whole commandment of the armour, and my friends only be unarmed; *Sixthly*, that, as ye have written, ye may distribute good seminaries† through every shire, that they may never leave working in the harvest until the day of reaping come; and generally to leave all things in such certainty and order as the enemies be not able, in the mean time, to lay such bars in my way as shall make things remediless when the time shall come.

"Now, as to the terms ye shall leave in with the queen, in case of the foresaid flat denial, let your behaviour ever be with all honour, respect, and love to her person; but, at your parting, ye shall plainly declare unto her, that she cannot use me so hardly as it shall be able to make me forget any part of that love that I owe to her as to my nearest kinswoman; and that the greatest revenge I shall ever take of her shall be to pray to God to open her eyes, and to let her see how far she is wronged by such base instruments about her, as abuse her ears; and that although I shall never give her occasion of grief in her time, yet the day may come when I shall crave an account at them of their presumption, when there will be no bar betwixt me and them.‡

* MS. Letter, British Museum, Titus, c. vii. fol. 124; Elizabeth to James, 11th May, 1601; Tytler, vol. ix. p. 332.

† Secret Correspondence of Sir R. Cecil, by Lord Hailes, p. 12. From a MS. Letter, State Paper Office, James Hudson to Cecil, it appears the ambassadors reached London early in March. Their audience seems to have been on the 22nd March; MS. Letter, State Paper Office, Hudson to Cecil, 21st March, 1600-1; Tytler, vol. ix. p. 331.

* Regarding. † Secret agents.

‡ Hailes' Secret Correspondence of Sir R. Cecil, p. 9.

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"You shall plainly declare," he adds, "to Mr. Secretary and his followers, that, since now, when they are in their kingdom, they will thus misknow *me*, when the chance shall turn I shall cast a deaf-ear to *their* requests: and whereas now I would have been content to have given them, by your means, a pre-assurance of my favour, if at this time they had pressed to deserve the same, so they now, contemning it, may be assured never hereafter to be heard, but all the queen's hard usage of me to be hereafter craved at their hands." *

It can scarcely be doubted that these menaces, communicated through the ambassadors, were mainly instrumental in inducing Cecil, at this juncture, to break the silence, which, it is probable, the fear alone of arousing the absurd jealousy of Elizabeth had led him so long to maintain. This might be inferred from the extraordinary caution he displayed on this occasion. Before communicating with the ambassadors on this forbidden topic, he placed them under solemn injunctions, and even oaths of secresy.† He then unbosomed himself freely, professed his perfect satisfaction with the equity of the king's claim, and assured them of his zealous determination to uphold it, when the time should arrive, to the utmost of his power. James, who felt that to gain this highly influential personage was, in fact, to gain the object of his solicitude, eagerly accepted these offers of assistance; and, though he had long looked on the secretary with a doubtful eye, he soon gave him his unreserved confidence, and finally intrusted to his able hands the whole conduct of this momentous affair.

Adherence of the English nobility.

Under the guidance of Cecil, the ambassadors continued for three months to follow out their instructions, during which time they succeeded in gaining assurances of attachment and promises of support from many of the English nobility who had hitherto stood aloof. Even Elizabeth herself had softened down, and, although she still maintained her reserve with respect to the engrossing subject of the succession, manifested a degree of amicable feeling, from which the envoys augured hopefully of the object of their mission. In a letter to James, with which she intrusted them, while she mildly complained of his having again pressed this painful topic upon her attention, she expressed her satisfaction that he had done so openly and to herself, and warned him that he had nothing to expect by holding secret communication on this matter with any of her subjects. After expressing some kindly and respectful sentiments with respect to Mar and Kinloss, whom she denominates a "well-chosen couple," she adds, "let not shades deceive you, which may take away best substance. * * * An upright demeanour bears ever more poise than all disguised shows of good can do. Remember that a bird of the air, if no other instrument, to an honest king shall stand instead of many feigned practices to utter aught that may anywise touch him. And so leaving my scribbles with my best wishes that you scan what works becometh best a king, and what in end will best avail him. (I rest) your loving sister, that longs to see you deal as kindly as I mean." *

Mission of Lennox to London.

Towards the end of October, James dispatched the Duke of Lennox on a private mission to London, with general instructions to seize every opportunity of pushing forward his claims, to labour to secure fresh adherents to his cause, and to confirm alliances already formed. It happened that the English parliament—the last that was held during the reign of Elizabeth—was then sitting; and while, on the one hand, hopes were entertained by the friends of James that the question of the succession would be taken up by that body, the jealousy of the queen was excited, on the other, lest the opportune visit of Lennox should have some reference to a topic, any allusion to which was sufficient to discompose her.† Lennox, however, had the address not only to lull these suspicions asleep, but to ingratiate himself into her favour and confidence, by offering his services as leader of the Scottish forces destined to assist the English army against the rebellious Irish and their Spanish auxiliaries. But though the most alarming rumours were again in circulation of hostile preparations on the part of Philip, so high had Lennox risen in the queen's estimation, that from a regard to his personal safety, she declared she would not suffer him to peril his life in such a hazardous expedition.‡

Competition of the English courtiers to secure the favour of James.

As the health of Elizabeth declined day by day, the competition to anticipate, and, if possible, monopolize the favour of the future sovereign, led to a system of misrepresentation, slander, abuse, and fulsome flattery, which to a prince of James's discernment must have been deeply disgusting. Cecil and his party had already succeeded in obtaining his unreserved confidence, and, in reality, were at this moment his authorised and most active agents; but not satisfied with this, they laboured incessantly to vilify the opposing party in the State, and to persuade James that it was composed of men not only utterly unworthy of credit, but even, if honest, incapable, from their want of influence with the country, of rendering him the smallest assistance. At the head of this party were the Earl of Northumberland, Lord Cobham, and Sir Walter Raleigh; and as it was obviously the interest of James to secure the

* Hailes' Secret Correspondence of Sir R. Cecil, pp. 5–10.

† Ibid., pp. 190, 191; also, pp. 202, 203.

* MS. Letters, State Paper Office, Royal Letters, Scotland, indorsed, "Copy of her Majesty's letter to the King of Scots, written with her own hand;" also, her public letter under the privy seal, delivered to the ambassadors on their return, MS. British Museum, Titus, c. vii. fol. 124, dated 11th May, 1601; Tytler, vol. ix. p. 336.

† Lord Henry Howard to the Earl of Mar, 22nd November, 1601; Hailes' Correspondence of Sir R. Cecil, p. 16.

‡ MS. State Paper Office, copy of the time, Royal Letters, Scotland, Elizabeth to James, 2nd December, 1601; Tytler, vol. ix. p. 341

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cordial co-operation and support of all, Lennox had considered it one of the most important objects of his mission to conciliate this party,—a course of policy which ought not to have excited the jealousy of Cecil and his adherents. They were resolved, however, that, so far as they could prevent it, James should be indebted for his success to none but themselves. Actuated less by patriotic motives than by a base and engrossing selfishness, they viewed all others as rivals, rather than as fellow-workers in the same great cause, to which they professed such a zealous and devoted attachment. No effort, accordingly, was spared to exaggerate the merits of their own services and to depreciate those of others; and it is but justice to Cecil's party to say, that in the article of courtly flattery they far outstripped their opponents. Cecil, indeed, himself still kept in the background. He appeared to be entirely absorbed by the cares of the State, and anxiety to please his royal mistress; whilst, by means of his agent, Lord Henry Howard, he kept up an active correspondence with the King of Scots, whose affairs, at this time, occupied by far the largest share of his time and attention. For the correspondence referred to, though nominally Howard's, Cecil is at least equally responsible; and it is but fair to infer that he must have formed a very low estimate both of the judgment and the moral feelings of the master he was so anxious to serve, when he imagined he would be gratified by the revolting and often impious, if not positively blasphemous adulation, in which that correspondence abounded.*

James was shrewd enough to detect the selfishness of Cecil and his coadjutor in their attempts to injure the reputation of their competitors, and wise enough to consult his own true interest. He wrote to Northumberland, thankfully accepting of his proffered services, and treated with kindness, respect, and gratitude, all, of whatever party, who professed attachment to his interest.

Cecil and his party were not a little disconcerted by these proceedings. They discovered that they had greatly underrated James's penetration, and that instead of a puppet, who should move only when they pulled the strings, they were courting a master who had sufficient sagacity to perceive his own interest, and sufficient decision of character to pursue it. Cecil was far too politic and ambitious to quarrel with his future sovereign, and thus to throw him into the hands of his opponents, but he had received a lesson which compelled him and his courtly agent to change their tactics.

Opposition of the pope.

All now was fair weather with James, but one black cloud still continued to darken the horizon, and who could say whether it might not portend a storm, which might eventually blast all his hopes? Was it to be expected that the Roman Catholics, a body so numerous and powerful at home, and supported by formidable foreign alliances, would yield without a struggle to a Protestant succession, and thus lose, or at least indefinitely postpone, their chance of ascendancy in England? The opportunity of once more asserting what was considered to be a sacred right had been ardently longed for, and was now about to occur; and the supreme pontiff had already sent his briefs to England, admonishing all persons there who owned his spiritual jurisdiction to acknowledge no man as king, whatever might be the nature of his title, unless he should take an oath to maintain and promote the Roman Catholic religion to the utmost of his ability. James was, in fact, in a very perplexing situation. He had coquetted with the papists, and flattered their expectations; he had corresponded with the pope, and intrigued with Spain. Was he now to break with this party, to dash the hopes he had raised, and thus to incur the active opposition of a powerful confederacy both at home and abroad; or was he, by adopting a policy of toleration and indulgence, to arouse against his claim the yet more formidable hostility of Elizabeth and the Protestants of England? Fortunately for James, there was at this time a division in the popish camp arising out of this very question of the succession. The Romanists were now split into two factions, that of the English exiles, under the leadership of Paget, and the Spanish faction, at the head of which was Father Persons, who, under the assumed name of Doleman, had published the celebrated treatise on the succession. As the former had all along insisted on the legality of Mary's title, they could not with consistency deny the claims of her son; and were willing, on the death of Elizabeth, to acknowledge him as their sovereign, provided he would guarantee to them the free exercise of their religion. The latter had advocated the cause of the Infanta, in support of whose claim Doleman's treatise had been written, but, despairing of success in their original object, they now aimed merely at securing the succession of a Roman Catholic prince.* James eventually succeeded in conciliating both parties. By a series of secret intrigues, the history of which is involved in much uncertainty, an impression in his favour had been made on the whole Roman Catholic body, both in England and on the continent. The last obstacle was now surmounted, and all men looked forward to his succession as a matter admitting no longer either of doubt or dispute.†

Suspension of hereditary feuds in Scotland.

Relieved from all further anxiety on a subject which had so long held him in a state of feverish excitement and activity, the king once more addressed himself to the laudable task of endeavouring to heal those dissensions which still unhappily prevailed among the Scottish nobility. A temporary success crowned his efforts

* Hailes' Secret Correspondence of Sir Robert Cecil, pp. 154, 168, 170, 194, 233.

* Lingard's History of England, vol. viii., fourth edition, p. 388; Letter of Father Persons to the Earl of Angus, 4th January, 1600.

† Hailes' Secret Correspondence of Sir Robert Cecil, p. 127.

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in this good work, and that atrocious system of private warfare arising out of family feuds, which, bequeathed from son to son, had for generations distracted the country and desolated some of its fairest provinces, was for the present suppressed. Deadly contentions were succeeded by mutual friendships, family alliances cemented the new-born amity of hereditary enemies, and great joy pervaded both the court and the country.*

The long and brilliant career of Elizabeth was now rapidly approaching its termination, and all the servile tribe of courtiers and other expectants of royal favour, convinced that they had nothing further to look for at her hands, began openly and most assiduously to pay court to her successor. Men of all ranks, sects, and parties, eagerly pressed upon his notice their professions of attachment to his person, and their readiness to acknowledge his claim and submit to his government. The ingratitude of princes has become proverbial, but it is at least equalled by the ingratitude of courtiers. Some even of her own servants, whom past benefits ought to have strongly attached to their aged mistress, began to desert her, and in their eagerness to participate in the bounty of the new sovereign, longed for the hour of her dissolution. That hour was now at hand. The queen's disorder, which was daily increasing, was much aggravated by a cold which she caught about the middle of January, in removing from Whitehall to Richmond, and she never afterwards rallied. The gradual decay of nature was hastened by a settled melancholy, which was generally attributed to her grief for the death of the Earl of Essex, for whose memory she cherished an extraordinary regard, and whose name she could not mention without tears. She struggled long and resolutely against the attacks of "the last enemy," but resistance becoming no longer possible, she forsook all her customary diversions, shunned society, sat almost constantly alone, and sighed, groaned, and wept incessantly. She abstained almost entirely from food, refused all the medicines prescribed by her physicians, and declared she did not wish to live longer. She resisted all the entreaties of her attendants to undress and retire to bed, but sat on cushions night and day with her finger pressed upon her lips, as if afraid some secret might escape her, and her eyes fixed vacantly on the ground.* In this condition she continued for ten days and nights, during which she rarely uttered a word, but the inarticulate expressions of despondency which she emitted, showed that her mind was a prey to intense suffering. Her mental agony was evidently hastening the dissolution for which she longed, and it was thought proper to send for the ministers of religion. Whitgift, the Archbishop of Canterbury, and her almoner, the Bishop of London, were speedily in attendance. They earnestly exhorted her to take some nourishment, and to avail herself of the remedies prescribed by her medical attendants. They were unable to shake her resolution, and she persisted in saying she did not wish to live any longer. When advised by the archbishop to fix her thoughts upon God, she answered that she did so; and when exhorted to provide for her spiritual safety, she replied, "That I have done long ago."* She grasped the hand of the primate, and seemed to listen attentively to his prayers, and though she did not join audibly, she was observed to lift her eyes towards heaven, and to clasp her hands, as if engaged in devotion.†

The privy council having assembled, Cecil, the Lord Admiral Howard, and the Lord Keeper, were deputed to wait upon the queen, to know her pleasure with respect to her successor; but she seemed reluctant even yet to break the mysterious and obstinate silence she had all along maintained on this important point, and notwithstanding the unqualified assertions of historians to the contrary,‡ it is by no means certain that she ever unequivocally signified her wish that James should succeed her on the throne. Her answer to Cecil, who now importuned her to make an explicit declaration on this subject, was vague and unsatisfactory; "her throne," she said, "had been the throne of kings, and she would have no mean person to sit upon it." So far, however, were Cecil and his co-deputies from construing this declaration as conclusive in favour of James, that they urged the dying princess to make a more definite announcement of her will; and, on her remaining silent, named successively the King of France and the King of Scots, but without eliciting any word or token of approbation. On their mentioning, however, Lord Beauchamp, the heir of the house of Suffolk by his mother, the Lady Catherine Grey, she became agitated with indignation, and fiercely replied, "I will have no rascal's son in my seat."§ It is affirmed by Lady Southwell, one of the maids of honour, who was present, that these were the last words the queen uttered on this subject, and that, in fact, after the close of this interview, the queen never spoke again. Nor is this contradicted by the account of Cecil and the two lords who accompanied him, though they declared positively that, at a subsequent hour of the night, the queen intimated by unmistakeable signs that the King of Scots should be her successor. But, besides the difficulty that commonly exists of interpreting with certainty signs made by a sufferer during the agonies of death, it must be recollected that Cecil had so deep an interest of his own in securing James's succession, that his testimony should be received with great caution. There is, moreover, something so fanciful in his interpretation of the sign as to

* MS. Letter, State Paper Office, Nicolson to Sir Robert Cecil, 1st February, 1602; Tytler, vol. ix. p. 350.

† Turner's History of Elizabeth, pp. 700, 701; Birch's Memoirs, vol. ii. p. 507.

* Sloan MSS., printed by Ellis, second series, vol. iii. p. 194.

† Carey's Memoirs, pp. 120, 122.

‡ Robertson, vol. ii. p. 289; Hume, vol. v. p. 447, Aikman, vol. iii. p. 272; Calderwood, vol. vi. p. 236.

§ MS. by Lady Southwell, Lingard, vol. viii. p. 397.

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ELIZABETH

From the Picture in Her Majesty's Collection
at St James's Palace

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throw suspicion over the whole story. The expiring queen, it would appear, when James's name was mentioned, had joined her hands together, and, raising herself in her bed, held them over her head as if to represent a crown, thereby intimating that he alone was entitled to wear her crown. However this may be, the basis was certainly too narrow for the superstructure; and had James's claim to the succession rested on no other foundation, it could not have stood for a single hour.

Death of Elizabeth. Proclamation of James in London.

Between two and three o'clock on the following morning, the 24th of March, 1603, Elizabeth, then in the seventieth year of her age, and forty-fifth of her reign,* expired calmly and without a struggle. By six o'clock the same morning, the privy council had assembled in London, and before ten o'clock the important event was made known to the people by the proclamation, first at the gate of the palace at Whitehall, and afterwards at the cross in Cheapside, of James VI. as king of England, in virtue of his title as nearest of kin to the deceased monarch, and, as it was alleged, by her own express appointment. The announcement appeared to give general satisfaction to the people; and a copy of the proclamation was immediately transmitted to Ireland to be published there. The council prolonged their *sederunt* until ten o'clock in the evening, when they dispatched Sir Charles Percy, brother to the Earl of Northumberland, and Thomas Somerset, son of the Earl of Worcester, with a letter communicating the intelligence of the queen's death to the Scottish king. This letter was subscribed by upwards of thirty councillors and noblemen,† who, in their own names and those of the whole nobility and commons of the kingdom, invited him to take possession of the throne of England, and humbly proffered their allegiance to his "majesty's person, to whose right the lineal and lawful succession of all their late sovereign's dominions" was declared "justly and only to appertain." The messengers, however, were anticipated in their mission by Sir Robert Carey, the youngest son of Lord Hunsdon, who was ambitious of the distinction of being the first to salute the Scottish monarch in his new capacity as King of England and Ireland. This gentleman, who was a near relative, and had been an especial favourite of the deceased queen, after being for five years Warden of the Middle March, happening to be on a visit to court, and observing the declining state of the queen's health, determined to remain and embrace the opportunity, now evidently not distant, of putting his design in execution. Some difficulties, however, lay in the way, as Cecil, apparently apprehensive of some such project being on foot, had, on the last night of the queen's life, ordered all the gates of the palace to be kept shut. Assisted by his sister, Lady Scrope, one of the ladies in waiting, Carey managed to surmount this obstacle. He stationed himself, ready equipped for the journey, underneath one of the windows of the palace, and no sooner had Elizabeth drawn her last breath than Lady Scrope, who was watching by her couch, hastily drew from the queen's finger a ring which had been the gift of the Scottish king, and abruptly leaving the apartment, and opening the window of an adjoining chamber, dropped it down to her brother. Carey was instantly on horseback, and such was the extraordinary speed with which he posted to Scotland, that although he did not leave Richmond until three o'clock on Thursday morning, he arrived at the palace of Holyrood on Saturday night, shortly after the king had retired to bed. He was instantly admitted into the monarch's apartment, and, falling on his knees, saluted him as King of England, Scotland, France, and Ireland, and then presented him with the ring—the appointed token—in the name of his sister. James received the intelligence with thoughtful composure, and, without betraying any emotion of joy, gave the messenger his hand to kiss, bade him good-night, and dismissed him. Percy and Somerset did not arrive until three days afterwards, and, during the interval, as Carey was only a private messenger, no intimation of the great event was made to the people. It is observable that Cecil and the lords of the privy council must have received information of Carey's self-imposed mission before dispatching their own messengers, as the letter with which they were entrusted contains a severe censure on the conduct of that gentleman. "Farther," they say, "we have thought it necessary to advertise your highness, that Sir Robert Carey is departed this morning from hence toward your majesty, not only without the consent of any of us that were present at Richmond at the time of our sovereign's decease, but also contrary to such commandments as we have power to lay upon him, and to all decency, and manners, and respects which he ought to so many persons of our degree; whereby it may be that your highness, hearing by a bare report only of the death of the late queen, and not of our care and diligence in establishing your majesty's right here, in such manner as is above specified, may either receive report or receive doubts of other matters than, God be thanked, there is cause ye should; which we would have clearly prevented if he had borne so much respect to us as to have staid for a common relation of our proceedings, and not thought it better to anticipate the same. For we would have been loath that any person of quality should have gone from hence, who should not with report of her death have been able to relate these first effects of our assured loyalties."*

On the last day of March, James was proclaimed, at the Cross of Edinburgh, King of England, Scotland, France, and Ireland, amidst the enthusiastic acclamations of the people, who seemed to

* Strype, vol. iv. p. 373.
† Calderwood, vol. vi. p. 206.

* Calderwood, vol. vi. pp. 208, 209, the Council of England's letter to the King; ibid., pp. 215, 216, the King's harangue in the kirk of Edinburgh, the Lord's-day, the 3rd of April, 1603.

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regard this exaltation of their sovereign as an accession of honour to themselves. As his immediate presence in London was absolutely necessary, not only to take formal possession of the vacant throne, but to satisfy the wishes of the people, who were impatient to welcome their new sovereign, James began, without delay, to make preparations for his departure. He entrusted the government of Scotland to his privy council; committed his eldest son, Prince Henry, to the care of the Earl of Mar; Prince Charles to Sir Alexander Seton, President of the Session; and the Princess Elizabeth to the Earl of Linlithgow; and appointed the queen with his children to follow him in about a month.

James proclaimed King of England, Scotland, France, and Ireland, at the Cross of Edinburgh.

On the Sunday immediately preceding his departure the king attended public worship in the High Church of Edinburgh, when a sermon was preached by Mr. John Hall, in which he expatiated on the Divine goodness to his majesty in having given him peaceable possession of the powerful kingdom now subjected to his rule; exhorted him to thankfulness; and urged him to manifest his gratitude by steadfastly maintaining God's truth, and labouring to promote the welfare of his subjects. After the sermon the king rose, and addressed the congregation in a speech of some length, and which was frequently interrupted by the sobs and tears of his audience. He professed an unalterable affection towards his people of Scotland; promised frequently to visit them; and declared that, "from the meanest to the greatest," they should always have ready access to his person to "pour out their complaints in his bosom." He reminded them that, though removing to London, he was more accessible to them, and they to him, than if he had been removing to Inverness or Aberdeen, "for all our marches," said he, "are dry, and there be ferries betwixt them. Therefore," he added, "think not of me as of a king going from one part to another, but as a king lawfully called, going from one part of the isle to the other, that so your comfort may be greater." He concluded his address—which is remarkable for its simplicity, its apparent earnestness, and the absence of that affected ornament by which his orations were generally distinguished—by requesting the prayers of the people in his behalf.*

The king's address in the High Church of Edinburgh.

On Tuesday, the 5th of April, the king set out on his journey, amid the tears and lamentations of the citizens of Edinburgh; who, though they sincerely rejoiced at his exaltation, which they fondly hoped would, in the end, conduce to the peace and prosperity of the country, could not witness his departure without regret. He was accompanied by a splendid retinue; including the Duke of Lennox, the Earls of Mar, Moray, and Argyle, with many other noblemen, besides barons and gentlemen of inferior rank; the Bishops of Ross and Dunkeld, and several of the ministers of the Kirk. In addition to these, his train was swelled by many of the English nobility and gentry, whom the hope of sharing in the favour of the new sovereign had drawn to Scotland. He was met at Haddington by a deputation from the synod of Lothian. He received them with courtesy and kindness, assured them that he had no intention of making further innovations in the Church, and exhorted them to live together in peace and amity. He halted on the first day at Dunglas, a mansion belonging to Lord Home, and next day, with a train augmented by continual accessions, he arrived at Berwick. He was received on the frontiers of his new dominions by the Marshal, Sir John Carey, amidst the shouts and acclamations of a vast multitude of people, and the discharge of musketry and artillery from the fortress. On entering the gates, he was presented with the keys of the town by William Selby, the gentleman porter, on whom he conferred, on the spot, the honour of knighthood. On reaching the market-place, he was received by the municipal authorities, headed by the Mayor, who presented him with a purse containing two thousand pounds sterling in gold coins.* Here also he was welcomed by the Bishop of Durham in the full costume of his ecclesiastical rank; an harangue was made in his honour,† according to the custom of the time, and people of all classes loudly testified their gratification at the presence of their prince. Next day the king examined the fortifications and magazines, and reviewed the troops stationed in the place. During his brief stay in Berwick, he was called on to exercise, for the first time, his royal authority as King of England. Intelligence was brought to him of some alarming depredations committed by a gang of desperate freebooters, amounting to about three hundred men, who, after plundering and laying waste the open country, now seemed to threaten a hostile inroad into the town of Penrith. He lost no time in dispatching Sir William Selby against the marauders, with a body of two hundred foot soldiers and fifty horse, authorising him to demand the co-operation of all the troops, both English and Scotch, at the various military stations on his route. A large force was thus speedily collected, and the banditti, taking the alarm, dispersed and fled in all directions. Their leaders, however, were captured and carried to Carlisle, where they paid with their lives the penalty of their crimes.

His departure.

The king's arrival at Berwick.

In his progress through England he visited Newcastle, York, Doncaster, Newark, Burghley, Royston, and other towns, and was everywhere welcomed with demonstrations of loyalty and joy, and entertained with the most princely magnificence.‡ The noblemen and gentlemen of the country escorted him throughout their respective counties,§ and

His progress through the country.

* Calderwood, vol. vi. p. 216.

* Calderwood, vol. vi. p. 223.
† Ibid.
‡ Ibid.
§ Ibid.

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eagerly vied with each other in the costliness and splendour of the banquets prepared for him at their houses and castles, and the gifts which they proffered for his acceptance. The jails in the different towns through which he passed were thrown open, and all the prisoners were set at liberty, with the exception of such as were confined on charges of murder, treason, and other heinous crimes.* The whole journey occupied about a month, and all historians of the time agree in representing it as one continued triumphal procession. James himself, who was inordinately fond of field-sports, was so transported, that he compared it to a prolonged hunting excursion.

Arrival in London.

James entered the capital of his new dominions on the 7th of May, 1603, attended by a numerous retinue of noblemen and gentlemen from all parts of both kingdoms, and greeted by the deafening acclamations of countless multitudes, unanimous in their loyalty to their new sovereign. The Lord Mayor and aldermen of London met him at Stamford Hill, arrayed in all their official trappings, and with a mounted band of five hundred of the citizens, ushered him into the metropolis, and attended him as far as the Charterhouse, near Smithfield, where he was met by the Recorder of London, who addressed him in a long and elaborate oration, abounding in expressions of loyalty, and the most exaggerated and fulsome panegyrics. Inflated as many of these eulogies may seem to us on a calm perusal, it is probable that, in the enthusiasm and excitement of the occasion, they were meant to express no more than the general sentiments of the people, who were intoxicated with joy at the commencement of a reign, from which they expected a large increase of national happiness and prosperity. The Recorder concluded his oration in these words:—"Receive, then, most gracious sovereign, that loyal welcome which our city sendeth out to meet your majesty. Our city, which, for the long trial of her loyalty, obedience, and faithful readiness in all occasions, your majesty's royal progenitors have honoured with the title of their chamber; whose faithful citizens, with true and well-approved hearts, humbly lay at your royal feet their goods and lives, which they will sacrifice for your majesty's service and defence, with longing eyes desiring to receive your majesty within their walls, whom they have long since lodged in their hearts. Praying to Heaven that your majesty's person may be free from practise, your soul safe from flattery, your life extended to the possibility of nature, and that if not your natural life, yet your royal life may have a period with the world, your princely offspring sitting upon their father's throne for evermore; and we, your majesty's humble servants, surrendering into your majesty's hands that authority we hold from you, wish, from our hearts, that all plagues may pursue his posterity that but conspires your majesty's danger." †

Thus did James, though the sovereign of a kingdom which had long been regarded with hostile feelings by the English nation, obtain possession of the throne of England, not only without a contest, but with the cordial approbation of all parties in the State, both religious and political. The combination of circumstances which led to this result was as rare as it was fortunate. His hereditary right, indeed, according to the established law of succession, was unquestionable. He was the third in descent from Margaret, eldest daughter of Henry VII.;* and, after the death of Elizabeth, the grandchild of that monarch was the only male representative of the house of Tudor. But in an age in which might so frequently triumphed over right, this claim, though legally indisputable, might, through a concurrence of opposing events, have been easily set aside; or, at all events, the opposition of any powerful party might have left the succession to be determined by the result of a civil war. The vacillating and often contradictory conduct of James with respect to religion operated singularly in his favour, by exciting the hopes of all the great religious parties in the kingdom, however much opposed to each other. The Puritans, who considered the presbyterian doctrines as nearly allied to their own, anticipated under his sway the amplest toleration. The established clergy augured well for their order from his known predilection for Episcopacy: and even the Roman Catholics looked for indulgence at the hands of a monarch who had secretly corresponded with the Pope, intrigued with Spain, and incurred the odium of his own Church, by the toleration and even favour he had shown to his Scottish Roman Catholic subjects. Nor was there any competitor to divide the suffrages of the nation. The absurd claim set up in favour of the Infanta had never been supported by more than a section of the popish party, while it was utterly repudiated by the rest; † and, after her marriage with the Archduke Charles, had been finally abandoned as hopeless. ‡ Besides all this, the ministers of Elizabeth, anxious to perpetuate their power, had, towards the close of her reign, eagerly sought to pre-occupy the favour of her only probable successor, by employing the whole weight of their influence in support of his claim; and, finally, it was alleged and generally believed that Elizabeth, on her death-bed, had nominated him as heir to her crown.

Legality of James's title. Circumstances which contributed to his success.

The union of Scotland and England under one monarch, though not immediately productive of all the advantages which were naturally expected to result from it, was the first step towards that more intimate incorporation, under which Great Britain has risen to a degree of national prosperity, power, and eminence, and to a position in the great European family, which, separately, neither country could ever have attained.

* Calderwood, vol. vi. p. 223. † Ibid., p. 228.

* Margaret married James IV. of Scotland, 1503.

† Lingard's History of England, vol. viii., fourth edition, pp. 390, 391.

‡ Ibid, p. 388. Letter of Father Persons to the Earl of Angus, 4th January, 1600.

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CHAPTER XLII.

JAMES THE SIXTH.

A.D. 1603—1625.

THE vast accession of power and wealth which James had now acquired, placed him in a position to carry out many of those improvements which he had long meditated, and to rectify many of those disorders which he had long helplessly lamented in his paternal dominions. The condition of Scotland at this period was, indeed, in many respects truly deplorable. The people were in general wretchedly poor, and the want of resources for pursuing extended commercial schemes had, at last, as was natural, been followed by a decline of industry, and a repression of that spirit of enterprise, which is at once a cause and an effect of national prosperity; and by which, in later and happier times, Scotchmen have been eminently distinguished. The removal of the seat of government fell like a blight upon the capital, whose inhabitants were mainly supported and enriched by the expenditure of the royal household, and that of the noblemen and gentlemen composing the court, and the numerous official personages by whom by it was occasionally visited, or who were permanently resident in its neighbourhood. The manufactures of the country were few and simple, and consisted for the most part of the coarsest productions for home consumption.* The trade, which was extremely limited, and confined to a few small seaport towns, consisted almost entirely of raw produce, such as hides, wool, sheep, black cattle, and fish, which were exported in small vessels and bartered, for the most part, for such articles of luxury as were then in demand among the wealthier orders of the people. Nor was agriculture in a more thriving condition. The methods employed were rude and unskilful, and even in the most fertile districts of the country, the poverty both of landlords and tenants obstructed or prevented improvement. Many of the nobility and other landed proprietors, attracted to the neighbourhood of the court, exhausted their fortunes in vain attempts to vie with their more wealthy neighbours in luxury and splendour, while their tenants were impoverished and oppressed in order to supply the money necessary for these extravagances. Both were thus reduced to comparative indigence; large portions of the soil, which might have proved an inexhaustible source of individual and national wealth, lay unreclaimed, and the remainder so poorly cultivated as to yield a return far below its capability. All ranks of the community suffered accordingly, so that the union of the two crowns, so far from being productive to Scotland of the benefits expected from it, seemed, in the first instance, to threaten the ruin of that part of the kingdom. These were far from being the only evils with which James had to grapple. The fierce and turbulent Borderers still maintained their lawless and predatory habits, and, regardless of their new relations as fellow-subjects, continued their mutual inroads and depredations with all the sanguinary hostility of hereditary enemies. In the northern districts of the country the restraints of law were equally powerless for the preservation of order; and deadly feuds and sanguinary conflicts among the numerous petty chiefs and their retainers desolated the country, and not unfrequently bands of these hardy mountaineers, descending into the Lowlands, alarmed and pillaged the inhabitants. The islands afforded refuge to a race of men at once more savage and less accessible to the arm of the law: they, in fact, were nests of pirates, the terror of the adjacent mainland and surrounding seas, and scarcely less fierce and formidable than those who were wont to infest the rocky and desolate islands of the Mediterranean.

State of the country.

For repressing these disorders and improving the condition of the country, James now possessed means sufficient, if judiciously applied; but he seems to have fallen into the mistake common at that crisis, of expecting all these ameliorations to spring, in a great measure, from the union of the two kingdoms. He accordingly proposed, as a preparatory measure, that both should concur in the formation of an "incorporating union," and an equal participation in all the rights which each respectively enjoyed.* What he understood by an "incorporating union," appears plainly to have been the introduction of the English law into Scotland. "It was not," he said, "his desire to deprive England of its laws, but to lay Scotland subject to the same laws. He did desire that they should be subjected both to one rule and to one law. I mean, such a general union of laws as may reduce the whole island, that as they live already under one monarch, so they may be governed by one law."† This measure, when proposed to the English parliament, met with so little favour that, in a conference which took place between both houses, it was not without difficulty that the Chancellor, Lord Ellesmere, prevailed on the members to agree to the appointment of forty-four commissioners, to negotiate with the Scottish parliament on this important matter. When this body assembled at Perth, on the 11th July, still greater reluctance was manifested to take any steps towards the proposed union; and it was not until the King signified his displeasure at their delay, that the nobles agreed to the nomination of thirty-six commissioners to treat with those of England. The parliament, however, expressly prohibited any compromise of the independence of the kingdom, or any alteration in its laws and constitution; and limited the powers of the commissioners to the abolition of such laws and local customs as were calculated to keep alive

Proposal for an incorporating union.

Commissioners appointed.

* Craig, De Unione Tractatus, p. 237—244; MS. in the Advocate's Library; Malcolm Laing, vol. iii. p. 7.

* King James's Works, p. 448.

† Ibid., p. 512.

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the memory of hostilities between the two countries, or were likely to lead to their revival. On the first mention of a union, the ministers became alarmed for the safety of the Church. They were apprehensive, not without reason, that, with uniformity in civil laws, an attempt would be made to enforce uniformity in religion; and the commissioners of the General Assembly petitioned for leave to summon a meeting of that body to concert measures for maintaining intact the constitution and discipline of the Church. Their request, however, was refused by the king, who alleged that the union under consideration would in no respect interfere with the rights and liberties of the Church, but was purely a political matter, in which that body had no immediate concern.

The Countess of Mar refuses to deliver the young prince to the queen.

Before taking her departure for London, the queen, accompanied by a small retinue, proceeded to Stirling, in order to bring with her the young prince, her son, who was there in the keeping of the Countess of Mar, to whose care he had been committed during the absence of her husband at court. The countess, however, resolutely refused to part with her charge without the express authority of the king; and the queen, in consequence, became so exasperated that she fell seriously ill, and gave premature birth to a child at Stirling, on the 10th of May. On the 12th, the Earl of Mar arrived with a message from the king, but her majesty refused to see him, and desired only to have the letters from his majesty, of which Mar was the bearer. These, however, he declined to deliver up, unless he were admitted to an interview, at which he might have an opportunity of discharging his secret commission. Both parties were obstinate, and both immediately wrote to the king, desiring to know his pleasure regarding this unseemly contest. The king instantly dispatched the Duke of Lennox to Stirling, who arrived on the 19th, bringing with him a commission to convey the queen and the prince to London, and a declaration "that the Master of Mar, his mother, and friends, had done good service to the king."*

Her majesty's departure.

The queen, in the meantime, was constrained to smother her resentment; but having obtained possession of her son, and having sufficiently recovered her health, she left Stirling for Linlithgow on the 27th of May, accompanied by the duke and several other noblemen. Next day they reached Edinburgh, and, on the 1st of June, took their departure for England.

Her arrival in London; her aversion to the Earl of Mar.

On the queen's arrival in London, a stormy interview seems to have taken place between her and her royal consort. She refused to be reconciled to Mar, and being exhorted by the king to thank God for the peaceable possession he had obtained of the throne of England,—an event which had been brought about chiefly through the instrumentality of Mar in his last embassy,—she passionately replied, "She would rather never have seen England, than have been beholden to him for it." Such was the queen's resentment against the unfortunate earl that James, at last, brought the matter before the privy council; and Mar having, in order to appease her wrath, condescended to make an humble submission, the council passed an act declaring that, as the refusal on the part of Mar's family to restore the prince was without his orders or even his knowledge, that nobleman had done nothing derogatory to the honour of her majesty. Notwithstanding all this, it was not without great difficulty that she was prevailed on so far to overcome her aversion as to consent to see Mar before the ceremony of the coronation.*

Raleigh's Plot.

James had not been more than a few weeks in London when a conspiracy, or rather, as it would seem, a congeries of separate conspiracies was detected, known in history by the name of "Raleigh's Plot." Much obscurity hangs over this affair. The conspirators appear to have had neither object nor plan in common; and, if acting in combination at all,—a circumstance which has never been very clearly brought to light,—their only bond of union seems to have been their common dissatisfaction with the new order of things. A Roman Catholic gentleman, named Sir Griffin Markham, had formed the design, in conjunction with two popish priests, Watson and Clark, of endeavouring to extort from the king some concessions in favour of their religion; and Lord Grey de Wilton, a puritan, had formed a similar design for the relief of that sect to which he belonged. It is not easy to conceive how there could be any coalescence between parties in pursuit of objects so irreconcilably different, unless we suppose that they aimed at securing universal toleration—a principle at utter variance with popery in all ages. Be this as it may, their plans of procedure were similar. Each was to present a petition to the king, supported by such overpowering numbers as to intimidate him into compliance. These schemes, which were not very carefully concealed, attracted the attention of certain unprincipled adventurers, who cared nothing for the success of either party, but who banded themselves together for the purpose of seizing an opportunity of promoting their own selfish purposes in that moment of general confusion which was expected to arise. At the same time, a conspiracy was in progress for deposing the king, and raising Arabella Stewart, his cousin, to the throne. At the head of this plot were the celebrated Sir Walter Raleigh and Lord Cobham—a young nobleman who is described as utterly unworthy of such a companion even in crime. The foundations of this scheme seem to have been more deeply laid, as the conspirators had been led to expect assistance from the King of Spain, and the Archduke of Austria. The leaders of these conspiracies, and a number of their agents, were arrested, tried, and condemned, and several of them were put to death. Lord Grey de Wilton,

* Calderwood, vol. vi. p. 231.

* Aikman, vol. iii. p. 281.

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Markham, and Cobham, were pardoned after they had laid their heads on the block. Raleigh was reprieved, and committed to the Tower; and, after suffering a rigorous confinement for fifteen years, was at length brought to the scaffold. It is worthy of remark, that on the trial of this great man, and his despicable coadjutor, no evidence whatever was produced of their guilt, except the confession of Cobham and his inculpation of his accomplice, in the hope of saving himself at the expense of his friend.

Plague in London. Coronation of the king and queen.

At this time London was visited by a fearful pestilence, which continued for several months, and carried off weekly thousands of the inhabitants. In the midst of the gloom and perturbation thus occasioned, the king and queen were solemnly crowned at Westminster, and, immediately after the ceremony, the court was removed from the capital, and an order was issued prohibiting the nobility from repairing to London before the commencement of winter.

The commissioners assemble at Westminster.

In obedience to the command of the king, the commissioners assembled at Westminster, but so strong as yet were their national prejudices and jealousies, so crude and imperfect were their conceptions of what was necessary to form the basis of a permanent union, and so little did they understand their own interests, that, after repeated and protracted conferences, scarcely any progress was made in the business assigned to them. With the exception of one man, the illustrious Bacon, they seemed incapable of understanding how the two kingdoms could be incorporated while each retained its distinct nationality, its own ecclesiastic establishment, and its ancient system of jurisprudence. On these points it was vain to look for agreement. The Scottish commissioners, in obedience to their instructions, and deeply imbued with that patriotic feeling by which their countrymen are still distinguished, would agree to nothing that seemed to imply the surrender of the smallest particle of the national independence. To do this would be to sink Scotland—which, despite secret intrigue and open hostility, had for ages proudly maintained her national existence—into a mere province of the British Empire. The commons were not alive to the commercial advantages of an unrestricted intercourse with their more wealthy neighbours. They had as yet little or no trade with other nations. Their manufactures were few and simple, and were intended only for home supply; and so imperfectly were the benefits of commerce understood, that they regarded the export of raw produce as injurious to the public interest. The nobility, on the other hand, even if they had been prescient enough to perceive that the extension of commerce would necessarily lead to an amelioration of the condition of the country, by encouraging arts and manufactures, promoting industry, extending knowledge, elevating the mass of the people, and increasing the national wealth, were probably unwilling for such prospective advantages, in which they had only an indirect interest, to sacrifice the hereditary distinction and importance of their order, to lose their share in the management of public affairs, and sink into the obscurity of private gentlemen, in all but the title, which would thus become little more than an empty sound.

The English commissioners were not less hampered by narrow views and illiberal prejudices. They erroneously considered the advantages of the proposed union as exclusively on the side of the Scots, and were unwilling to admit to a participation in their rights, privileges, and national traffic, a race whom they regarded as aliens and intruders, except on conditions which the Scottish commissioners rejected with scorn, as implying the utter extinction of the independence of their country. Nothing less was insisted on than an entire surrender of the ecclesiastical and civil polity of Scotland, and the unqualified acceptance of the religious establishment and municipal laws of the sister kingdom.

The union postponed.

It was thus found impossible to arrive at any agreement as to the basis of a union, which was in consequence indefinitely postponed. Certain conciliatory measures, however, were concurred in, which tended to draw closer the bonds of amity, and by leading to the gradual dissipation of mutual prejudices, contributed to pave the way to that happy incorporation of the two kingdoms, which took place in a subsequent age. It was agreed that all laws and customs having a tendency to perpetuate hostile feelings between the two countries should be abolished, and that the name of "the Borders" should henceforth be discontinued. In accordance with these salutary proposals, James assumed the title of King of Great Britain, ordained that the distinctive names of England and Scotland should no longer be employed in public acts and proclamations, gave orders that all the Border strongholds should be deprived of their outworks, and their gates of iron converted into ploughshares, and withdrew the garrisons from the fortresses of Berwick and Carlisle. His anxious desire to promote at least a feeling of union between the two divisions of the island already united under his sway, was further characteristically manifested by his ordering gold and silver medals to be struck, on which were inscribed the mottoes, "*Quæ Deus conjunxit nemo separat,*"* and "*Faciam eos in gentem unam.*"†

James assumes the title of King of Great Britain.

Privileges of the *post nati.*

At the instigation of the king, the commissioners further proposed, for the consideration of parliament, that the *post nati*, by which term they designated all persons born after the decease of Elizabeth, should be entitled to all the privileges of the natives of both kingdoms; and that the whole people of Great

* Whom God hath joined let no man separate.
† I will make of them one nation.

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Britain should be capable of inheritance in both countries, and equally admissible to all honours, dignities, and offices—with this exception, that until a complete union should be effected, no one should be permitted to hold any situation under the crown, or have any voice in the legislature, save in his native country.* Beyond a few regulations regarding commerce and the admission of the natives of each country into the trading companies of the other, no nearer approach to an incorporating union was practicable at this period. National jealousies and prejudices were still too strong, and the principles on which such a union could be based with safety and mutual advantage were not sufficiently understood.

The union of the two crowns, though ultimately productive of incalculable advantage to both kingdoms, was in the first instance in many respects prejudicial to Scotland. The vast wealth, and consequent power and influence which the king had thereby acquired, enabled him to carry out those projects which he had long meditated for the subversion of the constitution and discipline of the Presbyterian Church, and the establishment of a form of ecclesiastical polity scarcely less abhorrent to the nation than that of popery itself. Whether James had ever been sincere in his professions of attachment to the Scottish Church it is impossible to determine, though there are not wanting facts which might incline us to answer this question in the negative. Though often compelled to yield to the force of circumstances, he was from the first at heart an unmitigated despot. At an early period of his reign he had begun to entertain ideas of the royal prerogative utterly inconsistent with anything deserving the name of civil liberty, and, as he advanced in life, we find him engaged in a constant struggle to stretch that prerogative over the Church, and to constitute himself supreme judge in ecclesiastical as well as civil affairs The system of self-government, as well as the separate and exclusive jurisdiction claimed by the Church, seemed to him incompatible with the very existence of kingly government; and his favourite apothegm of "No bishop, no king," which he often repeated, showed how closely the presbyterian form of church government was associated in his mind with republicanism—of all forms of civil government the most repugnant to his transcendental notions of the rights of kings, and the necessary subordination of the people. Notwithstanding his often reiterated and solemn protestations of inviolable attachment to the Kirk, and his assurances, confirmed by oath and attested by tears, of maintaining to the utmost of his power its privileges and independence, he had scarcely mounted the throne of England when, in an address to his parliament, he openly proclaimed his adherence to prelacy. "At my first coming," he said, "though I found but one religion, and that which by myself is professed, publicly allowed, and by the law maintained, yet I found another sort of religion, besides a private sect, lurking within the bowels of this nation. The first is the true religion which by me is professed, and by the law established." * Nor was this all: he now commenced a system of persecution in Scotland, with a view to the utter extirpation of Presbyterianism from that country,—a system which was pursued with inflexible pertinacity, and relentless violence, through the remainder of his reign; and which, bequeathed to his descendants, for many years deluged Scotland with blood, and, by a righteous retribution, ultimately proved the ruin of his race.

The king proclaims his adherence to prelacy.

The chief events of the next three years belong to another department of this History; but it may be here observed that, in a parliament held at Perth in 1606, the presbyterian constitution was completely overthrown, and the royal prerogative declared to extend over all persons and causes whatsoever, civil, criminal, and ecclesiastical. "The setting up of bishops of new," was decreed, "with their whole livings, rents, privileges, conform to those of old in time of popery, and a confirmation of their new gifts; and the erection of seventeen prelacies in temporal lordships." Concerning the king's prerogative, it was declared, "the estates and whole body of this present parliament all in one voluntary, humble, faithful, and united heart, mind, and consent, truly acknowledge his majesty's sovereign authority, princely power, royal prerogative, and privilege of his crown over all estates, persons, and causes whatsoever within his said kingdom."† Again, in the Act of Supremacy passed by the same parliament, we find the following clause: "The king's majesty, whom the whole estates of this present parliament, of their bound duty, with most heartily and faithful affection, humbly acknowledge to be sovereign monarch, absolute prince, judge, and governor over all persons, estates, and causes, both spiritual and temporal, within this said realm."‡

Overthrow of Presbyterianism.

The oath of allegiance, which was published the following year, though chiefly intended as a safeguard against popish machinations, is so framed as to contain an explicit admission of the same doctrine of ecclesiastical supremacy. That famous document runs thus: "I, —— ——, for testification of my faithful obedience to my most gracious and redoubted James, King of Great Britain, France, and Ireland, defender of the faith, affirm by this, my solemn oath, testify and declare, that I acknowledge my said sovereign only supreme governor of this kingdom, over all persons and in all causes; and that no foreign prince, power, state, or person, either civil or ecclesiastic, has any jurisdiction, power, or superiority over the same. And, therefore, I do utterly renounce and forsake all foreign jurisdictions, powers, and authorities; and shall at my

Oath of allegiance.

* Winwood's Memorials, vol. ii. pp. 37, 38; Craig, De Unione Tractatus, p. 65; MS., Laing, vol. iii. p. 14.

* Calderwood, vol. vi. pp. 252, 253.
† Ibid., p. 495. ‡ Ibid.

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utter power defend, assist, and maintain his majesty's jurisdiction foresaid, against all deadly; and never decline his majesty, his power, nor jurisdiction; by this, my oath, my hand upon the Holy Evangel. So help me God."*

While the country was harassed by persecutions, and distracted by dissensions, arising out of James's pertinacious and violent assertion of prerogative, all its secular interests were on the decline, its manufactures languished, its fisheries were neglected, its incipient commerce seemed on the point of extinction. Nor was this all: an irregular and partial administration of justice had loosened the bonds of society, emboldened great criminals to set the law at defiance, and acted most injuriously on public morality. Hereditary feuds had revived, and had grown to such a height that the proceedings of parliament and the courts of law were frequently interrupted, business was obstructed, and the public peace disturbed by deadly conflicts even in the streets of the capital.† These grievances attracted the notice and awakened the solicitude of the king, who, in a convention of Estates held at this time, recommended the state of the country to the attention both of the nobility and the commons. The intervention of the privy council was, for a time, partially successful in suppressing the public outrages arising from long cherished animosities among the great families and their retainers; but such was the difficulty or uncertainty of obtaining redress from the courts of law, and such were the chances of escaping punishment, even for the most atrocious crimes, that the practice of private revenge, which Lord Bacon has defined to be a species of "wild justice," was gradually superseding the legal tribunals of the country. Sir Walter Lindsay, a relation of the Earl of Crawford, was treacherously assassinated by that nobleman, who, nevertheless, as if he had been guilty of no crime, or had only performed a necessary act of justice, continued to reside openly and without molestation in the capital; until a nephew of the murdered man, taking the law into his own hands, collected a band of armed men to avenge the death of his kinsman, and, in the encounter which ensued, Lord Spynie, another relative of the family, attempting to separate the combatants, was accidentally slain. About the same time, a contest had arisen between the Earl of Morton and Lord Maxwell, each of whom claimed the right of holding courts in the district of Eskdale; and as neither would yield, instead of appealing to a court of law, they prepared to decide the matter in dispute by force of arms. The privy council, however, interposed, and ordered both parties to dismiss their followers, who had already taken the field, and were on the point of commencing the conflict. Morton obeyed; but Maxwell, proving refractory, was, after some delay, arrested and conveyed a prisoner to the Castle of Edinburgh. After a confinement of two months he contrived to make his escape, and, eluding all pursuit, was proclaimed an outlaw. In these desperate circumstances his life was preserved through the fidelity of his friends and followers, but a sense of personal injury still rankled in his bosom, and as, in his present condition, he could obtain no redress from the law, he determined to avenge his own wrongs. Accordingly, he invited the chief of the Johnstons—who had slain his father—to a friendly conference, under pretence of engaging him to intercede with the king to procure his pardon, and having thus got the unsuspecting chieftain in his power, he basely murdered him by shooting him through the back.* Deeds such as these, perpetrated under colour of justice, manifested a radical defect in the administration of the country, and called loudly for the application of some powerful and immediate remedy.

Condition of the country.

Treachery of Maxwell.

But while such was the alarming condition of the central provinces of the kingdom, where a higher civilisation might have been expected, the inhabitants of the northern and southern districts, and the population of the scattered islands of the Hebrides, were still less under the restraints of law, and less accessible to the coercion of the government.

The social condition of the Highlands at a previous period of the History has been already described, and at the period which we are now considering it had undergone little or no alteration. The people of these wild and mountainous regions owned little more than a nominal subjection to the royal authority, at least, the allegiance due to the sovereign was always held to be subordinate to that which they had been accustomed to yield to their hereditary chiefs, who ruled, each over his little sept, with absolute and irresponsible sway, and whose commands were implicitly obeyed, not from motives of fear, but with the ready alacrity of confidence and affection. These petty tribes were at almost perpetual war with each other, and their hostilities were generally carried on with savage and unrelenting cruelty. An affront or an injury to the humblest individual from one of another tribe was held to be an insult to the whole clan—it was never forgotten or forgiven; nothing but blood could atone for it; if not avenged by one generation, the feud was bequeathed as a precious legacy to the next; when force would not avail, no treachery, however base, was deemed dishonourable; and when opportunity offered, the extermination of a whole family, or even a clan, was not considered too great a sacrifice to their revenge. In a state of society in which human life was held so cheap, it could not be expected that the laws of property should be regarded. Accordingly mutual depredations, either by stealth or open violence, were matters of daily occurrence, and the cunning

Condition of the Highlands.

* Calderwood, vol. vi. pp. 495, 496.

† Spottiswood, p. 496; Life of Welsh, p. 5; Balfour's Annals, MS.; State Papers, MS., vol. i. and ii., Advocate's Library.

* Spottiswood, pp. 401, 501; Johnston, pp. 182, 438, 439.

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was equal to the rapacity with which they were perpetrated. But, besides plundering each other, not unfrequently several clans uniting, would descend like a flood upon the wealthier districts of the neighbouring Lowlands, and sweeping away flocks and herds and harvests, would retire with equal precipitancy to the security of their mountains.

An attempt was made to restrain the excesses of these lawless hordes by compelling them to deliver hostages, who should be answerable with their lives for the peaceable behaviour of the clans to which they belonged, for the restoration of property taken by pillage, and the surrender of notorious criminals to the public authorities; but such methods of dealing with semi-barbarous tribes were not easily pursued, and were found to present too feeble a barrier against the outbreak of those fierce passions, which were but little accustomed to either internal or external control. One of the most turbulent of these clans was that of the Macgregors, who made repeated inroads into the district of Lennox, and plundered and massacred the Colquhouns, with whom they had long been at deadly feud. To put a stop to these enormities, a commission was given to the Earl of Argyle to proceed against these sanguinary marauders, and compel them to respect the authority of the law. In this expedition he was joined by the Marquis of Huntley, with a formidable array of armed followers; but no sooner did the Macgregors become aware of their advance, than they fled with their women and children to the most inaccessible parts of the Highlands, and sought for shelter in the caves and forests of these inhospitable regions. Tracked and pursued by Argyle and Huntley, they wandered about for months, subsisting entirely by plunder, until fatigue, exposure, and famine, had thinned their numbers and reduced them to despair. Their chief, finding further resistance vain, at last surrendered to Argyle, on condition of being transported out of the kingdom. The privy council, however, on whom this condition was undoubtedly binding, treacherously "kept the word of promise to the ear, but brake it to the hope." They ordered him to be first conveyed to Berwick, and then brought back to Edinburgh, where he was executed as a rebel, along with seven individuals who had been detained as hostages, but who had not participated in the crimes for which he suffered. In the meantime, the wretched remains of his clan pursued their predatory wanderings through the Highlands, until, at last, Argyle, having discovered their lurking places, fell upon them with such indiscriminating and merciless slaughter, that a band of defenceless orphans were almost the only survivors.* As these grew up to maturity they became a fierce and hardy banditti, who so harassed the surrounding country with their depredations, that, at a subsequent period (1633), the clan itself was abolished, and the very name of Macgregor suppressed and prohibited by act of parliament. This statute was repealed at the Restoration,* revived in 1693, and it was not until so late as the reign of George III. that it was finally annulled.†

Abolition of the clan Macgregor.

The people of the Hebrides, or Western Islands, are represented as still more barbarous than those of the Highlands. This may be partly accounted for from their insular situation, by which they were for centuries almost entirely cut off from all communication with the more civilised portion of the nation, with which they had little more than a nominal connexion, but still more from the adverse influences to which the race had for ages been subjected. Originally a colony of vagrant Irish, they had fallen under the domination of a race of Norwegian pirates, and added to their own original barbarity the still more revolting barbarity of their conquerors, the most ferocious and brutal of mankind. Their territory continued in the possession of the Norwegians for nearly four hundred years, and though ceded to Scotland about the middle of the thirteenth century, little seems to have been done to reclaim the savage islanders, or improve their condition. They are spoken of by historians as a race deficient in religion, morality, and common humanity, and almost incapable of subordination or culture. James himself seems to have entertained the lowest opinion of them, and to have despaired of being able to reclaim them to civilised life. "The Highlanders," he said, "that dwell on the mainland are barbarous for the most part, and yet mixed with some show of civility; they that dwell in our isles are utterly barbarous." ‡

State of the Hebrides.

The project of colonising the islands, as a means of reforming the natives, and introducing among them habits of subordination and industry, had already been repeatedly tried, and had uniformly failed; and James now proposed the expedient of expatriating the most turbulent and unmanageable among them, and supplying their place with more civilised inhabitants. Stornoway was selected as the first field for this new effort. The chieftain of the district was betrayed by his own brothers, and the subjugation of the islanders was effected without difficulty. An attempt was then made to divide and appropriate the island of Lewis, but after some progress had been made the colonists were attacked during the night, their houses were burnt, and they were compelled to relinquish their newly acquired possessions. A succeeding expedition was alike unsuccessful. The colonists, unable to maintain their ground against the ceaseless hostility of the natives, abandoned the project, and returned home.§ At last the islands, with the exception of Lewis and Skye, were offered to the Marquis of Huntley for ten thousand pounds, but he declined giving more

* Johnston, pp. 308—486; Balfour's Annals, MS.; Spottiswood, p. 516; Birrell's Diary, p. 60.

* Laing, vol. iii. p. 53.
† Aikman, vol. iii. p. 337.
‡ King James's Works, p. 159.
§ Ibid.; Johnston, p. 231; Spottiswood, pp. 463, 490, 505.

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than four hundred pounds for permission to conquer possessions of such uncertain tenure.*

Condition of the Borders.

The inhabitants of the Borders, though somewhat more advanced in civilisation, were not less fierce and lawless than those of the Highlands and islands, while their position on the confines of the two kingdoms rendered them much more troublesome and dangerous. Like the Highlanders, they were divided into septs or clans; they were not less devoted to their chiefs; they were equally averse to industry, impatient of the restraints of law, bold, warlike, enterprising, and addicted to theft, robbery, incendiarism, and ruthless violence. Before the accession of James, the mutual depredations and desperate inroads of these savage tribes had frequently endangered the peace between the two kingdoms; but all the efforts of both governments had hitherto failed to eradicate their predatory habits, and subject them to the authority of the law. To effect this the most severe measures were now adopted. The most formidable and notorious offenders were conducted by Buccleuch to the Continent, where most of them were cut off in the Belgic wars; while those who were left behind were almost totally exterminated through the merciless severity of the Earl of Dunbar. The *debatable* lands, as they were called, which had hitherto separated the two countries, without properly belonging to either, and which had consequently become an asylum for criminals of all sorts, were now divided, and a part allotted to each kingdom; and a whole tribe of Grahams, who had rendered themselves conspicuous for their crimes, above all the other freebooters of the Border, were forcibly ejected from their settlement on the banks of the Esk, and transported to Ireland.† By these severities the Border districts were at last reduced to some degree of subordination. The fertile fields, which had been allowed to lie waste, began to be cultivated, and the habits of the people began to exhibit many symptoms of improvement. But the licentious manners and disregard of moral principle which had so long prevailed, were not thus to be rooted out; and it was not until after the Restoration, when the persecuted ministers, who had sought an asylum among the moors and mountains of that part of the country, had introduced among the ignorant inhabitants some knowledge of letters, religion, and morality, that they finally abandoned their lawless habits, and assumed those of civilised society.

The important subject of the union with England was at this time again submitted to the consideration of an assembly of the Estates, who, in deference to the wishes of the king, manifested less reluctance than formerly to carry through that measure, but the English parliament were not so subservient. The discussions which took place among the members of that body showed that little progress had yet been made in estimating the mutual advantages of such a conjunction of interests, or in discovering any rational foundation on which it could rest, and the scheme was accordingly again dismissed as impracticable.

Discovery of a silver mine near Linlithgow.

The profuse habits of the king, which previously to his accession had kept him in a state of degrading indigence, continued unaltered, and at last began to tell with alarming effect even on the rich revenues of the English crown. But, about this time, his hopes of an abundant supply for the relief of his own poverty, and that of the country, became suddenly elevated by the discovery of a silver mine in the neighbourhood of Linlithgow. The specimens first examined were unusually rich, one hundred ounces of ore being found to contain about sixty ounces of the precious metal. James, however, disgusted his Scottish subjects by ordering the ore to be conveyed to London, to be refined in the Tower; and his own expectations, as well as those of the court and the country, were speedily disappointed, as the vein was soon lost or exhausted.* Similar hopes, ending in similar disappointment, were excited by the discovery of gold ore in Crawford Muir. Three thousand pounds were expended on this occasion in mining, and in the processes of extraction, and the result obtained was somewhat less than three ounces of gold.†

Act for regulating the dress of judges and lawyers.

At the period of the Reformation the business of commissary or consistorial courts, which had previously devolved on the clergy, being then deemed inconsistent with their office, had been transferred to civil judges; but in a Parliament held this year, these courts were taken out of the hands of laymen and restored to the bishops, and their jurisdiction was extended to all spiritual and ecclesiastical causes arising within their respective dioceses. At the same time, a frivolous act was passed for regulating the dress of judges, lawyers, magistrates, and clergymen, and his majesty was constituted supreme arbiter in this matter of taste. It was not long before he began to exercise this new function of his kingly office. With the advice and assistance of

"A score or two of tailors,"

patterns were speedily manufactured, and sent down to Edinburgh; and this solemn trifling was no laughing matter for those whom it more immediately concerned,—for the lords of session, inferior judges, advocates, and lawyers of every grade and name, were commanded forthwith to furnish themselves with garments as *per* pattern, under pain of rebellion.

Clerical costume.

The clerical habit appeared a matter of such grave importance as to demand some special explanatory remarks. "Considering," says the act, "what slander and

* State Business, MS., 1607, Advocates' Library.
† Stowe Chr., 819; Johnston, pp. 374, 414, 439, 493; Grotii Hist., lib. xiv.

* Lodge's Illustrations of British History, vol. iii. p. 343; Winwood, vol. ii. pp. 422, 431; Johnston, pp. 432, 454; State Business, MS.
† State Business, MS., Laing, vol. iii. p. 56.

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contempt have arisen to the ecclesiastical estate of this kingdom, by the occasion of the light and indecent apparel used by some of that profession, and chiefly those having vote in parliament, it is, therefore, statuted that every preacher of God's Word shall hereafter wear black, grave, and comely apparel, beseeming men of their estate and profession; likewise, that all priors, abbots, and prelates having vote in parliament, and especially bishops, shall wear grave and decent apparel, agreeable to their function, and as appertains to men of their rank, dignity, and place." That the high court of parliament should thus degrade its important function by a piece of elaborate legislation respecting a matter of costume may justly excite astonishment; but so subservient had that body now become, that there is reason to think the act, if not originally dictated by the king himself, was intended simply as a vehicle for courtly adulation. It concludes thus: "And because the whole estates humbly and thankfully acknowledge that God, of his great goodness, has made the people and subjects of this country so happy as to have a king reign over us, who is most godly, wise, and religious, hating all erroneous and vain superstition, just in government, and of long experience therein, knowing better than any king living what appertains, and is convenient, for every estate in their behaviour and duty; therefore it is agreed and assented to by the said estates, that what order soever his majesty in his great wisdom shall think meet to prescribe for the apparel of churchmen, the same being sent in writ by his majesty to his clerk of register, shall be a sufficient warrant to him for inserting thereof in the books of parliament, to have the strength and effect of an act."

The court of session had originally consisted of an equal proportion of temporal and spiritual judges, but, after the Reformation, churchmen had been declared incapable of holding any civil or judicial office. With the revival of prelacy, the ambition of possessing secular power was not long in making its appearance among the clergy; and, at the request of the bishops, Spottiswood, Archbishop of Glasgow, was appointed an extraordinary lord of session, as a preliminary to the restoration of the court to its primary condition.* The prosecution of this purpose was, however, speedily cut short by the establishment of two new tribunals investing the prelates with a measure of power far beyond what the most ambitious and sanguine amongst them had ever dared to expect. Without the intervention of parliament, and in virtue of his assumed prerogative alone, the king issued a commission under the great seal authorising the Archbishops of Glasgow and St. Andrew's to hold in these cities courts of high commission, similar to the court of that name already existing in England, for the trial of ecclesiastical offences, and with authority to cite before them any individual, to examine into his life, conversation, and opinions on the subject of religion, and to excommunicate, fine, or imprison at their discretion. The powers conferred on the judges of this court were to the last degree arbitrary, from their decision there was no appeal; and so extensive was their jurisdiction over persons of all ranks, churchmen and laymen, that it may with truth be said that the civil, as well as the religious, liberties of Scotland were laid prostrate at their feet. On the translation of Spottiswood to the see of St. Andrew's the two courts were united, and never was an instrument of more grievous and harassing oppression employed by a weak and tyrannical prince.

High commission courts.

On the death of the Earl of Dunbar, the favourite and the chief counsellor of the king, and a zealous and unscrupulous tool of his arbitrary power, the officers of state endeavoured to regain their influence in the councils of their sovereign by the revival of the Octavians—a body of commissioners, eight in number, who, it will be recollected, had formerly been entrusted with the collection and disbursement of the revenues of the crown; but James adopted another favourite, who, though far inferior in abilities to Dunbar, was at least his equal in obsequiousness, and succeeded to more than his influence. This was Robert Kerr, a young man of the family of Fernyhirst, who had at first been a page, and, on his return from his travels, had become the pupil and favourite of the king. He was now created Earl of Somerset, and appointed collector, treasurer, and comptroller of the royal revenues; and very soon he contrived to obtain for himself or his friends almost every office of trust or emolument in the State. His cousin, Sir William Kerr of Ancrum, obtained the command which had been held by Sir William Cranston on the Borders; his maternal uncle, Sir Gideon Murray, was appointed deputy treasurer; and his brother-in-law, Sir Thomas Hamilton, the king's advocate, was first made register, and subsequently appointed to the office of secretary. The ambition and cupidity of Kerr and his friends were viewed by the nobility with disgust and impatience; and these feelings were greatly heightened by the condemnation of Lord Maxwell without trial, and by a sentence pronounced in his absence. That unhappy nobleman, after having long eluded his pursuers, was at length arrested in Caithness, conveyed to Edinburgh, and summarily executed. But although the crime of which he had really been guilty must, if proved against him, have been followed by a capital punishment, he did not suffer for this crime, but for that of wilful fire-raising, which, as it was held to imply a species of treason, was punishable also with confiscation of his large estates. The flagrant injustice of these proceedings alarmed the nobility for the safety of their order, and deepened their indignation against the Kerrs, at whose instigation, and to gratify whose avarice, this ancient and noble family had been attainted and ruined. The next victim was the Earl of Orkney, whose exalted

Rise of Kerr, Earl of Somerset.

Execution of Lord Maxwell.

* Parl., 1584, ch. 133; Calderwood, MS., vol. vi. p. 224.

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rank as cousin-german to the king afforded him no protection against the audacious rapacity of the favourite. Mary had bestowed on her illegitimate brother, Robert Stewart, the islands of Orkney, with the title of earl. His son, who had succeeded to his title and estates, having exhausted his revenues in the erection of sumptuous buildings, and other extravagant expenses, the king meanly purchased a large mortgage with which his estates were burdened; and the unfortunate earl having, after three years' imprisonment, refused to resign his right of redemption, his estates were seized by his royal cousin, and he was reduced to indigence. In this extremity he prevailed on his son, commonly called the Bastard of Orkney, to endeavour by force of arms to recover possession of the Castle of Kirkwall. In the meantime, the earl, having been conveyed to the fortress of Dunbarton, was prevented from taking any active share in this hazardous attempt, which, however, in the end proved his ruin. The castle was reduced by the Earl of Caithness, and the Bastard surrendered on condition that he should not be required to make any explanation tending to inculpate his father.

Execution of of the Earl of Orkney.

This was held tantamount to a confession of the father's guilt. He was arraigned on a charge of treason, convicted, and executed;* and his possessions, which consisted partly of certain episcopal revenues, of which he had received a grant from the crown, were divided between the bishops and the insatiable favourite.

It has been remarked that weak men in power are generally tyrannical. It was so with James; but such was the indolent facility of his temper, that he could easily be induced, through the persuasion of his favourites, to manifest a degree of lenity and indulgence alike inconsistent with his own dignity, and with the demands of public justice. His impolitic leniency to the chieftain of the Macdonalds stands in strong contrast with his severity towards his near relative, the unfortunate Earl of Orkney.

Revolt of the Macdonalds.

About this time, the clan of the Macdonalds had revolted in Cantire, and seized on the Castle of Dunmevege, in the island of Islay.† They were attacked and defeated by the Earl of Argyle, and the only punishment inflicted on them was the transference of their lands to that nobleman. Their chieftain, who had repeatedly resisted and defied the government, and who had been guilty of murder and other atrocious crimes, managed, in the meantime, to save himself by flight; and, in a few years afterwards, was not only recalled and pardoned, but had a handsome pension bestowed upon him.

A short time previous to these events, the Prince Palatine arrived in England with a numerous train, to solemnise his marriage, which had been previously negotiated, with the Princess Elizabeth, James's only daughter; but, in the midst of the preparations for the celebration of the nuptials, Prince Henry, the heir-apparent to the throne, then in the eighteenth year of his age, and a youth of great promise, was seized with a violent fever, which, on the fifth day, terminated fatally. He had been much beloved by the nation, but had become in the same proportion an object of jealousy to his father, and of aversion to his favourites, of whose exorbitant ambition, rapacity, and profligacy, he had often and openly expressed his abhorrence. His known attachment to the principles of the Protestant Church, while it rendered him obnoxious to the Roman Catholics, had greatly endeared him to the professors of the Reformed religion both at home and abroad. A very general belief prevailed at the time that he had died by poison; and the horrid imputation fell at first alternately on his father and on the popish party. History, however, affords no evidence to criminate either; but a dark shade of suspicion hangs over the memory of Somerset,* who had motives in this case sufficiently strong to instigate a mind like his to the perpetration of any conceivable atrocity. Charles I. is said to have assured Colonel Titus that he *knew* his brother was poisoned by Somerset; and, in a letter addressed by Charles to his sister, previously to his accession, he throws out some obscure hints, which seem to have reference to the same circumstance. "I know you have understood," he says, "by our father's secretary's letters, what great changes the poisoning of Overbury has made.† I suspect other matters shall be found out, by the which it will appear that more treacherous purposes were perchance intended against some, and practised against others; but of this you will hear more within a short time." The chancellor, the Bishop of Glasgow, and some others, were dispatched by the council with a message of condolence to his majesty, but ere they had reached Newcastle they were commanded by letters from the king to return home.‡ The court mourning was laid aside with indecent precipitation, and the marriage festivities proceeded with a gaiety apparently unclouded by the melancholy event which had just occurred.

Marriage of the Princess Elizabeth. Death of Prince Henry.

Hitherto the union of the two crowns, so far from conferring on Scotland the commercial advantages expected from it, seemed to threaten with annihilation the little foreign traffic which that country already possessed. Previously to that event, the impost on Scottish merchandise imported into France had been so light as to afford peculiar encouragement to a commercial intercourse between the two countries, while the duties levied upon English commodities

Prejudicial effects of the union on the trade of Scotland.

* Calderwood, MS., vol. vi. pp. 337, 340; Johnston, pp. 486, 493, 505; State Business, MS.

† Calderwood, vol. vii. p. 192.

* Fox, History, 4th edition, p. 9.

† Calderwood, vol. vii. p. 175.

‡ Somerset was tried for this crime and convicted. He was imprisoned for several years, but through the lenitency of the king escaped the last penalty of the law.

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were so heavy as to be almost prohibitory. Now, however, that Scotland was no longer a separate independent state, the French government decreed a new tariff, by virtue of which the tax on Scottish imports was raised to an equality with that which had hitherto been laid on the products and manufactures of the sister kingdom. A similar regulation was adopted in the Low Countries; and in the states bordering on the Baltic, the trade with Scotland was entirely prohibited. No participation in the vastly more extended commerce of England had as yet compensated for these losses, which so seriously affected a large portion of the community that the convention of burghs thought it necessary to memorialise the king on the subject, and solicit his interposition. James, who had been all along anxious to encourage manufacturing industry and commercial enterprise in his native country, listened favourably to their request; but, though some ameliorations took place in consequence of his interference, he did not succeed in restoring the trade of the country to its former channels. He seems to have attached great importance to the fisheries of Scotland as a means of promoting the national prosperity, and suggested various plans for their encouragement and improvement; but, at the same time, with characteristic inconsistency, as well as despotism, imposed by his own sovereign authority so heavy a tax upon herrings that the fishermen, from whom it was exacted with unusual rigour, threatened entirely to abandon their occupation rather than submit to pay it; and so loud were their complaints, that by order of the privy council the tax ceased to be levied.*

The law denouncing the penalty of death against Jesuits and seminary priests was felt to be so inhuman that it had never hitherto been carried into effect; but, at this time, one Ogilvy, a Jesuit, having been apprehended in Glasgow, application was made by the bishops to the king requesting instructions how to deal with him. James, who had not the same motives as in the case of the popish lords to induce him to show leniency to this obscure individual, granted commission to the secretary, deputy-treasurer, and advocate, to examine him and bring him to trial. On his examination, he obstinately refused to name any individuals as his associates; and the commissioners, in order to extort a confession, had the shocking cruelty to cause him to be deprived of sleep for several consecutive days and nights. In the partial aberration of mind which supervened, he was induced to make some disclosures, real or imaginary, which, however, he positively retracted so soon as he was restored by repose to the proper use of his faculties. James, on being informed of his obstinacy, transmitted a series of interrogatories to be put to the accused, which, if explicitly answered, were almost certain to involve him in the guilt of treason, but, at the same time, prohibited the employment of torture to overcome his reserve. He was arraigned before the provost and bailies of Glasgow, as the king's judges in that part of the kingdom.* At a previous examination before the bishops and some members of the council, he admitted his belief in the supremacy of the pope, and his power to excommunicate princes; but when questioned as to the power of the pope to depose excommunicated kings, and to absolve their subjects from their oath of allegiance, and whether it was lawful to murder a king placed without the pale of the Romish communion, he declined to answer, alleging that these were points which the Church had not yet determined, and that neither the king nor his council were competent judges in these matters. This, which was construed into a declinature of the authority of the king and council, was the substance of his accusation; and, as he had subscribed the answer with his own hand, there was no difficulty in establishing the fact. He was accordingly convicted of high treason, and hanged the same day. Various motives have been assigned by historians for this unjust and cruel proceeding, which certainly was not in accordance with James's previous policy in cases of this description. "Some," says Calderwood, who was a contemporary, "interpreted this execution to have proceeded rather of a care to bless the king's government, than of any sincere hatred of the popish religion. Some deemed that it was done to be a terror to the sincerer sort of the ministry not to decline the king's authority in any cause whatever."† Others have imputed it solely to the king's vindictive feelings against one who ventured to dispute the doctrines which he maintained.‡

Cruel treatment of Ogilvy, a Jesuit.

Trial, condemnation, and execution of Ogilvy.

Shortly afterwards another Jesuit, named Moffat, was apprehended and brought to trial; but he scrupled not solemnly to deny every proposition by which he might criminate himself, and was accordingly acquitted and allowed to leave the country; the king declaring, with an affectation of great liberality, that he never would hang a man for his religion.§

About the same time three papists, named Sinclair, Wilkie, and Cruikshanks, were brought to trial on a charge of harbouring Jesuits and hearing mass. They were convicted, and sentenced to suffer death, according to the iniquitous law then in force. On the following day they were brought, with their hands bound, to the scaffold erected at the Cross of Edinburgh, where a vast multitude had assembled; but at the moment when they expected the awful sentence to be carried into effect, a warrant was presented to the magistrates, commanding them to stay the execution, and the culprits were carried back to prison.‖

* Balfour MSS., quoted by Guthrie, vol. ix. p. 20.

* Calderwood, vol. vii. p. 196. † Ibid.
‡ Arnot's Criminal Trials, p. 328; Laing, vol. iii. p. 72.
§ Spottiswood, p. 523.
‖ Calderwood, vol. vii. p. 212.

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Though James, on his leaving Scotland, had publicly promised a triennial visit to his native country, his promise had now remained unfulfilled for nearly fourteen years. His incurable poverty, arising from his own inveterate extravagance, seemed to be the chief cause of the delay. That obstacle, however, was now removed by the acquisition of the large sum of £250,000, which he received for the surrender of the cautionary towns to the Dutch. Before setting out, he sent a message to the council, informing them that his motives for visiting Scotland were "a natural and salmon-like affection, and earnest desire to see his native and ancient kingdom of Scotland," as well as to discharge some points of his kingly office, so far as he might without giving offence to his subjects, in respect to either civil or ecclesiastical matters. He promised that he would do nothing without the approbation of all parties, and that he would hear complaints and redress grievances, if any such existed.* He sent also directions that the palace and the chapel-royal, should be repaired, and that such alterations should be made in the latter as were necessary for the reception of an organ, and the accommodation of the choristers. To decorate the interior of the edifice, wooden statues of the twelve apostles, curiously carved and richly gilt, were sent down by sea, and landed at Leith, under the care of some English workmen, who had been entrusted with the superintendence of the alterations.† These innovations alarmed the people, who regarded them as the probable harbingers of the introduction of popery; and so loud and general were their murmurs and discontent, that some of the bishops, dreading an outbreak of popular fury, wrote to the king entreating him to remove the cause of offence by countermanding his order for setting up the images. James had the prudence to accede to this request, but unwilling to have the appearance of yielding to what he stigmatised as ignorant clamour, he declared that he had done so, "not to ease their hearts, or confirm them in their errors, but because the work could not be properly finished within the time intended."

The king sets out for Scotland.

The king re-entered Scotland on the 13th of May, attended by a numerous concourse of English nobility, clergy, and gentlemen of all ranks, and proceeded from Berwick, at which point he crossed the Border, by slow stages to the capital. He stopped two nights at Dunglass, the seat of the Earl of Home, and one night at Seton, the residence of the Earl of Winton; and on the third day he reached Edinburgh, which he entered by the West-port. Here he was received by the provost, the other magistrates, and the members of the town-council in their robes of office, and by a number of the principal citizens, some of them arrayed in gowns, and others bearing pointed staves.‡ An harangue, which continued for nearly an hour, was made, according to custom, by the town-clerk, in which he complimented the monarch in a style of bombastic and fulsome flattery such as we can scarcely now read without emotions of contempt and disgust. From the West-port the king proceeded immediately to "the Great Kirk," where a sermon was preached by the Bishop of St. Andrew's, and thanksgiving offered up for his majesty's prosperous journey. He was afterwards invited by the citizens to a sumptuous banquet, when they presented him with a purse of gold in a vessel of the same precious metal.* On his arrival at the palace, he was met by the professors and students of the university, who welcomed him in a Latin harangue, and presented him with a whole volume of poems in the same language, composed expressly for the occasion. Similar congratulations were presented to him in every town and university which he subsequently visited—a striking proof of the extensive culture of the classical languages at this period.

His arrival in Edinburgh.

After a brief sojourn in the capital, James made a progress through the principal counties of Scotland. He was everywhere welcomed with enthusiastic demonstrations of loyalty and affection, and, at the different towns and noblemen's seats which he visited, was entertained with princely hospitality and magnificence.

James, who was eminently conceited and pedantic, took great delight in scholastic disputations, in which he might have an opportunity of ostentatiously displaying the acuteness of his intellect, the readiness and brilliancy of his wit, and the profundity of his erudition. On a visit which he made to St. Andrew's at this time he presided at sundry disputations, instituted no doubt for his special gratification, among the members of that ancient seat of learning. He subsequently ordered all the professors of the College of Edinburgh to meet him at Stirling, where a grand debate was held in the chapel-royal within the castle, in the presence of many learned men, and a large assemblage of English and Scottish nobility. The king, though he presided on this occasion, did not omit so rare an opportunity of astonishing his courtiers by an exhibition of his own intellectual gladiatorship. He entered the lists with the debaters, and not satisfied with the distinction of at least appearing to be victor in every encounter, still further displayed his skill by alternately attacking and defending the same propositions. At the close of the disputations he retired to supper; but he afterwards sent for the professors, and discoursed to them at great length on the various subjects which had been under discussion. Having finished his harangue, he proceeded to compliment the disputants individually on the manner in which each had acquitted himself in the contest. These laudatory remarks, which were intended to be exceedingly witty, were mixed up with a series of puns on the names of the profes-

Scholastic disputations at Stirling.

* Calderwood, vol. vii. p. 243. † Ibid.
‡ Ibid., pp. 245, 246.

* Calderwood, vol. vii. pp. 245, 246.

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sors; with which, however they might be regarded by the learned individuals to whom they were addressed, he was himself so much delighted that he ordered them to be rendered both into Latin and English verse. He further testified his respect for the professors by announcing himself as patron of the College of Edinburgh: he gave it the designation of King James's College, and ordered his name to be placed over the gates.*

The principal object of the king's visit to Scotland seems to have been to complete the work which he had begun, of enforcing uniformity in religious worship. He had already succeeded in overturning the presbyterian form of church government, but the mode of worship remained the same. This he now desired to abolish, and to substitute in its place the entire ritual of the English Church. An attempt had been previously made to effect this object, but, at the request of the bishops, it was not persisted in; and James now hoped to be able to accomplish his long-cherished purpose, by procuring the passing of an act which should invest him and his council with nearly absolute power in ecclesiastical affairs.

Meeting of parliament.

Parliament assembled on the 17th of June, when James received a check which he little anticipated from a body that had been most obsequious during his absence. The nobles, indeed, cared little about the innovations he was desirous of introducing into the Church; but the great extension of the royal prerogative, and the growing power and ambition of the prelates, had begun to excite their alarm for the safety of their own order. They beheld with jealousy and apprehension the advancement of a body of men from the inferior orders of the people to an equality of rank with themselves; repined at the favours bestowed on them by the king; and, above all, they began to entertain suspicions that some design was in contemplation of still further extending the power and influence of the Church, by revoking the grants of church-lands, by which many of the nobility had been enriched at the time of the Reformation. After a short sermon by the Bishop of St. Andrew's, and a speech from the king, in which he expatiated on the great desire he had felt to revisit Scotland, that he might "see the Kirk settled, and the country reduced to good order,"† the parliament proceeded to the election of the lords of the articles. Here the barons made their first stand for the maintenance of their independence, and the security of their estates from revocation. They rejected nearly all the candidates recommended by the king, and chose, in their stead, men who were known to be less subservient to the court; and although it had hitherto been customary to conjoin the officers of state with the lords of the articles, their admission was now so violently opposed, and the contest rose so high, that the nobles were on the point of dispersing, and the king purposed to dissolve the parliament.* At length a compromise was made by the admission of the chancellor, the treasurer, and the master of the rolls; and the meeting broke up at a late hour of the night, amid the dissatisfaction of both parties, and in such confusion that the king and Estates, regardless of "the order of their going," and without being preceded, as was customary, by the crown, sword, and sceptre, huddled down to the palace, some in carriages and arrayed in their robes, and others walking on foot.†

Opposition of the nobles to the king.

The lords of the articles, though mostly chosen in opposition to the wishes of the king, were to the last degree obsequious to his will in matters about which they felt personally little concern. Accordingly, they secretly prepared an act, declaring "that in ecclesiastical affairs, whatever should be determined by the king, with the advice of the prelates and a competent number of the clergy, should receive the operation and the force of law." It was easy to see that, as the choice and the number of the clergy to be consulted was thus left entirely to the king's own discretion, this act would naturally invest him with the sole and absolute direction of the affairs of the Church. It was nevertheless, passed by the Estates in parliament; but intelligence of this design having previously reached those ministers of the Church who were still attached to presbyterianism, they prepared a protestation against it, in which they appealed to the law of the Church, established by various acts of parliament; to the reiterated promises of the king to make no innovation; and particularly those contained in his letter, written but a few weeks before, and publicly read by his command from all the pulpits throughout the kingdom. This protest was presented to parliament at the moment when the act was about to become law by the touch of the sceptre. It was impossible for James to proceed without convicting himself of repeated and deliberate falsehood. To avoid, however, the humiliation of yielding to remonstrance, he ordered the act to be withdrawn, declaring it to be superfluous, as by his royal prerogative he already possessed greater power than the act was meant to confer; and he considered it "very prejudicial to his prerogative and power to be bound to take advice."‡ By another article, however, a further step was made towards uniformity, by establishing chapters for the different sees, and prescribing the mode of electing the bishops nominated by the sovereign.§ The promoters of the protest, including Calderwood, the historian of the Church, whom we have so often had occasion to quote, were prosecuted on the charge of presenting "a seditious remonstrance," and punished with vindictive severity.‖

Act prepared by the lords of the articles.

Protestation of the clergy.

Towards the end of July, James began to think of terminating a visit which had disappointed and

* Calderwood, vol. vii. p. 272. † Ibid., p. 250.

* Calderwood, vol. vii. p. 250.
† Ibid. ‡ Ibid., p. 253.
§ Spottiswood, p. 533; Johnston, p. 520.
‖ Ibid., p. 257, *et seq.*

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disgusted the people of Scotland, and was far from proving satisfactory to himself. As he had made his entrance by the east side of the island, he resolved to make his exit by the west. Leaving Stirling, he proceeded to Glasgow, where he remained two days. Thence he advanced to Paisley, and afterwards visited Hamilton, Sanquhar Castle, Drumlanrig, and Dumfries. Here the townspeople testified their loyalty by entertaining him at a public banquet, and after an affecting farewell sermon by the Bishop of Galloway, he recrossed the Borders, and on the same day (the 5th of August) reached Carlisle. During his stay here, intelligence was brought to him that John Brown, admiral depute under the Duke of Lennox, having sailed in one of the king's ships to collect the duties on fish, payable by the Hollanders who fished in the north seas, had been enticed on board a Dutch fishing vessel, and, notwithstanding his having produced the king's commission under the great seal, had been made prisoner and carried to Holland. Indignant at this insult, James sent orders to the magistrates of Edinburgh and other towns on the eastern coasts, to arrest all Dutch vessels found in the British seas, and commit their captains to prison. Similar orders were transmitted to London; and the English ambassador in Holland was directed to make complaint of this outrage to the Estates, and to demand that the offenders should be delivered up for punishment. This affair, however, which at first assumed so serious an aspect, seems to have terminated by the return of Brown shortly afterwards, who reported that he had simply been set ashore on the coast of Holland, and had been suffered to remain unnoticed and to depart unmolested.*

The king's return to England.

About the middle of November, great alarm was excited throughout the whole island by the sudden appearance in the south-east quarter of the sky of a prodigious comet, with a tail extending towards the north-west for forty-five degrees across the heavens. This natural phenomenon was universally regarded as the harbinger of some impending national calamity. Science has now stripped these occasional visitants of the terrors in which superstition was wont to array them; but their connection with coming events of a disastrous kind was then an article of popular belief, from which even cultivated minds were not exempt. "This comet," remarks a grave historian of the time, "by appearance portended the wars of Germany, which began not long after, and continueth yet to this hour."† Others believed that it foretokened the death of the queen, an event which occurred on the 3rd of March following,‡ in the forty-fifth year of her age. Her majesty had been for more than a year in a declining state of health, but it was not until within a few hours of her dissolution that she would believe her life to be in danger. She had accordingly made no arrangements for the disposal of her property, which she now bequeathed verbally to her brother, the King of Denmark. It consisted chiefly of jewels, gold and silver plate, and clothing, and was said to amount in value to about one million pounds sterling.* At the time of the queen's demise, the king was confined by indisposition at Newmarket; but when he and his council were informed of the manner in which she had disposed of her valuable effects, the vessel destined for their conveyance was interdicted from sailing.† Her remains were deposited in Westminster Abbey, on the 13th of May, with great pomp and magnificence.‡ The death of his consort does not appear to have made any deep or lasting impression on the mind of the king. In less than three months, having recovered from his illness, he laid aside his mourning, and we find him making a public entry into London, arrayed in a suite of blue satin, with a white feather in his hat, and riding on a horse gaily caparisoned in the same colours.

Appearance of a comet.

Death of Queen Anne.

At this time the states of Bohemia rose in arms in defence of their liberty and religion, and finally revolted from the house of Austria; but a powerful combination of Roman Catholic princes having been formed against them, they sought to strengthen their position by inviting Frederick, the Elector Palatine, son-in-law to the King of Great Britain, to become their sovereign. Relying on the countenance and assistance of his father-in-law, and of his uncle Maurice, then the ruler of Holland, he at once accepted the offer, and proceeded with the forces at his disposal to vindicate his claim. James, however, contrary to the earnest wish of his English subjects, refused to render him the least assistance. He considered the Bohemians as rebels against their lawful prince, whose authority, founded on what he conceived to be divine right, he regarded as inviolable and sacred. Frederick, who was a vassal of the emperor, by putting himself at their head had become involved in the same guilt. About two thousand English volunteers, however, were permitted to join him, but the result was disastrous. By the unfortunate issue of the battle of Prague, Frederick not only lost the crown of Bohemia, but his own hereditary dominions on the Rhine, and he and his house were reduced to ruin and driven into exile.

Revolt of the Bohemians.

Battle of Prague. Disasters of the Elector Palatine.

Influenced probably as much by the scorn and reproach of his subjects as by affection for his only daughter, James at length made an effort by negotiation to effect the restoration of Frederick to his dominions. With this view he lavished such an amount of treasure on embassies to different courts, that even war itself, while it would probably have been more efficacious as well as more acceptable to the majority of the nation, would scarcely have

* Johnson, p. 284.
† Calderwood, vol. vii. p. 339. ‡ Ibid., p. 351.

* Calderwood, vol. vii. p. 351.
† Ibid. ‡ Ibid., p. 379.

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been more expensive. The exhausted state of his finances at length reduced him to the necessity of applying for relief to the English parliament, but the supply which they voted to him, though liberal, was not sufficient for his reckless extravagance. In this exigency he had recourse to Scotland for assistance by soliciting voluntary contributions from the nobility, the city of Edinburgh, and the College of Justice; but the characteristic caution of the Scots became alarmed lest such grants should form a precedent, and lead to the introduction of the vile system of "benevolences," from which their country had been hitherto happily exempt, and the request was firmly though respectfully declined, on the plea that there was a scarcity of money in the country.* As a last resource, he was recommended to summon a meeting of the Scottish parliament—a step to which he was extremely averse, as he had found the members of that body on a late occasion so unmanageable. All other projects, however, for raising money having failed, he was reduced to the necessity of adopting that expedient, and dispatched the Marquis of Hamilton as his representative, with commission to hold a parliament in Edinburgh.

Meeting of parliament.

Hamilton arrived in the capital on the 18th, and parliament met on the 25th of July. After a short prayer, the reading of a passage of Scripture, and an address by the Bishop of St. Andrew's recommending the tax about to be proposed, Hamilton, as royal commissioner, opened the proceedings in a speech of great length, in which, after many unmerited panegyrics on the king, he represented his majesty's present pecuniary necessities as arising entirely from his constant disbursements for the support of his son-in-law, until, by means of negotiation, that unfortunate prince should be restored to his hereditary dominions; "from his continual sending ambassadors to France, Germany, and Spain, to travel for peace among Christian princes; and his extraordinary aids given to the German princes, to retain them within the band of friendship and alliance."† He affirmed that the king, in giving his daughter in marriage to the Elector Palatine, had been influenced solely by his regard to the maintenance of the Protestant religion, for the sake of which he had refused most tempting offers from some of the most powerful Catholic princes in Europe; and he added "that his majesty sustained and suffered more for the persecutions and afflictions of the Protestants, and for the defence of the Reformed Kirks, than did all the princes of the world besides."‡ He therefore urged them to be liberal in their contributions; assured them, in his majesty's name, that in that case he would not trouble them again with any similar demand; and insinuated for their encouragement "that he had a warrant to give way to a good advice, whereby money might abound in the country after the taxation."§ A subsidy of about four hundred thousand pounds Scots—equal to about thirty three thousand pounds sterling—was granted, but the manner in which it was proposed to be raised met with strenuous opposition. This was by a land-tax, and an impost of five *per cent.* on annual income. The former was agreed to without much discussion, but the latter was warmly resisted by the lesser barons, and particularly by the burgesses, who considered that the inquisitorial nature of the tax would be highly injurious to many persons engaged in business, by leading to disclosures which might injure their credit and occasion their ruin. Many of the noblemen and barons were no less adverse to this part of the scheme; and the commissioner, alarmed by apprehensions of its failure, had the presumption arbitrarily to prohibit them from exercising their undoubted right of assembling together to consult on the measures submitted to parliament before giving their votes; while, in the meantime, he treacherously laboured, through the intervention of pretended friends, to sow discord among them, and prevent them from acting in combination. It was at last agreed that, in addition to the land-tax, an impost of "the twentieth penny," or five per cent., should be levied on interest—a mode of taxation which showed how little the principles of political economy were then understood. To avoid exposing the poverty of the country to the English—among whom it was a favourite topic of reproach—the precise amount of the grant was artfully kept out of view; and poor indeed must Scotland have been at this time, since it was found necessary to spread the collection of a sum so comparatively small over no less a period than three years.*

Articles of Perth confirmed by parliament.

In this parliament the "Articles of Perth," by which the English mode of worship was imposed upon the Scottish Church, were, after a most determined opposition, carried by a majority of twenty-seven, on assurance being given by the commissioner that no farther innovations would be proposed by the king. An important change was also introduced into the mode of electing the lords of the articles. Hitherto the temporal lords had nominated eight of the spiritual, and the spiritual eight of the temporal; while the commons, from their own order, had chosen eight commissioners for the shires and an equal number for the burghs. On this occasion the commissioner artfully managed virtually to throw the whole election into the hands of the king, by a manœuvre so dextrous that it seems at first to have escaped observation. The election, by Hamilton's order, commenced with the bishops, who nominated the temporal peers; these, in turn, nominated eight of the bishops; and the sixteen thus elected chose the representatives for the shires and burghs. By this device, as base as it was subtle, the choice, with one exception,† was confined to individuals who "by a private roll," had been previously selected for

* Calderwood, vol. vii. p. 452.
‡ Ibid.
† Ibid., p. 489.
§ Ibid., p. 499.

* Spottiswood, vol. i. p. 127.
† Sir John Hamilton of Preston.

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their known subserviency to the court.* The dissatisfaction of the populace with the passing of the five Articles was significantly manifested, on the last day of the parliament, by their sullenly remaining within doors during the procession of the Estates from the palace to the Tolbooth, and allowing it to pass through streets nearly deserted. A natural phenomenon, which occurred at the close of the sitting, was regarded by many of the zealous Presbyterians as an evident token of the Divine displeasure against the parliament that had so presumptuously interfered with their spiritual privileges. At the moment when the commissioner, rising from his throne, was about to confirm the Articles by the touch of the sceptre, a terrific thunderstorm suddenly burst over the place; three appalling flashes of lightning, each attended with a tremendous peal of thunder, followed one another in rapid succession; the house became involved in darkness, rendered more perceptible and solemn by the fitful illumination of the electric fire; torrents of rain fell together with hailstones of enormous size; the gutters were swollen into rivulets; and, after a confinement of an hour and a half, the parliament broke up in confusion, and, without the customary "riding in state" or the formality of carrying the regalia, the members hurried home, some in coaches and others on foot, with most undignified precipitation. This day (the 4th of August, 1621) was long commemorated in popular tradition under the name of "the black Saturday."†

The remainder of James's reign was disgraced by a series of harassing persecutions directed at first against the recusant ministers, and afterwards against private individuals. Armed with the authority of the law, and stimulated in their cruel career by the despotic intolerance of the king,‡ the bishops were guilty of atrocities by which Protestantism itself was deeply dishonoured, and which have left an indelible stain on the page of Scottish history. Nor were these the only calamities by which the nation was afflicted at this gloomy period. The harvest was late and deficient, and the price of food rose in consequence so high, as to subject the great mass of the people to unprecedented privations. "There was never seen," says a contemporary writer, "in this country, in so short a time, such inequality of prices of victuals; never greater fear of famine, nor scarcity of seed to sow the ground. Every man was careful to ease himself of such persons as he might spare, and to live as retiredly as possibly he might. Pitiful was the lamentation not only of vaging beggars, but also of honest persons."§ Throughout a great part of the autumn, but particularly in the month of October, rain fell so copiously and continuously that brooks and rivers, overflowing their banks, carried away houses, bridges, men, women, children, corn, and cattle, and in many places laid the country entirely under water. The rivers Tay and Almond rose to such a height that the streets of Perth were completely submerged; much property contained in the lower parts of the houses was destroyed; a stately bridge across the Tay was broken down by the flood; and for five or six days the inhabitants were confined to their houses, or only communicated with each other by means of boats.* A new stone bridge recently erected across the Tweed, at Berwick, was swept away by the weight and impetuosity of the waters on the very day when it was to have been publicly opened by the mayor and magistrates of the town, by the insertion of the key-stone inscribed with the motto sent down by his majesty, "*Hoc uno ponte duo regna conjunxi; Deus diu conjuncta servet.*"†

Sufferings of the people through scarcity of food.

Great floods in Scotland.

Notwithstanding James's recent boast, that from his attachment to Protestantism he had rejected the offers of many powerful Roman Catholic princes who had solicited the hand of his daughter, he was now eagerly courting an alliance with a princess of Spain for his only son, the heir-apparent to the British crown. Among his Protestant subjects in both divisions of the kingdom, but more particularly in Scotland, this proposal excited universal alarm, which was greatly increased by his directing all priests and others who had been imprisoned for their attachment to popery to be immediately set at liberty. In obedience to his command, the lord keeper, in a letter addressed to the judges, informed them that it was his majesty's pleasure they should "make no niceness or difficulty in extending his princely favour to all such papists as they should find imprisoned in the jails of their circuits for any recusancy whatsoever, or for having or dispersing popish books, or hearing mass, or for any misdemeanour which concerned religion only, and no matter of State." The motives which induced the relentless persecutor of the Nonconformists to overstretch the royal prerogative at this juncture, in favour of the Roman Catholics, are too obvious to require to be stated; but, to the great joy of the nation, the detested match, which all this apparent toleration was intended to facilitate, was, after a protracted negotiation, finally broken off; the differences between the creeds professed by the two parties, and the difficulty of obtaining the consent of the pope, having presented insurmountable barriers to its completion.

Unwonted toleration shown to the Roman Catholics.

James, however, who was fully sensible that his change of policy towards the papists had laid him open to grave suspicions, had the effrontery to attribute his conduct to his zeal for the protection of his Protestant brethren in foreign countries. He pretended that he was engaged in a negotia-

* Hailes' Memorials, vol. i. p. 94.
† Calderwood, vol. vii. p. 505.
‡ "The sword," said James, in a letter to the bishops, "is now put into your hands: go on therefore to use it; and let it rust no longer."
§ Calderwood, vol. vii. p. 514.

* Calderwood, vol. vii. p. 513.
† Ibid. "By this one bridge have I united two kingdoms; may God long keep them united."

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tion with the King of France, for securing to the Protestants in that country the peaceable exercise of their religion, and with the King of Spain for the withdrawal of his troops from the Palatinate; and that, in order more readily and effectually to secure these desirable objects, he had thought proper to show the example of granting a limited degree of toleration to the Roman Catholics within his own dominions. These plausible pretexts deceived nobody. On the contrary, their utter disingenuousness disgusted and irritated the public mind, until at length the popular discontent manifested itself in murmurs sufficiently loud to discompose the jealous and overbearing temper of the king, to whom even complaint seemed an attack on his dearly cherished prerogative. He immediately wrote to the privy council of Scotland, haughtily commanding them to apprehend all persons who had the presumption to canvass his acts or impugn his motives, and to visit them with the severest punishment.

Meantime the bishops continued to employ, with such indefatigable diligence and unsparing severity, the sword which had been put into their hands, that the great mass of the people rejected their ministrations; and many began to assemble in private houses, where they enjoyed the instructions of their pastors, who, on account of nonconformity, had been deprived of their livings and driven from their charges. These proceedings excited the jealousy of the bishops, and called forth a fresh outburst of royal wrath. James forthwith issued a proclamation forbidding the holding of such private meetings, and certifying "that if any hereafter shall be duly verified to do in the contrary, in any of the premises, they shall be esteemed and reported seditious, turbulent, and rebellious persons, contemners of our authority, disobedient to the laws of the Church and kingdom, and punished in their persons and goods with all extremity, in example of others."* This was followed by a severe rebuke to the magistrates of Edinburgh for their remissness in punishing such as refused obedience to the laws of the Church, and a peremptory command to all the inhabitants who were of age to attend the communion, and to receive it after the prescribed mode in a kneeling posture. This mandate was enforced by the threat that, in the event of non-compliance, the courts of law would be removed from the capital. This menace, however, failed to produce its intended effect, many of the principal citizens openly declaring that they would prefer seeing the city reduced to ashes;† and the attempt, which was no doubt made first on the capital from a persuasion that, if it could be brought to yield, the example would be followed by the rest of the country, was frustrated by the breaking out of the plague, which induced most of the principal inhabitants to remove from the city.‡

Proclamation against religious meetings in private houses.

* Calderwood, vol. vii. pp. 611—613.
† Ibid., pp. 621, 623, 627, 628. ‡ Ibid.

Even at this early period, the press, that great adversary of arbitrary power, began to give James serious uneasiness. To have silenced it within his own dominions would have been no difficult task, but works printed in foreign parts, particularly in the Low Countries, found their way into the kingdom; and by means of these a spirit of thoughtful inquiry was fostered, and opinions were propagated, which he vainly laboured to eradicate. In these circumstances, James resorted to the coarse expedient still practised by despotic governments engaged in the hopeless task of forging fetters for the human mind. He issued a proclamation setting forth "that there were sundry seditious persons who had written certain pamphlets and books tending to treason and sedition against the king, which were printed in the Low Countries, and were to be brought in Scotland; and, therefore, all magistrates of seaports, customers, searchers, and other officers, to suffer no ships coming forth of the Low Countries to come within harbours, nor any merchant or passengers to come on land, till first the ships were searched for these seditious writs, pamphlets, and books; and that the same be presented to the lords, to be sighted by such as were appointed to that effect." The titles of the proscribed books were not mentioned in the proclamation,* and the selection being thus left to the discretion of the officials, their ungracious functions would be exercised with more or less discrimination and rigour, according to their individual opinions and feelings, or their readiness to signalise themselves as the zealous instruments of a tyrant's will. The publications chiefly aimed at were probably such as related to the subject of religion, as many of the persecuted ministers who had sought an asylum on the Continent still laboured to maintain a communication with their brethren at home, and to encourage them in the midst of their trials. Certain it is, that a day or two before the search commenced several works of this kind had been imported and disseminated.†

Proclamation against the introduction of books printed in foreign countries.

But James's reign, which had thus become a curse to his country, and, as a just retribution, a source of continual disquietude to himself, was now drawing to a close. In the beginning of March, he was deprived by death of his cousin and confidential councillor, the Marquis of Hamilton, for whom he had all his life cherished a sincere affection, and whose loss he now mourned with proportionate sorrow. A rumour prevailed at the time that Hamilton had been poisoned, either directly by the Duke of Buckingham, or at the instigation of that nobleman,‡ who, like most of the unworthy favourites whom James at different periods of life had adopted, was capable of any atrocity. He was, however, never judicially accused of the crime, and the evidence which has been transmitted to us by contemporary historians is too slender to

* Calderwood, vol. vii. p. 629.
† Ibid. ‡ Ibid., p. 630.

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warrant so grave an imputation. James, though by no means an aged man, had been from his birth of a fragile constitution, and, probably beginning now to experience some symptoms of decay, he is reported to have exclaimed, when he heard of the death of Hamilton, "If the branches be thus cut down, the stock cannot be expected to survive long." * The indulgence of such melancholy forebodings may, indeed, have precipitated the final event, but for some months previously his health had been perceptibly declining; and a day or two after the demise of his relative, he was seized with a tertian ague, which, though to a robust constitution not generally a fatal disease, seems to have been an overmatch for his feeble frame, rendered probably a more easy prey to disease by his indulgence, during the latter years of his life, in the luxuries of the table, and particularly in copious potations of spiced wines, to which he was immoderately addicted. After the lapse of a few days, his disease assumed the form of a continued and violent fever, which baffled all the skill of his medical attendants; and after much suffering, during which he spoke but little, he expired on the 23rd of March, in the fifty-ninth year of his age, the fifty-seventh of his reign as King of Scotland, and the twenty-second as King of England. It was generally believed that his death was accelerated by poison, administered by the Countess of Buckingham, and her son, the profligate favourite to whom James had manifested such a blind and undeserved partiality. Circumstances, indeed, had occurred sufficient to account for, if not to justify, such a suspicion. Buckingham and his mother, who were in attendance on the king during his sickness, took upon them, in the temporary absence of the physicians and without their knowledge or consent, to mingle a white powder with the king's drink, and to apply a plaister to his heart and breast. Whatever might be the nature of these pretended remedies, it is certain that James, immediately after their administration, was seized with the most violent symptoms, and from that hour he never rallied. Dr. Egelsham, who had been one of the king's physicians for a period of ten years, having soon after the death of the king retired to Flanders, wrote and published a pamphlet in which he expressly accuses Buckingham of having poisoned, not only the king, but the Marquis of Hamilton, and various others of the nobility. The details given by Egelsham are remarkably circumstantial, and he offers to prove his accusations to the satisfaction of James's son and successor, as well as of the parliament. The publication is entitled "The Forerunner of Revenge upon the Duke of Buckingham, for the poisoning of the Most Potent King James, of Happy Memory, King of Great Britain, and the Lord Marquis of Hamilton, and others of the nobility; discovered by Mr. George Egelsham, one of King James his Physicians for his Majesty's Person above the space of Ten Years." The work consists of two parts, the first being in the form of a complaint addressed to King Charles, and the second in that of a "Petition, or humble Supplication to the Most Honourable the Nobility, Knights, and Burgesses of both the Houses of Parliament." * After a minute and revolting description of the effects of the alleged poison upon the king's body, both before and after death, the petition goes on to say—"Your petitioner needeth to say no more to understanding men. Only one thing he beseecheth, that, taking the traitor—who ought to be taken without any fear of his greatness—the other matters be examined, the accessories with the guilty punished." † The great power of Buckingham, and especially his habits of confidential intimacy with the new king, probably protected him from a public trial. The evidence which has reached posterity affords at least a strong presumption of his guilt, and there is no reason why the historian should fail to record it out of any tenderness to his memory.

Death of James, March 23, 1625.

Buckingham accused of poisoning the king.

James's personal appearance was far from being prepossessing. He was about the middle stature, and, though not corpulent, had the appearance of being so from the peculiar fashion of his doublet, which, as a security against assassination, was quilted, so as to be stiletto-proof. His legs, which had been so weak in infancy that he was seven years of age before he could walk, seem never to have acquired sufficient strength gracefully to support his body; and in addition to this original infirmity he was, especially in the latter years of his life, afflicted in his knees and feet with a species of gouty affection which sometimes deprived him of the power of motion. At the best, his gait was feeble, awkward, and undignified. His habits were slovenly and disgusting. He never washed his hands, but simply wiped the points of his fingers with a wet napkin. Nor was his countenance more gainly than his figure. His eyes, though large, had little expression save that of a suspicious curiosity, and he kept continually either rolling them about, as if in quest of some half-concealed object, or staring out of countenance any stranger who happened to be in his presence. He had but very little beard. His tongue seemed as if too large for his mouth. His utterance was in consequence thick and indistinct, and when he drank, a portion of the liquor usually escaped back into the cup from each angle of his mouth.‡ If this picture be correct, James certainly inherited none of the elegance and beauty which all historians have agreed in ascribing to both his parents.

Personal appearance and habits of James.

Except in a very few particulars, the whole character, habits, and dispositions of James may be pronounced a mass of contradictions. In him were strangely

His character.

* Spottiswood, p. 546.

* Calderwood, vol. vii. pp. 634, 635. † Ibid., p. 638.
‡ Balfour's MSS., quoted by Guthrie, vol. ix. p. 142 Aikman, vol. iii. p. 384.

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Engraved by W. I. Edwards

JAMES I.

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blended apparently opposite and incompatible qualities. He was in no sense of the word either a great man or a great monarch. His intellect, though wisely disciplined by the sage tutors of his youth, never reached mediocrity, but remained essentially puerile to the end of his life. Its deficiencies, however, were not unfrequently supplied by a species of low cunning in which he excelled, and which, with superficial observers, often passed for profound political sagacity. He was naturally timid and irresolute, yet, on various critical occasions he spoke and acted with great resolution and presence of mind. He was vain and conceited, and cherished most overweening notions of his kingly dignity; yet he permitted himself to be governed by the most contemptible minions, whom he selected as favourites, and whom he treated with undignified familiarity. He could discourse with fluency of religious and moral obligations, yet he was addicted to profane swearing; and in his intercourse with others, both on public and private matters, he scrupled not, if it served his purpose, to manifest a shameless disregard of truth and honesty. His constitutional indolence disposed him to be lenient, but his leniency was generally reserved for great offenders, who had endangered his own safety or that of the State; while to their subordinate agents, or even to persons whose only offence consisted in differing from him in opinion, he was implacable and vindictive to the last degree. He was intensely selfish, yet always in poverty through his senseless profusion to unworthy favourites. The great errors of his reign, which during his later years proved a curse to his people, may be traced to the extravagant notions he entertained regarding the extent of the royal prerogative. These notions, imbibed in early life from the unprincipled sycophants by whom he was surrounded, reached a fatal maturity at the period of his accession to the English throne. At that time, the doctrine distinguished by the name of "Divine right" first began to be promulgated, and was openly defended by many of the prelates, who sought in this way to ingratiate themselves into the royal favour. According to this doctrine the king, as the vicegerent of God, is accountable for his actions to the Supreme Power alone; while, as regards his subjects, he is placed beyond the sphere, not only of their control, but of their animadversion: nothing is left to them but unreserved and unconditional obedience—he is supreme and absolute arbiter in all matters, civil and ecclesiastical. These extravagant ideas of the regal power led directly to that train of grievous persecutions, "for conscience' sake," by which Scotland was for many years harassed and convulsed, and which only terminated with the irretrievable overthrow of the house of Stewart.

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CHAPTER XLIII.

ECCLESIASTICAL HISTORY.

A.D. 1583—1603.

Position of the Church after the king escaped from the Ruthven lords.

AFTER the Raid of Ruthven, the Church enjoyed a brief period of comparative peace. The noblemen who had been concerned in that questionable and dangerous proceeding were for the most part favourable to the Reformed doctrines; and, as they needed all the support which they could obtain from every quarter, they manifested the utmost favour to the ministers for the sake of the influence which they possessed over the people.* But a great change took place in the position of ecclesiastical affairs immediately after the king escaped from the hands of the Ruthven lords. The old maxims of government not only recovered their former sway, but they were applied with more unbending rigour than before. Arran was reinstated at the helm of affairs; and the king and his favourite were determined to take vengeance, not only upon the lords connected with the late revolution, but also upon the Church, for the countenance which she had shown to them. It was difficult, indeed, to find any plausible ground for proceeding against the Church as a body; for the General Assembly had declined to express any approbation of the measures adopted by Gowrie and his associates, until they consulted with the king himself, and received from him the assurance that he was pleased with the steps which these noblemen had taken.† But the proceedings and words of individuals were narrowly watched, with the view of finding matter of accusation against some, and of bringing them to trial, and inflicting such punishment upon them as might inspire others with fear.‡

Proceedings against John Durie.

John Durie, one of the ministers of Edinburgh, was among the first whose conduct incurred the displeasure of the court. He had publicly denounced the recent proceedings of Arran, and maintained that the Raid of Ruthven was attended with some beneficial effects. For this offence he was summoned before the council, and treated with all the severity due to a criminal. The king asked him if he considered it a beneficial effect that he had been detained as a prisoner, and that his kinsmen and servants had been seized and separated from him; to which Durie replied, that it was not effects of that kind to which he had referred at all. With the view of compelling him to retract his words, the threat was held out to him that his life should be exacted as the price of his temerity, and that his head should be affixed to the west port or gate of the city. His opinion was asked, as well as that of Lawson, with regard to some new act which had just been passed by the privy council, when they both replied, that as the act in question was altogether civil in its complexion, they, as ministers, had nothing to say against it. This answer immediately gave rise to the rumour that the ministers had yielded to the court; but John Davidson promptly set himself to remove this impression in a discourse upon the character of Manasseh, in which he inveighed with extreme severity against the king and his courtiers. Yet while reproving the king's offences, he maintained that he was acting the part of a faithful friend to him; "for honey," said he, "is sweet, and yet when laid to a sore it biteth vehemently." At length, although Durie seems to have made some modified retractation, it was intimated to him, and to the kirk session of Edinburgh, that it was the king's pleasure that he should retire within nine days beyond the Tay, and confine himself to the town of Montrose.* His son-in-law, James Melvil, mentions that he accompanied him all the way from St. Andrew's to Montrose. While they were crossing a swollen river, Durie's horse lay down under him, and he would have been swept away by the flood, if his son-in-law had not caught him by the neck of his coat, and thus enabled him to seize the mane of his horse, and to wade to land.† This escape was viewed by Melvil as a favourable omen, and he employed it for the encouragement of his dejected father-in-law, assuring him that although now encompassed with afflictions, yet the Lord would, in his own good time, deliver him out of them all.

Andrew Melvil charged with sedition.

Proceedings were also instituted in February against Andrew Melvil, Principal of the College of St. Andrew's, who was charged with having uttered treasonable and seditious sentiments on a fast day during the month of January. The professors and regents of the university, being fully persuaded of his innocence, of which they had ample means of judging, prepared and subscribed an attestation, in which they declare that they had been "continual and diligent auditors of his doctrine," and that they had never heard anything from his lips, either on the recent fast or on any other occasion, which did not tend directly to the glory of God and to the establishment of his majesty's crown. He had always been ready, when opportunities presented themselves, to pray with fervour that the richest blessings of Heaven might descend upon the king; and to exhort all classes of subjects to render obedience, not simply to his majesty, but even to the meanest magistrate acting under his authority. A similar testimony

* *Supra*, vol. ii. p. 284; Aikman's Buchanan, vol. iii. p. 74.

† Calderwood, vol. iii. p. 679; Tytler, vol. viii. p. 179.

‡ Spottiswood, p. 326; M'Crie's Life of Melvil, vol. i. p. 285.

* Aikman's Buchanan, vol. iii. p. 77; Robertson, vol. ii. p. 37; Calderwood, vol. iii. pp. 762, 764; Tytler, vol. viii. p. 181; Bowes' Letter to Walsingham, 29th December, 1583; Spottiswood, p. 329.

† Melvil's Diary, p. 139.

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was borne to Melvil's loyalty by the town-council of St. Andrew's, the kirk session, and the presbytery.*

In presence of the king and his council, Melvil gave an account of the discourse which he had preached on the fast day, and which had been quite distorted by his enemies, with the view of finding matter of accusation against him. The subject handled by him was the address of Daniel to Belshazzar, in which the prophet first reminds that impious monarch of the marvellous dealings of God with his father Nebuchadnezzar, and of the salutary effects which they had produced upon him; and then charges him with having failed to profit by these most wonderful and instructive occurrences, though he was well acquainted with them all.† From the historical incidents thus brought under notice, Melvil had deduced, with a logic which does not admit of question, the general doctrine that it is the duty of ministers to apply examples of God's mercy and judgment belonging to other ages, to the kings, and princes, and people of their own times; and further, he had argued that the more nearly the persons so dealt with are related to us, the example becomes the more applicable, and is deserving of the greater attention. And one of the remarks which he had made, while expounding this part of the subject, was, "that if now-a-days a minister should rehearse in the court the example that fell out in King James III.'s days, who was abused by the flattery of his courtiers, he should be said to vaige‡ from his text, and perhaps he might be accused of treason." With regard to the report which had been brought to the king's ears, that he had said, "Our Nebuchadnezzar—meaning the king's mother—was twice seven years banished, and would be restored again," he utterly denied that any such words had proceeded from his lips, or that any such application of the text had even suggested itself to his own mind. With equal solemnity he denied that either in that sermon, or in any other, he had ever uttered the idea that his majesty had been unlawfully promoted to the throne. On the contrary, he reminded the council that the Church had all along been noted for the faithfulness and zeal with which she maintained the king's authority; and he assured his majesty that, with regard to this point, he had always, both in public and private, maintained the same views, as all with whom he had associated since his return to Scotland could testify. He acknowledged, however, that adverting on the one hand to the fact of Nebuchadnezzar's having succeeded to the throne by hereditary right, and on the other to the statement of Daniel that it was God who gave him the kingdom, he had grounded upon these considerations the general doctrine that, whether kings are raised to their thrones by election, or by succession, or in any other way, their authority is derived from God, although, in the day of their prosperity, they are too much disposed to forget this fact. Illustrations of such forgetfulness he had drawn from the case of good kings mentioned in Scripture, viz., David, Solomon, and Joash, who had all forgotten the God who advanced them, and had all been punished in the course of Divine Providence for their declension. Still he had not made any direct application of this principle to his majesty, but had offered up prayer to the Most High, as was his custom whenever he spoke of the king, that it would please the Lord, of his mercy, never to suffer him to forget the goodness of that God who had raised him in so extraordinary a manner to the throne of his country, when he was but a child in the cradle, his mother being yet alive, and a great portion of the nobility opposed to his advancement.*

Ground of the charge against Melvil.

These explanations and statements of Melvil did not satisfy the council, but they adhered to the purpose of proceeding with his trial. Therefore, after consulting with his brethren, he drew up a paper, in which he embodied all the explanations which had already been verbally given by him, and protested against the course which the council were pursuing. In this document he maintained that, as the accusation against him rested upon certain expressions said to have been used by him in the pulpit, his trial ought, in the first instance, to take place before the ecclesiastical courts, which, both according to Scripture and the laws of the kingdom, were the proper judges of his ministerial conduct. He also argued that as the alleged offence was committed in St. Andrew's, impartial justice required that his trial should be conducted there too. Another of the grounds of his protest was, that as a member of the University of St. Andrew's he was entitled to the benefit of the privilege granted by the king's most noble progenitors to all masters and students of that university, of being tried in the first instance before the rector and his assessors for any fault committed within the university. He craved likewise that he might have the advantage—to which, as a free subject of the realm, he was entitled—of being made acquainted with the name of his accuser; and he added, that if William Stewart† was the individual who had given information against him, he had good ground for objecting to his admissibility as a witness, because it could be proved that he entertained a deadly enmity against him,

Reasons of protest prepared by Melvil.

* M'Crie's Life of Melvil, vol. i. p. 286; Calderwood, vol. iv. p. 6; Spottiswood, p. 330.

† Daniel, v. 17—24.

‡ Wander.

* Aikman's Buchanan, vol. iii. pp. 76, 77; Calderwood, vol. iv. pp. 4—8; M'Crie's Life of Melvil, vol. i. p. 287; Scott's Apologetical Narration, p. 51.

† Stewart was one of the pensioners of the Abbey of St. Andrew's, and had conceived hatred against Melvil on account of his activity in procuring a minister for that town. His conduct on the present occasion procured for him at St. Andrew's the common name of the *Accuser*. (M'Crie's Life of Melvil, vol. i. p. 290; Melvil's Diary, p. 143.)

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and had frequently threatened to do him bodily harm.*

Before these reasons of protest were presented to the council, commissioners from the presbytery and University of St. Andrew's attended, with the view of guarding the liberties of the Church, and securing the privileges of the rector's court. But the council refused to hear them, and therefore Melvil at once determined to present his protest or declinature. When this paper was read, the king and Arran, now chancellor of the kingdom, were filled with such fury that the council were thrown into confusion by their violence, and an alarm spread among those who were waiting without, interested in the proceedings and desirous of hearing the result. But Melvil was so far from quailing before the storm, that his spirit rose with the occasion, and with fearless intrepidity he defended the course which he was taking; and plainly told the king and his councillors that they were guilty of an unwarrantable encroachment upon the liberties of the Church, when they presumed to judge the doctrine and to control the ambassadors and messengers of a King and council greater than themselves. Then unloosing a small Hebrew Bible, which was fastened to his girdle, he threw it down upon the table, and said, these are my instructions and my warrant, see which of you can judge of them, or show that I have exceeded my commission. The chancellor, opening the book, and perceiving that the character was Hebrew, put it into the king's hand, and said, "Sir, he scorns your majesty and council."—"No, my lord," rejoined Melvil, "I scorn not; but with all earnestness, zeal, and gravity, I stand for the cause of Jesus Christ and his Church." Again and again he was removed from the presence of the council, and then brought in afresh, that some new expedient might be employed to break his resolution, and to oblige him to withdraw his declinature. Menaces and fair speeches were alternately tried, but all in vain. His courage wavered not, although he stood quite alone, for his friends and brethren were all debarred from access to him during the proceedings. At length, when it was obvious that he would not submit, William Stewart, whom he had already described as his personal enemy, and as therefore disqualified to appear against him, was introduced as his accuser; and a number of witnesses from St. Andrew's, all of them known as hostile to him, were examined. But nothing could be extracted from them adequate to establish a charge of treason against Melvil: yet he was not set at liberty, although the charge first preferred against him was allowed to fall to the ground. He was pronounced guilty of behaving irreverently before his majesty and the council, and for this offence he was condemned to be imprisoned in the Castle of Edinburgh, and to be further punished in his person and goods as the king might be pleased to appoint.*

The sentence thus pronounced upon Melvil spread consternation among his friends, and all the adherents of the Reformed Church, and it immediately became a question whether he should be advised to seek safety in flight, or to surrender himself to the power of his enemies. While he remained in concealment about Edinburgh, his nephew, James Melvil, waited upon the leading men connected with the court, for the purpose of ascertaining what were the ulterior views entertained regarding him, and whether his life was in any danger. Some of those who were consulted expressed the conviction that no serious consequences were to be apprehended, but others made significant reference to the proverb of the house of Angus—"Loose and living;" and gave it as their opinion, that if he were once within the walls of a prison, he was not likely ever to escape with his life. This more unfavourable view received confirmation from the circumstance, that whereas the Castle of Edinburgh was first named as his place of confinement, Arran afterwards changed it to Blackness, which was a dark and noisome dungeon, entirely in the power of this unscrupulous man. While his friends were in a state of painful uncertainty, averse to lose his services, which were so important to the cause of religion and learning in the land, and at the same time afraid to imperil his life by advising him to remain in the midst of such threatening dangers, Melvil himself became persuaded that flight was indispensable to save him from the machinations of his enemies. His determination was therefore fixed, but concealing his purpose, he appeared among his friends in public, dined in the house of James Lawson with a number of ministers, and conversed with more than his usual cheerfulness. During the course of the evening the macer entered the apartment, and delivered to him the charge to enter into the Castle of Blackness within twenty-four hours. He received the mandate with all respect, but within an hour or two he retired from the company, and meeting his brother Roger by appointment, they left the town, and within twenty-four hours not Blackness but Berwick received them.†

Flight of Melvil into England.

The departure of Melvil from Scotland was felt to be a grievous calamity by his brethren, who lamented that the most learned man in the kingdom should be obliged to seek the protection of a foreign country, and that his native land should be deprived of his invaluable services. Much indignation was expressed against the king and his council for their severity to so distinguished an

Sorrow felt for the loss of Melvil.

* Calderwood, vol. iv. pp. 4—10; M'Crie's Life of Melvil, vol. i. p. 288; Aikman's Buchanan, vol. iii. p. 77.

* M'Crie's Life of Melvil, vol. i. pp. 291, 292; Calderwood, vol. v. p. 10; Melvil's Diary, p. 143; Cook's History of the Church of Scotland, vol. i. 377; Tytler, vol. viii. p. 181.

† Melvil's Diary, pp. 143, 144; Calderwood, vol iv. p. 2.

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individual, and prayers were publicly offered up for him by the ministers of the Church. The public excitement was so great that the king and his council judged it necessary to issue a proclamation, in which they disclaimed any intention of acting with rigour against Melvil, and described his flight as an act of his own, which was altogether unnecessary to the safety of his person.* Yet with palpable inconsistency they passed an act of council ordaining that any preachers, against whom accusations should henceforth be made, should be apprehended without the formality of a legal charge; and it was also declared to be treason to hold intercourse with those ministers who had fled to England.†

How far Melvil's declinature was justifiable.

The conduct of Melvil in declining the judgment of the king and council, in regard to the particular offence with which he was charged, has been keenly canvassed, and condemned by many as tending to the subversion of all civil authority. In particular, it has been identified with the claim, successfully urged at one period by the Romish clergy, that they should be exempted from all civil jurisdiction, whatever might be the offences laid to their charge, and placed under responsibility to the tribunals of the Church alone.‡ The Scottish Reformer, however, restricted his claim to things done or spoken by him in the discharge of his official duties, as a recognised office-bearer of the Church. In regard to his general conduct as a citizen, he considered himself to be directly and immediately amenable to the civil government. This makes an immense difference at the very outset. No doubt, under the pretext of discharging official duties, an individual might propound sentiments, and devise and execute measures, highly detrimental to the well-being of society; and the public safety might require that the strong arm of the law should at once arrest his destructive career. He might carry about rebellion under cover of his official vestments, and his ecclesiastical associates might not be disposed to treat him with the requisite impartiality and severity. Before their slow procedure applied any kind of remedy or check, the most serious consequences might have been extensively developed. This is all quite true, but it does not touch the question, how far Melvil's declinature of the judgment of the privy council in regard to his case was liable to censure. This is not a question to be settled on general principles, but by a consideration of the particular circumstances of the times. Melvil did not decline absolutely and finally the judgment of the privy council. He never insinuated that, whatever he might say or do as a minister of the Gospel, the government had no right to take cognisance of his conduct. He only claimed that, for an alleged fault committed in the pulpit, he should be tried in the first instance by the church courts, and by the authorities in the university; and he grounded this claim partly upon privileges which had been long enjoyed by the university, and partly upon an arrangement which the king himself had sanctioned, that for what was spoken in the pulpit ministers should first of all be tried before their ecclesiastical superiors. It admits of no doubt, therefore, that Melvil was acting in strict conformity with the constitutional principles recognised at the time. He was pursuing a perfectly legal course, and in resisting a prosecution which was designed to crush all liberty of speech, he was certainly entitled to avail himself of every lawful weapon of defence.*

There are great difficulties connected with the question of the boundary lines between the civil jurisdiction and the sacred, particularly in a country where an established church is maintained. It may admit of doubt whether the principle which runs through Melvil's defence, viz., that a minister is entitled to be tried in the first instance by the church courts for whatever is done by him in his official capacity, furnishes the best solution of the perplexing difficulties of the question. But this was not a principle of Melvil's origination; it was already recognised by law, and the king himself had expressly sanctioned it. A much better mode of preventing the two jurisdictions from coming into collision with one another, is to define the kind of causes which the civil courts shall be entitled to take under their cognisance, and those also which shall be assigned to the exclusive management of the ecclesiastical courts; though, even on this principle, there remains a middle ground which hardly admits of satisfactory allocation. In the days of Melvil, civil and sacred things were far more intermingled than they are now. The problem of their disentanglement was forcing itself onwards to a solution. The civil courts laid their hands upon causes of almost every description; and the ecclesiastical authorities also extended their oversight over the whole domain of life; and in these circumstances the plan of allowing the church courts to judge in the first instance regarding everything done by a minister in his official capacity, was perhaps one of the best arrangements that could be made. And at all events, whatever may have been the merits or demerits of the plan, Melvil was not responsible for it; he was taking his stand upon a principle already recognised and sanctioned.

It is proper also, in judging of the case before us, to keep in view the tyrannical spirit by which the court was actuated. They were deliberately carrying out a plan for crushing the liberties of the Church, and bringing all things, sacred as well as civil, under their own immediate control. It was quite ridiculous to ground a charge against

* Spottiswood, p. 330; Calderwood, vol. iv. p. 16; Record of Privy Council, *ult.* Feb. 1583.

† Wodrow's Life of Patrick Galloway, p. 6; MSS. in Bibl. Coll. Glas., vol. ii.; M'Crie's Life of Melvil, vol. i. p. 294; Aikman's Buchanan, vol. iii. p. 80.

‡ Robertson, vol. ii. p. 37.

* M'Crie's Life of Melvil, vol. i. pp. 297, 305; Book of the Universal Kirk, p. 252; Calderwood, vol. iv. p. 6; Principal Baillie's Answer to the Declaration, p. 12.

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Melvil upon any of the statements which he was even alleged to have made in his discourse upon the passage relating to Belshazzar. When such expositions and applications of Scripture were construed into treason, it was high time that a strenuous resistance should be given to the encroachments of arbitrary power. And those who condemn Melvil for the attitude which he assumed on this occasion, would do well to remember that it is to the efforts made by him, and others of similar spirit, that we owe the invaluable privilege of free discussion which we enjoy at the present day. What would be thought of any administration in Great Britain that should now place a minister at the bar on account of such language as was alleged to have been uttered by Melvil? But in those days there was more need of plain speaking from the pulpit on public matters than there is now, because then there was no periodical press. The pulpit combined the functions of the newspaper, and the public religious instructor; there was no other organ through which the general sentiment could find ready expression, and therefore it was of the highest importance that its privileges should be guarded with scrupulous care. Many things of very questionable tendency are tolerated in the newspaper press, because they cannot be checked without endangering that freedom of discussion, whose loss would be a far greater evil than the inconveniences and annoyances referred to. And with reference to the case of Melvil, it should be remembered by those who are disposed to condemn his procedure before the privy council, that the best justification of his conduct, after all, is to be found in the fact that the council could not establish one of the charges which they brought against him. They quite departed from the accusation of treason; and when they condemned him to imprisonment, which it was believed by many was only designed as a prelude to his death, they grounded the sentence not upon the original charge, nor upon the evidence adduced in support of it, but upon the alleged irreverence of the mode of defence which he had adopted. Nothing more oppressive or tyrannical, or more inconsistent with the most common principles of justice, could be imagined.

Feeble stand made by the Church against Arran's projects.

The absence of Melvil from the kingdom removed one great obstacle to the execution of the design which the king and Arran had long cherished, of overthrowing the presbyterian constitution of the Church, and substituting episcopal government in its room. A meeting of the General Assembly was held in April at St. Andrew's, but the number of ministers who attended was, in consequence of the exceedingly troubled state of the kingdom, so very small that they considered themselves incompetent to the transaction of business, and thus their influence upon the state of public affairs was for the time nullified. The king's commissioner, Graham of Hallyards, a man of fierce and overbearing disposition, was instructed to demand from them a reversal of the decision which they had formerly pronounced with regard to the Raid of Ruthven.* But the meeting rapidly melted away, and the few who remained behind declared to the commissioner, that they could not decide so important a question in the absence of so many of their brethren. The smallness of this assembly, and the want of everything like an organised plan for maintaining their rights, must have afforded the utmost encouragement to the court to persist in carrying their despotic purpose into effect. If the assembly had congregated in full force—if they had remained at their post in spite of every danger—if they had boldly avowed their determination to maintain their principles at all hazards, they would have overawed their enemies, and probably have succeeded in warding off the fatal stroke which was destined so soon to lay the fabric of their ecclesiastical polity in the dust.

Character and proceedings of Patrick Adamson.

In the beginning of May, Patrick Adamson, who had been acting as Arran's agent in England, with the view of prepossessing the court of Elizabeth against the Scottish exiles, and against the constitution and discipline of the Church of Scotland, returned to his native land. He was a man of most plausible and deceitful character. His famous sermon on the occasion of the installation of the Bishop of St. Andrew's, in 1572,† coupled with his own acceptance of the same bishopric shortly afterwards, furnished a decisive and palpable index of his selfish and temporising disposition, and his whole subsequent career was in keeping with these discreditable antecedents. At the time of the parliament in Stirling, in 1578, he was openly convicted of double-dealing, and exposed to public shame.‡ And after the Book of Policy was finally adopted by the General Assembly, in 1581, he subscribed it,§ and made professions of great zeal for carrying out its provisions, which so much rejoiced the heart of honest John Durie that he warmly embraced him, and wrote a letter of great length to James Melvil in his favour.‖ Melvil, however, seems not to have been so sanguine as Durie; for although he waited upon Adamson after the reception of Durie's letter, to offer him the right hand of fellowship, yet when Adamson spoke of the motions and workings of the Spirit, James replied, "Well, that Spirit is an upright, holy, and constant spirit, and will more and more kythe ¶ in effects, but it is a fearful thing to lie against him." ** Now, however, Adamson, belying all these fair promises, had lent himself to Arran as an instrument for the overthrow of the very system which he was so deeply pledged to

* Calderwood, vol. iv. p. 37; M'Crie's Life of Melvil, vol. i. p. 307.
† *Supra*, vol. ii. pp. 262, 273.
‡ *Supra*, vol. ii. p. 274.
§ Calderwood, vol. iv. pp. 55—60.
‖ *Supra*, vol. ii. p. 280.
¶ Appear, or become manifest.
** M'Crie's Life of Melvil, vol. i. p. 143; Melvil's Diary, pp. 121, 122.

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uphold; and he had returned to Scotland openly to carry on the work of demolition, for which he had been secretly preparing the way in England.

Overthrow of the presbyterian policy.

In May, a parliament was held, which was conducted in a manner altogether unprecedented, and but too significant of the kind of work which it was intended to perform. No public proclamation of it took place. Only those who were of Arran's party, or from whom no opposition was apprehended, received notice of the meeting. The Lords of the Articles were sworn to secrecy at the commencement of every sitting. The business was all prepared beforehand, and notwithstanding the sweeping character of the measures which were adopted, the meeting was nearly over before the public in general became aware that the legislature had assembled. On the day before the session closed, one of the lords sent notice to a minister in Edinburgh to the effect that, being bound by an oath, he could not disclose the particulars of what they were doing, but this much might be stated in general, that the whole force of the parliament was directed against the Church and its discipline. This mysterious and startling intelligence was communicated to as many of the ministers of Edinburgh and its neighbourhood as could be hastily summoned together; and they appointed David Lindsay, minister of Leith, to wait upon his majesty, and to crave that nothing might be done in parliament prejudicial to the liberties of the Church, until the assembly should first be heard for their own interest. But Lindsay was apprehended before he could enter the gate of the palace, and hurried off to Blackness. Other messengers were then sent to parliament, to protest openly if anything were concluded in opposition to the interests of religion, but they found the doors so closely guarded that they could not obtain admittance.*

The acts passed with so much secrecy, and in utter disregard of the views of those who were most deeply interested in them, overthrew completely the presbyterian form of church government, and established Episcopacy in its room. It was declared to be treason to decline the judgment of the king or his council in any cause whatsoever. All convocations or assemblies to treat of any matter, civil or ecclesiastical, were forbidden, unless his majesty's special licence were first obtained. It was agreed that the order of bishops should be restored, and that authority should be given to them to arrange and settle all ecclesiastical business in the several dioceses: and with the view of securing to the prelates the undisturbed possession of their seats in parliament, it was declared to be treason for any one to speak against the three Estates, or to aim at diminishing the power of any of them. The excommunication too of Robert Montgomery, who sat in this parliament along with Adamson, and aided Arran in carrying out his despotic measures, was annulled, and thus the authority of the Presbyterian Church was entirely set at nought. The fabric which had been erected with so much toil and labour, and whose progress was signalised by so many years of suffering, was overthrown in a day.*

Consternation occasioned by the proceedings of parliament.

These acts, which were commonly designated the Black Acts of 1584, spread consternation through the whole country. Both the manner in which they were passed, and their intrinsic character, equally evinced a settled purpose on the part of James and his advisers, to disregard the views and wishes of the nation, and to set aside all the principles on which the government had hitherto been conducted. Aware of the impression which they were certain to produce, the privy council commanded the provost and bailies of Edinburgh to drag any ministers out of the pulpit who should venture to say a word against them, and to commit them to prison. Undismayed by this threat, Lawson boldly denounced the unconstitutional character of the proceedings of parliament, which so enraged Arran that he vowed to make James Lawson's head, though it were as big as a haystack, to leap from his halse.† And when the acts of parliament were proclaimed at the market-cross, Balcanquhall and Pont, by appointment of their brethren, formally protested against them in the name of the Church of Scotland, as subversive of her constitution and liberties. Orders were immediately issued for their apprehension, but they fled, and, journeying all night, reached Berwick by sunrise.‡ Thus, while the nobles and barons looked passively on, at the proclamation of laws which were alike destructive to civil and religious freedom, the ministers, at the hazard of their lives, and with the certain prospect of being driven into exile, protested against the iniquitous and tyrannical proceedings of the court. And in fact it was the uncompromising character of the presbyterian clergy, their abhorrence of despotism, their uniform practice of placing the law above the will of the prince, which alienated from them the arbitrary mind of James, and made him sigh for a more submissive and courtly order of ecclesiastics. Presbyterianism has generally shown itself the friend of constitutional liberty, alike opposed to the sway of arbitrary power, and the dangerous licence of the multitude.

Proceedings against other ministers.

Besides Melvil, Lawson, and Balcanquhall, many other ministers were obliged to flee into England, in order to escape the tyranny which sought to crush them at home. Lindsay was already in Blackness, where he was confined forty-seven weeks, and others were soon subjected to similar

* Aikman's Buchanan, vol. iii. p. 82; Calderwood, vol. iv. p. 62; Robertson, vol. ii. p. 39; Brown's Compendious History, vol. ii. p. 57.

* Spottiswood, p. 333; Letter of Davidson to Walsingham, 23rd May, 1584; Tytler, vol. viii. p. 201.

† Neck.

‡ Calderwood, vol. iv. p. 65; Aikman's Buchanan, vol. iii. p. 83; Scott's Apologetical Narration, p. 57.

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treatment; John Howison, minister of Cumbuslang, was thrown into the Spey Tower of Perth for refusing submission to Montgomery as Bishop of Glasgow, and for censuring the proceedings of the king and his council. During his examination at Falkland, he declared that never while he lived would he submit to Montgomery; he avowed the belief that there was no other head of the Church but Christ; he expressed the confident hope that a day of deliverance would come; and when asked what he meant to insinuate by speaking of a day of deliverance, he replied, that he thought the present state of the Church was one of bondage and thraldom. Nicol Dalgleish, also, minister of St. Cuthbert's, was brought to trial on the charge of praying for rebels, and holding correspondence with them.* He confessed that he did pray for his exiled brethren, but argued that he saw nothing wrong in this; and he acknowledged that he had perused a letter from Balcanquhall to his wife, in which friendly regards were sent to him. On these grounds he was declared guilty of treason, and sentence of death was pronounced upon him. This outrageous sentence was not indeed carried into execution; but the gallows was erected, and allowed to continue standing for several weeks within sight of the prison windows.†

Procedure of the court with regard to a letter from Lawson to the church in Edinburgh.

In June a letter reached Edinburgh, written by Lawson and Balcanquhall, to the session and members of the church there, with the view of explaining the reasons of their departure from Scotland, and also of exhorting them to continue steadfast in the faith under their present trials. This letter having been betrayed into the hands of the court, the Bishop of St. Andrew's was commissioned by the king to prepare a reply to it, in the name of the kirk of Edinburgh, which they were urged to subscribe and transmit to England as their own answer. This document repudiated the authority of the absent ministers; censured them for their contemptuous treatment of the proper and necessary laws which had been enacted by parliament; and expressed the purpose of resting satisfied with such good and quiet-spirited pastors as his majesty might be pleased to provide for them. "In respect of the aforesaid causes, we, by these presents, discharge ourselves from you, esteeming ourselves no longer your flock, nor you any more our pastors; and we thank God, the revealer of secrets, that he hath made you manifest to your shame, and relieved us of wolves instead of pastors."‡ Some few individuals did append their names to this supposititious paper; but although Arran came from Falkland to Edinburgh for the very purpose of urging on the subscription of it, the majority of the people refused to put their names to what was so contrary to all their most cherished convictions.* On account of this obstinacy they incurred the severe displeasure of the court. Eleven of the elders and deacons were summoned to Falkland, and charged with treason for receiving, reading, and concealing letters sent to them by their ministers. John Blackburn being asked why he would not subscribe the reply, answered, because it was opposed to the Word of God and his conscience, which drew from the king the mocking exclamation, "We have gotten a scripturer!" All efforts to induce him to subscribe proving ineffectual, he was kept in irons for six days, and then put into confinement in Dunfermline.

Notwithstanding the efforts thus made to procure subscriptions to the reply prepared for transmission to England, only sixteen individuals could be prevailed upon to adhibit their names to it;† and after being signed with such reluctance and so sparingly, it was transmitted to the ministers as the answer of the church to the pastoral letter. When it reached its destination, it filled the exiled brethren with the profoundest sorrow. Lawson, in particular, who was a man of sensitive disposition, and deeply lamented the necessity of leaving his flock, was so much affected by their seeming apostacy, and the thought of their having repudiated him, that he fell into a malady of which he died at London during the autumn following.‡ Before his decease, however, he concurred with Balcanquhall in writing a rejoinder to another reply, which Adamson most officiously took upon himself to send to the letter addressed by them to their flocks in Edinburgh, in which they handled him with cutting sharpness and severity. They also wrote a reply, to what may be designated the forged answer from the church in Edinburgh, in which they expose with much eloquence and force the unfair representations which were given alike of their conduct, and of the bearing and tendency of the late acts of parliament. "If all doctrine from the pulpit shall be controlled by the court, where shall be found a free speaking of the truth and liberty of the Word, wherewith the Lord blessed Scotland in time by past? If all judgment in ecclesiastical sessions may be stayed, suspended, and made null, by those who are not called to the spiritual government, but to civil administration in the commonwealth, what place shall be left to discipline, repentance, and removing of slanders from amongst the Lord's inheritance? If elderships, provincial, national, or general assemblies, which were the only bridle to vice in our country, and all ecclesiastical conventions shall cease, the staff of beauty is broken in thee, O thou afflicted Kirk of Scotland! thy ornament is taken from thee, and, under colour, thou mayest be spoiled speedily of the liberty of convening to hear the Word of truth. If the jurisdictions that remain be devolved into the hands of bishops, the deadly enemies of the most sincere preachers—if they shall receive presenta-

* Calderwood, vol. iv. pp. 146, 147, 236, 244.
† Spottiswood, p. 336; M'Crie's Life of Melvil, vol. i. p. 314.
‡ Spottiswood, p. 334.

* Calderwood, vol. iv. pp. 122, 123.
† Spottiswood, p. 335.
‡ Miscellany of the Wodrow Society, vol. i. p. 449.

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tions, give collations, admit and depose ministers, reform colleges, and use their tyrannous empire as they list above their brethren, what place shall be to good men? Hirelings and corrupt teachers must abound. O ye of our flock, who hath bewitched you, that ye should call the deep counsels of Satan profitable and necessary laws of the country? O would to God we had liberty to speak to you from the stool of truth. But since the Lord hath plucked us away from you, our very absence preacheth unto you, and if ye saw our tears for your blindness, they would wound you.* Awake out of your deadly sleep; seek for remedy in time; repent that you have given your consent, lest ye be guilty of the crime and participate of the plagues which hang over the heads of those who wilfully have run this course against the majesty of the great Judge of the world."

Adamson created Archbishop of St. Andrew's.

In accordance with the late acts of parliament, Adamson was once more elevated to the episcopal office by his majesty, under the designation of Archbishop of St. Andrew's, and empowered to convene synodal assemblies of the ministers, to plant kirks, to give admission and collation of benefices to qualified persons, and to depose all whose life or doctrine he might judge to be immoral or unsound, and generally to do whatever was understood to appertain to the episcopal function.† And with the view of securing universal submission to the new order of things, a bond was prepared, to be subscribed by all ministers and masters of colleges and schools, in which promise was made of submission not only to his majesty, but also to all bishops or commissioners whom his majesty might appoint to exercise spiritual jurisdiction; it being at the same time expressly declared that disobedience should infer the forfeiture of benefices, livings, and stipends.‡ Some of the ministers agreed without much opposition to affix their names to this document, but the great majority of them decidedly refused. The recusants were summoned before the king and his council, and the question was put to them why they dared to refuse submission to the late acts of parliament.§ They replied that they believed them to be repugnant to the Word of God. And in a written document, which some of them prepared to exhibit what they considered the scriptural view of the subject, they object to the titles of archbishop and ordinary as unwarranted by the Word of God, and grounded only on the pope's decrees and the canon law. They affirm that it is quite opposed to the Word of God for one man in the ministry to claim superiority over his brethren. "For the word bishop just means an overseer of the flock of God; and this office is the same as the office of ministers, who are all overseers of the flock of God. This is proved by the admonition of St. Paul to the elders of Ephesus, whom he styles ἐπισκόπους in Acts xx.; and in the Epistle to the Philippians he saluteth as bishops all the pastors. In Titus he writeth that he should constitute elders throughout the cities of Crete, and immediately afterwards he calleth them bishops, whence it is plain that elders and bishops are in Scripture the same. So if those bishops who now move your majesty to alter the order of the Kirk formerly established, would make the Word of God the judge, as it should be in matters of religion, we doubt not that our cause would triumph. But they leave the Scriptures and flee to consuetude, alleging it to be an old custom for bishops to be superior to presbyters; and we deny not that this is an old error, but we deny that it should, therefore, now be retained in the Kirk of God, for an evil consuetude becomes worse the older it grows."*

Deceptive clause introduced into the bond.

When all efforts to break down the resolution of the ministers proved ineffectual, Adamson, with that art and duplicity for which he was so remarkable, proposed to meet their scruples by inserting into the bond the ambiguous clause "according to the Word of God, or agreeing with the Word of God."† Such a phrase, with the views which they entertained, really made the document self-contradictory, but it had the effect of introducing division into their ranks. Some of them allowed themselves to be deceived by this contrivance, and under the impression that they were only assenting to such things in the bond as were agreeable to Scripture, they appended their names to it. Of this number were Craig, Duncanson, and Erskine of Dun, who imagined that their subscription implied no approbation of the recent acts of parliament, nor of the episcopal function, but simply bound them to obey his majesty according to the Word of God; and their example, as well as the efforts which they made to give currency to this view, prevailed upon many who had at first refused to append their names.‡ There were numbers, however, whose acuteness and integrity would not allow them to be blinded by such sophistries, who persisted in refusing to subscribe the bond. And, to the honour of the presbytery of Ayr, in particular, it is recorded that they expressly condemned the acts of parliament, by which the government of the Church was overthrown, as contrary to the Word of God, for which courageous procedure they were punished by being deprived of their stipends.§

The late acts of parliament, by which the reli-

* Calderwood, vol. iv. pp. 99, 100.
† Melvil's Diary, p. 200.
‡ Calderwood, vol. iv. p. 209; Spottiswood, p. 336; M'Crie's Life of Melvil, vol. i. p. 314.
§ Melvil's Diary, p. 199.

* Calderwood, vol. iv. pp. 214, 215.
† This clause is described by James Melvil as making *manifestam repugnantiam in adjecto*—as if one should say, he would obey the pope and his prelates according to the Word of God. (Diary, p. 199.) And Carmichael says, in a letter of the 4th of March, 1586, to his father-in-law, that the Koran might be subscribed on the same condition. (Wodrow Miscellany, p. 441.)
‡ Miscellany of the Wodrow Society, vol. i. p. 432.
§ Scott's Apologetical Narration, p. 52; Calderwood, vol. iv. pp. 219, 246, 351; Spottiswood, p. 336; M'Crie's Life of Melvil, vol. i. p. 315; Hume's Letter to Carmichael, March 20, 1585.

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gious institutions of the country were overthrown, were so generally condemned, and the scruples, even to give a modified acknowledgment of their authority, were so great that the court judged it advisable to issue a declaration in the king's name with regard to the ground and object of them. Adamson, who had taken a leading part in drawing them up was entrusted with the preparation of this document also. It was issued in January, and was widely circulated in England, where it had great influence in modifying the views which were taken of Scottish affairs.* It was put together with much skill. It spoke in the most laudatory terms of the king's character, of his wisdom and learning, and of his desire to maintain the Gospel of Christ in all purity. It disclaimed the idea of making his majesty the head of the Church, and acknowleged that this honour belongs exclusively to the Son of God; but, at the same time, it affirmed that as the king was the principal member of the Church, the responsibility devolved upon him of providing that God should be glorified, and true virtue maintained. This function of the royal name, it was alleged, certain ministers in seditious and factious sermons had called in question, and particularly one named Andrew Melvil, an ambitious man, of a salt and fiery humour, who had usurped the pulpit of St. Andrew's without a lawful calling, and had attempted to inflame the hearts of the people by odious comparisons of his majesty's progenitors and council. And it was stated that the conduct of the said Melvil in declining his majesty's judgment, with regard to the doctrine which he had taught in the pulpit, was the occasion which had led parliament to affirm that the royal authority extended to all causes, civil and sacred. This enactment, however, was not to be understood as intimating that the king designed to abrogate the lawful and ordinary authority of the Church. It was his majesty's purpose that as there are justicers, constables, sheriffs, provosts, bailies, in temporal matters, so there should be synodal assemblies convened by bishops or commissioners twice in the year, for the purpose of judging in matters belonging to the ministry and their estate. Accordingly, another act of parliament had discharged all judgments ecclesiastical, and all assemblies not allowed by his majesty. The object of this act was to abolish the form lately invented in the land called presbytery, in which the ministers of certain bounds, accounting themselves all equal, and associating a number of laymen with them, usurped all ecclesiastical jurisdiction, and altered the laws at their own pleasure without the knowledge of the king and parliament, a procedure unexampled in any country governed by a Christian prince. As an illustration of the inconveniences which had ensued to the king and his government from the authority of presbyteries, the circumstance was introduced and enlarged upon, that on a day when the authorities of Edinburgh were giving an entertainment to the French ambassador, the ministers proclaimed a fast, and thus interfered with the honour which his majesty intended to do to his ally the King of France. And the same act which effected the subversion of presbyteries was designed also to abolish the General Assembly, which was described as an assemblage of ministers from various presbyteries with some gentlemen, who acted upon no fixed principles, but took upon them to alter laws by a plurality of votes. Among the misdeeds of the assembly was mentioned the circumstance that, although at one period they had agreed that the estate of bishops should be maintained during his majesty's minority, and had acted upon this agreement for many years, yet they had become more hostile to the order, and had ultimately abolished it in their own pretended manner, forbidding that any more bishops should be appointed for the future. In the room of bishops they had for a time appointed commissioners, whom they had wished to send to parliament as the representatives of the spiritual estate. One consequence of these changes, it was said, was that whereas under episcopacy his majesty might select the most godly, learned, wise, and experienced of the ministry to take part in the counsels of the nation, he would, according to the assembly's plan, be under the necessity of accepting such as the multitude, by the vote of the most unlearned, should be pleased to appoint. In the end, too, they had dispensed with commissioners, visitors, and superintendents; and there was every appearance that they could not be kept from making continual changes in the commonwealth, to the great detriment of the public interests. A prominent place also was given to the approbation which the assembly had expressed with regard to the Raid of Ruthven, which was described as a matter with which they should not have meddled at all. For all these reasons it was represented, his majesty was under the necessity of subverting the presbyterian form of church government, and re-establishing the order of bishops, and great benefits were expected to accrue from this change. "As it becometh his majesty (as Eusebius writeth of Constantinus the Great) to be a bishop of bishops, and universal bishop within his realm, in so far as his majesty should appoint every one to discharge their duty; so his highness cannot, his country being large and great, take him to every minister that may offend or transgress against duty, or quarrel with the whole number of the ministry: but it behoveth his majesty to have bishops and overseers under him, that may be answerable for such bounds as the law and order of the country hath appointed to every one of them. And they, having access to his majesty's parliament and council, may intercede for the rest of the brethren, propone their griefs unto his highness, and receive his favourable answer. The which form doth preserve a goodly harmony, unity, concord, and peace

Authoritative declaration as to the purpose of the late acts.

* Wodrow Miscellany, vol. i. p. 473.

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in the estate, and a solid order in the Kirk; as, contrariwise, the pretended equality divideth the same, and, under pretext of equality, advanceth and enricheth the most crafty and subtle dealers."*

Character of Adamson's declaration.

This document was drawn up with consummate skill and plausibility, but it is full of sophistry and misrepresentation. It accuses Melvil of absolutely declining the king's authority, while he was guilty of no such rebellion. He only claimed a privilege which had been conceded by special agreement to ministers and professors, of being tried in the first instance before their brethren for offences committed in the discharge of their official duties. It blames the assembly for approving the Raid of Ruthven, which was pronounced treasonable by the king and his council. But it is not stated that at the time when the assembly expressed their approbation of it, it was commended by the king himself, and declared to have rendered good service to the country; and, in fact, it was this declaration of the king's views which led the assembly to pronounce an opinion upon the subject at all. And with regard to the allegation that the principles of episcopacy enable the king to appoint the most godly, pious, and learned men to office in the Church, whereas presbytery introduces those who may happen to gain the suffrage of a majority, it proceeds upon the supposition that civil rulers are always far more likely to consult wisely for the interests of piety and religion, than the members and office-bearers of the Church can be expected to do.

Andrew Melvil's answer to the declaration.

The sophistry of the declaration penned by Adamson, and issued in the king's name, was ably exposed by Andrew Melvil. Passing over all that related to himself, he subjected the general principles laid down in the document to a most searching scrutiny. The several intentions said to have been cherished by his majesty in the late proceedings of parliament are examined one by one, and their inconsistency with facts and Scripture is clearly and forcibly pointed out. "The ecclesiastical and civil jurisdictions which Christ hath separated are now confounded, and a new popedom is established in the person of the king; that he being chief judge in all causes and controversies, and having absolute power to determine, may put up and throw down religion at his pleasure. For why? First the ecclesiastical jurisdiction given by God to his Church is transferred, by the usurped authority of the prince, to the bishops who are his own creatures. Next, this jurisdiction is not granted to them as to the Church, but as to the king's councillors or commissioners, the king being the head from which the power floweth. Thirdly, this jurisdiction is so limited that from the bishops, appellations may be made to the king and his council as chief judge, to give definitive sentence in the same at his pleasure, and to correct the bishops as he thinketh good." †

* Calderwood, vol. iv. pp. 255—264.
† Ibid., pp. 283, 284.

Another answer to Adamson's declaration.

Another reply was given to Adamson's elaborate paper, which is commonly supposed to have been the work of James Melvil. It is composed in the form of a dialogue; Zelator, Temporizer, and Palemon, being the speakers. Zelator condemns the proceedings of the late parliament, and defends the privileges and liberties of the Church; Temporizer takes the opposite side; and Palemon occupies the place of umpire between them. Temporizer condemns the conduct of Andrew Melvil, in declining the judgment of the king and his council. Zelator's reply is, that to question the competency of a court to proceed with a particular case, is a totally different thing from denying the authority of government. "Such declining is not a new thing. Falleth not that forth almost every day before the secret council. Declined not Mr. John Cramond, within twenty days after Mr. Andrew's diet, the king and council as judges competent for exhibition of the heretrix of Badravill, and he was never charged with declining his majesty's authority."* Temporizer excuses the prohibition of the meeting of ecclesiastical courts on the ground that they have not been absolutely interdicted, but only made dependent upon the king's licence. "A fine shift," replies Zelator, "you make it lawful to his majesty, who is a Christian prince, to restrain the liberty which God has given to Christians. But if there arise a prince who is not settled in religion, he will say it is as lawful to me to discharge *simpliciter*, as to my predecessors to restrain. Now say, in your own conscience, what an unhappy thing this granting of licence is. What mouth without blasphemy dares to say that, although God hath commanded this or that, you are not to do it without special licence."† Temporizer brings into view the conduct of the ministers in regard to the banquet given to the French ambassador. Zelator maintains that the representation made in Adamson's paper was quite unwarranted. It was the council of Edinburgh and the kirk session who alone had anything to do with the business; and neither the Church as a body, nor even the presbytery of Edinburgh, were at all implicated in the matter.‡

Return of the banished lords, and overthrow of Arran's power.

Meanwhile the tyranny of the government was becoming every day more intolerable. The leading ministers being all in exile, and most of the others having signed Adamson's fallacious bond, there was no efficient check to control the arbitrary designs of Arran.

* Calderwood, vol. iv. pp. 301, 302.
† Ibid., p. 303.
‡ Dr. M'Crie says that Adamson's declaration deserves particular notice as the original of those misrepresentations of Scotch affairs which prevailed so long in England, and are not completely removed at this day. By means of some of Arran's agents it was reprinted in London, with a preface more odious than itself. Being published in the name of the king, it was embodied in Hollinshed's Chronicle as an authentic document, from which it continued to be quoted and copied and reprinted, after James had disowned it, and Adamson had retracted it as an unfounded and slanderous libel. (M'Crie's Life of Melvil, vol. i. pp. 319, 320.)

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Even the wives of the ministers became the objects of his dislike and persecution. Two of them having written an answer to a letter of Adamson's addressed to their husbands, in which they handle the archbishop's publication with no little severity and with admirable skill, his grace threw down the pen which he had been the first to take up, and directed against them the sharper weapon of a royal proclamation. They were commanded instantly to leave their manses, along with their families, under pain of rebellion. And certain other matrons also, who had called in question the propriety of the late acts of parliament, were charged to remove from the capital, and to retire beyond the water of Tay, "till they gave further declaration of their good disposition." Neither age, nor sex, nor character, furnished any protection against the oppressive and tyrannical measures of Arran. The whole country was filled with disgust at his arbitrary conduct. Even the leading men about court, who had enjoyed his favour, began to cool in their attachment to him, and to prepare for a change which they saw was inevitable. And the king himself, it is supposed, was growing impatient of the influence which the favourite had long exerted over him. In these circumstances, the noblemen who had been living for a time as exiles in England met on the Borders by concert, and with Elizabeth's permission, and entering Scotland, they marched with a continually augmenting train of followers to Stirling, which they entered almost without resistance. After a brief negotiation, they were admitted to favour by the king, who promised to be governed by their advice and council in time to come; and Arran fled from the vengeance which he had too much reason to apprehend would be inflicted upon him.*

Effect of the change of administration upon the Church.

This change of administration was upon the whole beneficial to the Church. The ministers who had fled to England from oppression at home were restored to their places, and full liberty was granted them to resume their labours among the people. But when they craved the abrogation of the tyrannical statutes of 1584, and reminded the nobility of the promises which they had given before leaving the south with reference to this point, they found to their sore disappointment that the interests of religion were likely to be sacrificed to the more clamorous demands of private ambition. The lords did not question the importance or justice of the changes which the ministers were solicitous they should effect, nor did they deny that they had pledged themselves to make an effort for their accomplishment; but they argued that, as the king was strongly attached to episcopacy, and felt his honour implicated in the support of the statutes complained of, it was altogether inexpedient to press him at present for a change. Let them have time to gain his affections, and to consolidate their power, and then they should be able, and would show themselves willing, to procure for the Church all those alterations which might be judged requisite or desirable. It was hardly to be expected that these excuses and professions could appear satisfactory to the ministers. They saw that the noblemen had employed the grievances of the Church as a means of advancing their own ends; but that now, when they were restored to honour and power, they were not disposed to make sacrifices for the remedy of evils which did not touch themselves.*

Meeting of the Assembly at Dunfermline and Linlithgow.

Parliament was appointed to meet at Linlithgow in December; and as it had been customary for the General Assembly to hold a meeting immediately before parliament, with the view of considering what points it might be requisite or desirable to bring under the consideration of the supreme authority in the nation, it was determined that an extraordinary meeting of this body should take place at Dunfermline in the end of November. But when the brethren repaired thither from all parts of the country, they found the gates of the town closed against them, by an express order, as the provost alleged, from his majesty.† A brief meeting was held in the fields, at which it was agreed that they should adjourn to meet again at Linlithgow, a few days before the opening of parliament. But when they gathered together once more, and proceeded to business, it soon became apparent that the hopes which they had built upon the recent change of administration rested upon a foundation of sand. They quite failed in securing attention to their demands. This was owing mainly, no doubt, to the indisposition of the court to yield to their wishes; but their influence also was much weakened, in consequence of a division which sprang up among themselves, with respect to the subscriptions appended to Adamson's bond. James Gibson, having preached a sermon in Edinburgh, in which he condemned the conduct of the subscribing ministers, Craig, who had both subscribed himself and made zealous efforts to induce others to do the same, took up the subject in a discourse preached at Linlithgow before the members of parliament, and not contented with defending what he had done, he warmly censured the conduct of the ministers who had fled to England; and, contrary to the principles formerly maintained by him, he exalted the authority of the king to the highest pitch.‡ It appears from the record of a conference between the Earl of Angus and Hume of Godscroft, that Craig maintained the duty of submission to kings, whatever might be the enormity of their wickedness, or the oppressiveness of their tyranny. The whole body of their subjects were bound to obey

* *Supra*, vol. ii. p. 212; Calderwood, vol. iv. pp. 381, 391; M'Crie's Life of Melvil, vol. i. pp. 325, 327; Robertson, vol. ii. p. 68.

* Calderwood, vol. iv. pp. 448, 449; Miscellany of the Wodrow Society, p. 438; Hetherington, p. 52.

† Scott's Apologetical Narration, p. 53.

‡ Aikman's Buchanan, vol. iii. pp. 100, 201.

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until God, in his providence, was pleased to send deliverance, either by changing the tyrant's disposition, or by removing him from the earth.*

Interview between the king and some of the ministers.

Although this unseasonable dispute was brought to an amicable termination by the interference of some of the wiser brethren, yet doubtless the very existence of it would encourage the king to persevere in the arbitrary course upon which he had entered.† Repeated interviews took place between his majesty and some of the ministers, at which he censured them with extreme severity, and they also expressed their feelings to him with no small measure of freedom and even acrimony. At length they were desired to draw up a statement, exhibiting whatever they considered faulty in the acts of May, 1584. When the document which they prepared in compliance with this appointment was presented to his majesty, he shut himself up in his cabinet for twenty-four hours, and with his own hand "wrote and penned" a reply, which he presented to the ministers as his declaration and interpretation of the obnoxious acts of parliament; and he told them, at the same time, that his statement should be as good as an act of parliament. This royal commentary contained an implied disavowal of the declaration emitted by the Bishop of St. Andrew's with his majesty's sanction, but still it justified all the changes which had been made in the constitution of the Church, and manifested no disposition to make any concessions to the views and wishes of the ministers. Episcopacy was to continue the settled order of the Church. Assemblies were not to be held without special licence from the sovereign. And with regard to points which were still left undecided, it was his purpose to summon a general assembly of bishops, ministers, and other godly and learned men, to be held under his own presidency; and at this meeting a more ample scheme of policy and jurisdiction should be digested, with the view of being brought into operation. And in conclusion, his majesty, carried away by the ardour of a polemical spirit, threw out a challenge to the ministers, in which he offered to prove all that he had affirmed "by the Word of God, purest ancients, and modern neoterics, and by the examples of the best Reformed kirks."*

Small success obtained by the ministers.

It was now obvious that no satisfactory adjustment of differences was to be expected at present. The meeting of parliament was drawing to a close, and the inclemency of the season occasioned a general impatience of delay. In these circumstances, the ministers abstained from further comment upon the topics embraced in the king's reply. They simply presented a supplication to his majesty, in which, after praising God for the judgment and knowledge with which he was so liberally furnished, they craved that the question of a policy for the Kirk might be brought under the consideration of the most learned and godly men in the kingdom, with the view of being permanently settled; and that, in the meantime, they should have liberty to hold their ordinary assemblies, and to proceed in all things as they had done prior to the recent changes. They also desired that all ministers and masters of colleges should be restored to their livings and offices. This last demand was the only one which the king could be prevailed upon to grant.†

Polemical disposition of James.

The fondness of the king for debate, and the high opinion which he entertained of his own polemical skill, appeared in the challenge which he gave to the ministers at Linlithgow, and in the offer which he made to maintain the principles of his explication by irrefragable arguments drawn from all different sources. Another exhibition of the same unkingly spirit took place shortly afterwards in the High Church of Edinburgh. Balcanquhall having made some statements in the course of his sermon tending to impugn the scriptural authority of bishops, the king, who was present, started up from his seat in the loft, and demanded of the preacher what evidence he could adduce for the doctrine thus taught. Balcanquhall replied that he could bring from Scripture ample evidence of all that he affirmed. This James denied, declaring that he could prove the contrary, and at the same time he pronounced a censure upon the preachers for meddling with such questions in their addresses to the people.‡

Conference in February regarding the policy of the Church.

Although the proceedings at Linlithgow had been attended with no satisfactory results, still there existed in the adherents of the Presbyterian Church such a strength of attachment to her policy, and such a spirit of stubborn endurance, as promised at no distant day to secure victory to her. The king found that he could not by his simple authority overawe the ministers, or secure anything like general acquiescence in the principles which he was pleased to lay down. With the view of smoothing the difficulties which lay in

* Hume exposes the unsoundness of Craig's principles in a very clear and powerful manner. "He argued that if liberty to disobey or slay wicked kings be granted, then shall not good kings be obeyed, for the seditious will call a good king a tyrant. But your lordship may see the impiety of this reason, for thus shall we take away all laws and the punishment of all vices; for if thieves be punished, wicked judges will call an honest man a thief. If you permit blasphemy to be punished, Jezabel will find means to have Naboth counted a blasphemer; and if you permit sedition to be punished, a tyrant will call a good patriot seditious—and more frequently a tyrant calls an honest man seditious, than subjects call a good king a tyrant. The people suffer much—what by custom, what by the natural love of their princes—bear with many great faults, and seldom rise against them without great, enormous, and intolerable injustice."—*Dialogue between the Earl of Angus and Hume of Godscroft*, in Calderwood, vol. iv. p. 470. (M'Crie's Life of Melvil, vol. i. p. 335; Calderwood, vol. iv. pp. 448, 469.)

† Aikman's Buchanan, vol. iii. p. 101.

* Calderwood, vol. iv. p. 463.

† Ibid., p. 464; Melvil's Diary, p. 244.

‡ Calderwood, vol. iv. 491; M'Crie's Life of Melvil, vol. i. p. 344.

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his way, he appointed a conference to take place in February, between some members of the privy council and certain of the more moderate ministers of the Church, at which some principles of ecclesiastical policy approximating to episcopacy, and yet not receding very far from presbytery, were agreed upon. The bishop was always to be the minister of a particular kirk, where he was to officiate like other ministers. He was to be presented by the king, but at the same time he was to receive admission from the General Assembly, and was to be responsible to that court. He was to be guided by the advice of a senate or presbytery, who were to be chosen by the General Assembly. Where he could not undertake the duty of visiting the whole bounds, commissioners were to be appointed, whose authority was to be of precisely the same kind. And general assemblies were to be summoned by royal proclamation.*

Adamson excommunicated by the synod of Fife.

The spirit which continued to animate the bosoms of the ministers, notwithstanding the oppression to which they had been subjected by the king, was somewhat strikingly displayed at a meeting of synod held in April at St. Andrew's. James Melvil, as former moderator, preached the opening discourse, in which, after pointing out the characteristics of church government which the Scriptures warrant, and denouncing episcopacy as a human corruption, he lamented the changes which the ambition and avarice of members of their own body had been the means of introducing, during the last two years, into the discipline of the Church of Scotland. Then, turning to Adamson, who was present, arrayed in the robes of his official dignity, he recounted the leading circumstances of his career, pointed out the ruinous measures which he had been instrumental in originating and carrying out against the discipline of the Church, and admonished the synod to consult the wellbeing of the whole body by cutting off so corrupt a member. The synod, carried away by the ardour of their feelings, and overlooking the extreme irregularity of such proceedings, at once put the bishop into the position of a culprit, and proceeded to try him for the offences with which the moderator had charged him in his sermon. He at first refused to answer, but he ultimately appeared, and gave in replies to the accusations brought against him. These answers however were not considered satisfactory, and at length sentence of excommunication was pronounced against him; and although he protested and appealed to the General Assembly, yet the synod ordained that the sentence should be instantly carried into effect. The chief grounds upon which the sentence rested, were that he had usurped the function of the ministry after being lawfully suspended by the General Assembly in 1583, and that he had conspired the overthrow of the order and policy of the Church, after having subscribed the same with his own hands. These charges were no doubt well grounded, but still the trial manifested a glaring disregard of the most common forms of justice.*

Meeting of the General Assembly.

A meeting of the General Assembly took place in May with the royal sanction. The opening discourse, which was entirely occupied with questions of church order, served as an index of the feelings by which the adherents of the Church were animated. Before a new moderator was chosen, the king required the assembly to meet with him in the chapel-royal, where he stated to them that there were two reasons which had moved him to agree to the calling of this meeting. The first was that he might have the opportunity of declaring his soundness and constancy in religion, which some persons had dared to call in question, but he offered to satisfy any man who would adduce a reason for suspecting him. His second motive was that the assembly might resolve among themselves in regard to a form of discipline and church government most agreeable to the Word of God, which it was his purpose to establish throughout the realm. Having delivered this somewhat remarkable address, he then expressed it to be his pleasure that the assembly should proceed to the transaction of business, and he nominated three individuals as candidates for the office of moderator. He voted first himself, and as David Lindsay was the individual whom he supported, the majority followed his example, and Lindsay was placed in the chair.†

Adamson relieved by the assembly from excommunication.

It was plain from these proceedings that the views of James had undergone considerable modification. Perhaps he was alarmed at the spirit which the strong measures of the synod of Fife demonstrated to be at work among the ministers; or he might be desirous of soothing the assembly for the sake of ensuring a more favourable consideration of Adamson's case; or he might really, when no longer under the influence of Arran, have become more disposed to consult for the good of the Church. But whatever were the considerations which influenced him, his address to the assembly manifested a disposition to concede more to the views and feelings of the brethren than previous events gave ground for expecting; nor was the manifestation of such a disposition lost upon the assembly. When Adamson's case came under review, they agreed, at the suggestion of his majesty's commissioners, to adopt what was called a middle course. It is possible that the readiness with which they fell into this measure, might arise partly from the conviction that the synod of Fife had been too rash in their proceedings, but doubtless it was mainly owing to the concessions which his majesty appeared disposed to make, and to the influence which he exerted in favour of Adamson. The assembly

* Scott's Apologetical Narration, p. 53; Calderwood, vol. iv. p. 492.

* Calderwood, vol. iv. pp. 495—502; Aikman's Buchanan, vol. iii. p. 103; Robertson, vol. ii. p. 70; Melvil's Diary, p. 246.

† Calderwood, vol. iv. pp. 547, 548.

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agreed—although not a few of the most influential ministers, such as Pont, Spottiswood, Hume, Durie, and Dalgleish, dissented—that they would not enter upon a rigorous consideration of the charges against Adamson, but would at once set aside the excommunication, on condition that he subscribed a document repudiating the claim of supremacy over his brethren, and promising to submit in all time coming to the judgment of the General Assembly. The bishop having given the required assurance, the assembly declared that they held the process against him as "unled, undeduced, or pronounced, and repone the said bishop in all respects, so far as may concern the said process and sentence of excommunication, in the former estate he was immediately before the same, like as no process had been led and deduced against him, providing always that he observe what has been promised by him in the premises, and behave himself dutifully in his vocation in time coming."* At the same time they declare that one of the leading reasons for their peculiar procedure in this case, was the desire which they felt to give testimony of the goodwill with which they would obey his majesty, so far as in conscience they could, and of the good hope which they entertained of his favourable concurrence in building up the house of God.†

Consideration of articles prepared at the conference in February.

Another business of great importance which came before this assembly, was the articles which had been prepared at the conference held in February between some members of his majesty's council and certain ministers. At the outset they were told by the king's commissioners that either they must adopt these articles in their integrity, or that all things must continue as they were.‡ Nevertheless the assembly proceeded to consider them singly, and although there were some of them which they agreed to without much difficulty, there were others in regard to which they were sorely perplexed. At the first, they decided that bishops and commissioners should be subject like other ministers to presbyteries and synods; but when they were assured that the king could not on any account allow these functionaries to be made amenable to any other court than the assembly, they agreed, in consideration of the present posture of affairs, to concur with his views.§ With regard to one point, however, they were quite firm. They absolutely refused to acknowledge that the Scriptures warranted any superiority of bishops above other pastors. The minister of the Word was the only scriptural bishop. Pastor and bishop were upon a level, so far as the nature of their office was concerned. The question was proposed to them whether bishops might not have pre-eminence over other ministers, if not as a matter of jurisdiction, yet at least of order. And the answer of the assembly was, that it could not stand with the Word of God; only they must tolerate it, if it were forced upon them by the civil authority. Upon the whole, the proceedings of this meeting were successful in regaining some small portion of the territory, which had been snatched from the Church by the royal *raid* and the black acts of 1584; and they showed what potency belongs to a united and intelligent body of men, acting as the representatives of a numerous constituency. James abolished in one day the whole ecclesiastical order of the kingdom, and took the direction of all things into his own hands; but at the very first meeting of the assembly which was summoned even by his own authority, he was obliged to recede to a considerable extent from the lofty claims which he had advanced. The old policy was not restored, but enough took place to convince the ministers, that through perseverance and firmness they should certainly in the end attain the object of their desires. The concessions made to them by James are viewed by Spottiswood as the fruit of a temporising policy, his object being merely to keep them in some measure of moderation, until he should find himself possessed of sufficient power to establish the episcopal jurisdiction in all its amplitude of authority.*

Andrew Melvil laid under restraint.

Shortly after the close of the General Assembly, Andrew Melvil was sent for to court; and although he met with a very gracious reception, yet he was forbidden for the present to resume his labours in St. Andrew's. He was enjoined to proceed to Angus, Mearns, Perth, and other northern districts; and to enter into conference with the numerous Jesuits who were at work in those parts, that he might either convert them to the true Christian religion professed by his majesty and the whole realm of Scotland, or bring them to trial according to existing acts of parliament. The ostensible reason for this temporary banishment of Melvil from the scene of his ordinary labours, was the disordered state of the University of St. Andrew's, occasioned by the dissensions between him and the bishop, and their respective favourers and adherents;† but the real object of it seems to have been to give Adamson the opportunity, when freed from the presence and competition of his rival, of recovering his lost influence. The bishop was appointed not only to preach, but also to deliver lectures in Latin in St. Salvator's College, which the whole university were commanded to attend. Some months afterwards Melvil was permitted to resume his labours, but it was found that when he preached in the college, the great bulk of the people deserted the parish church where Adamson officiated. An order, therefore, came from the privy council, supposed to have been procured through the solicitation of Adamson himself, forbidding the principal

* Spottiswood, p. 346; Row's History, pp. 113, 125.
† Book of Universal Kirk, p. 302; Calderwood, vol. iv. pp. 551—554, 583; Aikman's Buchanan, vol. iii. p. 104.
‡ Book of the Universal Kirk, p. 295; M'Crie's Life of Melvil, vol. i. p. 358.
§ Row's History, p. 110.

* Spottiswood, p. 347.
† Act of Secret Council, 26th of May, 1586.

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and masters of the new college to preach to the people in English, and commanding them to use those languages which they professed for the instruction of the youth. Thus every effort was made to prop up the declining credit of the bishop.*

The acquiescence of the late General Assembly in sundry impositions of the king, although declared by themselves to be merely temporary, had yet the effect of raising an outcry against them in many parts of the country. It was alleged by the people that they were divided in their opinions regarding the true policy and government of the house of God, and that many of them had abandoned the views of the early reformers; and the same impression became current among the Reformed Churches of the Continent. These rumours became so loud and frequent as to attract the notice of the synod of Merse, Teviotdale, and Tweeddale, at their meeting in October; and they considered it requisite for their own sake, and for the sake of truth, to give them a direct contradiction. The entire body of the synod concurred in declaring, that there was no difference of opinion among them with regard to the government of the Church. They still held unanimously that the ecclesiastical order, which had prevailed in Scotland prior to the parliament of 1584, was the form of government most conducive to the wellbeing of the Church, and the only one which the Scriptures sanctioned. And with regard to the document which some of them had signed at the king's desire, they explained that they did not consider it as implying anything else than an obligation of obedience to the king's majesty, and so many of his laws as were agreeable to the Word of God. Those of them who had signed the document in question, and those who had refused to do so, equally concurred in rejecting the supremacy of bishops and archbishops over ministers, and in condemning those acts of 1584 which referred to the policy of the Church. They were quite united in their views as to the proper method of conducting the affairs of the house of God, and they directed that every presbytery should take measures for spreading abroad the knowledge of this declaration, "so that all slander might be removed where it was most spread."†

Proceedings of the Synod of Merse.

There might be inconsistency in the enactment of the synod of Merse, by which they thus attempted to explain away the subscription given by some of their number to Adamson's bond regarding the unpopular acts of 1584. Most certainly their signature was considered at the time, by the king and his advisers, as implying something more than a mere general acknowledgment of the royal authority, and a profession of willingness to submit to it in accordance with the Word of God: and it is difficult to imagine what could have been the worth of it in the king's estimation, if this had been the whole extent of its meaning, or why such efforts should have been made to obtain it, at a time when hardly any, and certainly none of the adherents of the Reformed Church, thought of questioning the title of James. Still, however, the present procedure of the synod placed it beyond question that the ministers, with scarcely an exception, were devotedly attached to the old policy of the Church, and that all the efforts of the king to secure their acquiescence in his favourite form of ecclesiastical government had been utterly unavailing. They retained their views, and were determined to bring them into full operation with all possible speed.

Another manifestation took place, during the course of the winter, of the independent although, doubtless, in some cases mistaken feeling, which prevailed among the presbyterian clergy. When Mary was brought to trial by Elizabeth, and contrary to all justice, as she certainly was not a subject of the English crown, but had been detained in England contrary to her own will, was condemned to death,* James issued a command that prayers should be offered up for his mother's preservation, in all the churches of the kingdom. This royal mandate was by no means acceptable to the ministers or adherents of the Reformed Church; and as they conceived that the prayer which was prescribed implied an acknowledgment of Mary's innocence, they at first refused to adopt it. Nor were the people more favourably disposed, for the session and Church of St. Giles declined also, when reference was made to them, to enjoin upon their ministers compliance with the king's will. In these circumstances James appointed the Bishop of St. Andrew's to preach in St. Giles's Church, and to offer up public prayers for his mother's preservation; but when his majesty arrived, he found the pulpit preoccupied by one John Cowper, who is described by Spottiswood as not yet a licensed preacher. The king, interrupting Cowper, said that he might go on with the service, if he prayed according to the form prescribed; but as Cowper replied, that he would do as the Spirit of God directed him, the king commanded him to give place to Adamson. At first he manifested some reluctance to obey this order, but perceiving that the captain of the guard was preparing to enforce it, he yielded, exclaiming as he descended,† that this day should bear witness against his majesty in the great day of the Lord. When the bishop presented himself in the pulpit to go on with the service, a murmuring and confusion arose among the people, and many of them retired from the church. Cowper was committed to Blackness, but he was very speedily released on account of the extreme discontent which was manifested by the inhabitants of Edinburgh. And the king, shortly

Scruples about praying for Mary's preservation.

* Calderwood, vol. iv. pp. 584, 607; Melvil's Diary, p. 249; M'Crie's Life of Melvil, vol. i. pp. 361—365.

† Calderwood, vol. iv. pp. 603, 604.

* *Supra*, vol. ii. pp. 228—231.

† Record of Privy Council, 3rd of February, 1586; Spottiswood, p. 354; Tytler, vol. viii. p. 384; Aikman's Buchanan, vol. iii. pp. 135, 136; M'Crie's Life of Melvil, vol. i. pp. 363—365.

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afterwards, stood up at the close of public worship in St. Giles's Church, and expressed his sorrow for what had occurred in regard to Cowper, protesting that he cherished no dislike to the ministry, or to the religion at present professed in the country, but that he had acted under the impulse of affection for his mother.* His desire was that prayer should everywhere be offered up to God, both for her illumination with divine knowledge, and also for the preservation of her life from the imminent danger with which she was threatened.

The ministers have been severely censured for their conduct on this occasion, which has been described as utterly unchristian, and even savage. And the text on which the Bishop of St. Andrew's preached when he stood up in the room of Cowper —"I exhort that prayers be made for all men; for kings, and for all that are in authority"†— has been appealed to as decisive of the question. And certainly the ministers appear to have been more scrupulous than was needful, although their conduct is by no means deserving of all the censure which has been poured upon it. There is some force in the reason assigned for their hesitation. It is one thing to pray for the soul of a person condemned to death, and it is quite a different thing to pray for the preservation of his life. This last prayer, more especially when offered up in public, may be very readily understood as implying the conviction that the individual is innocent of the crime laid to his charge. Prayers are not usually offered up in public for the preservation of persons condemned to death by a legal sentence. Such prayers would never spontaneously suggest themselves, excepting where there was a strong conviction of the excellence and innocence of the party condemned. After all, however, the ministers did overcome their reluctance to comply with the king's mandate;‡ and with but few exceptions they prayed, not only for the illumination of Mary's mind, but also for the preservation of her life. And perhaps they were as zealous in regard to this matter as James himself;§ for while he was issuing orders to pray for his mother's life, and punishing those ministers who felt any scruple as to the propriety of doing so, there is too much reason to believe that he was himself extremely indifferent to her fate. Courcelles, the French ambassador,‖ mentions in a despatch to his royal master, that the nobility believed there was some secret understanding between the king and the Queen of England; and that it was supposed he would not declare himself openly against Elizabeth for anything done to his mother, unless he were himself deprived of his right to the English crown. On the very night when the intelligence of Mary's execution arrived, he could not forbear saying to confidential friends around him, "I am now sole king," referring to the project of association between him and his mother, which the friends of Mary had laboured so strenuously to accomplish.* And shortly afterwards, when Andrew Melvil was at court one day, the king was in such an exuberance of spirits, that the contrast between his demeanour and the mourning garb he wore, reminded Melvil of the conduct of Mary herself after the assassination of Darnley, and excited feelings which he expressed to a gentleman who was near him in two lines thrown off at the moment:—†

> "Quid sibi vult tantus lugubri sub veste cachinnus?
> Scilicet hic matrem deflet, ut illa patrem." ‡

The assembly which met in June maintained possession of the ground which had already been recovered from episcopacy; and it is no slight proof of their determination to persevere in their efforts for the complete re-establishment of their policy, that they elected Andrew Melvil to the office of moderator. During the preceding year, although desirous of subjecting bishops and commissioners to the authority of presbyteries and synods, as well as to the General Assembly, they had yielded to the king's strongly expressed views, and had rested satisfied with declaring them responsible to the supreme ecclesiastical court. But at this meeting an act was passed that all pastors, of whatever sort they were, should be subject to the authority of their brethren, as well in presbyteries and synods as in the General Assembly. Now, although no mention is here made of bishops, it is obvious from the frequently reiterated judgment of the assembly as to the scriptural identity of bishop and pastor, that this act was specially designed to refer to those who were invested with episcopal rank. And, in fact, unless this be allowed to be its meaning, no reason for its enactment can be imagined; for there never was any controversy in regard to the submission due from ordinary pastors to all the ecclesiastical courts. It was bishops only in whose favour it had been claimed, that they should be subject to no church court but the General Assembly.§

Proceedings of the General Assembly.

Another movement was made at this meeting with the view of preparing the way for the restoration of presbyterian government in all its parts. The king having been pleased to signify his will to the assembly that Mr. Robert Pont should be promoted to the bishopric of Caithness, vacant by the death of the Earl of March,‖—an advancement which was designed to serve as the means of indemnifying him for certain losses which he had sustained in the public service,—the assembly,

Bishopric of Caithness offered to Pont.

* Calderwood, vol. iv. p. 606. † 1 Timothy, ii. 1.
‡ Courcelles to the King of France, 28th February, 1587.
§ Tytler, vol. viii. p. 378.
‖ Courcelles to the King of France, 4th of October, 1586; 30th November, 1586.

* Calderwood, vol. iv. p. 611.
† Wodrow's Life of Andrew Melvil, p. 52.
‡ "Why the loud laugh beneath the vesture sad?
He mourns his mother, as *she* did his *dad*."
§ Book of the Universal Kirk, p. 321; Calderwood, vol. iv. p. 629.
‖ Scott's Apologetical Narration, p. 55.

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while praising God that his majesty was disposed to favour so excellent a person as Mr. Pont, and one whom his brethren acknowledged to be truly a bishop according to the description of Paul, yet declared that they considered the office of bishops, as commonly understood and defined in modern times, to be a "corrupt estate," and not agreeable to the Word of God. They added also that Mr. Pont himself was not willing to be invested with the proffered dignity, and that therefore they had taken no other steps in the business, than to appoint commissioners to confer with his majesty and council upon the subject at next meeting of parliament.*

Records of the assembly found to have been mutilated.

At this assembly an effort was made to obtain possession of the records of the Church, which had for some time disappeared. Evidence having been procured that Adamson had been heard to acknowledge they were in his hands, an humble supplication was presented to his majesty, that he would be pleased to order them to be delivered up to the Church. After many ineffectual efforts to get hold of these documents, the assembly were at length so far gratified, that five volumes of them were produced in their presence, but upon examination they were found to have suffered extensive mutilation. Heavy complaints were made to his majesty with reference to the damage which the records had sustained, but it does not appear that any redress was obtained; nor were the volumes allowed to remain in the keeping of the assembly. They were to be produced from time to time for their use, but after every meeting they were to be restored to the custody of the lord privy seal.† It is commonly supposed that Adamson was the person who mutilated these valuable documents, though some are of opinion that the king himself was not innocent in regard to this shameful deed. The impunity of Adamson gives a colour of probability to this view. The motive for the mutilation plainly enough appears from the parts of the records which have been invaded by the destroyer's hand, and the course of policy pursued alike by the king and by Adamson was such as harmonizes with the supposition that either of them might feel the influence of this motive, and might desire to suppress the facts exhibited in the written memorials of the Church. The leaves which were torn out contained the minutes describing the submission of the bishops of St. Andrew's, Glasgow, and the Isles, to the General Assembly, in October, 1580; and whoever it was that perpetrated the base act, which must have taken place between the years 1584 and 1587, aimed without a doubt at destroying the proof that the bishops had ever submitted to the authority of their brethren.‡ Sufficient evidence, however, of their submission at the time specified, survives in other documents of that period, and the mutilation, therefore, has only served the purpose of exposing the bad faith of those who were guilty of an act so mean. It is a very grave crime to attempt to poison the sources of history.

The ancient practice in Scotland was to celebrate marriages publicly in the churches, after three several proclamations of bans. The General Assembly rigidly resisted all deviation from this rule. On the present occasion, a minister was held to have incurred deprivation of office for solemnising a marriage in a private dwelling,* although proclamation had duly taken place beforehand. The attention of the assembly was also engaged at this meeting with another irregularity, which is still found not a little troublesome in church courts. Members did not all arrive at the appointed hour, nor did they remain faithfully at their post during the whole day. It was therefore enacted that each individual who transgressed in either of these respects should be fined in one groat for every offence.† A law of this kind would now constitute quite a mint of fourpennies.

The proceedings of the General Assembly at their meeting in June were but little impeded by the civil power, and the measures which they adopted carried them some way onwards to the recovery of their former liberty. The old hostility to the existence of the episcopal order was very palpably manifested. But a measure far more fatal to the bishops, and to the whole policy of the king in ecclesiastical matters, than anything which the assembly were able to devise, was adopted by the parliament at its meeting in July. This was the annexation of the temporal possessions of bishoprics, abbacies, and priories to the crown. It is true this measure was not expressly designed to overthrow episcopacy, nor even to diminish its influence. The avowed object of it was to repair the dilapidated revenues of the crown, and to place his majesty, who was now declared to be of age, in a position befitting his kingly dignity.‡ It was represented that the prelates' houses, with the grounds around them, and the tithes of the churches annexed to their benefices, would be quite sufficient to maintain them in a manner suitable to their rank; but there were also some who supported the project of annexation as the most likely means of crippling episcopacy, and ultimately effecting its overthrow. Let the rich benefices, it was said, be taken away, and then the prelates must succumb, as there will be no sufficient livings to maintain them in their accustomed dignity. And this certainly was the most correct view of the operation of the plan. The tendency of the measure was to shake the foundation upon which the episcopal order stood,

Annexation of church lands to the crown.

* Row's History of the Kirk, p. 133; Spottiswood, p. 364; Book of the Universal Kirk, pp. 319, 320; Calderwood, vol. iv. p. 625; Aikman's Buchanan, vol. iii. p. 151.

† Book of the Universal Kirk, Preface, p. ii., pp. 314, 315; Calderwood, vol. iv. p. 616; Row's History, p. 133.

‡ Calderwood, vol. iii. p. 475.

* "Intra privatos parietes."

† Book of the Universal Kirk, p. 315; Calderwood, vol. iv. p. 624.

‡ Calderwood, vol. iv. p. 640; Aikman's Buchanan, vol. iii. p. 152; M'Crie's Life of Melvil, vol. i. p. 372.

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and to prepare the way for its speedy abolition.* Deprived of their baronial possessions, the bishops could not exert the same influence in parliament as formerly; and one of the grounds was thus removed which had influenced the court to maintain them in opposition to the declared wishes of the Church. They were exposed, defenceless, to the persevering assaults of the advocates of presbyterian parity. The measure was afterwards regretted by the king when the nature of its operation became apparent, and he pronounced it a vile and pernicious act;† but no remedy was left, for the lands which accrued to the crown were speedily conferred by his majesty upon individuals, either as gifts or rewards of services, and thus they passed out of his own hands.

Melvil and Adamson lecture in presence of the king at St. Andrew's.

During the interval between the General Assembly and the meeting of parliament, the king paid a visit to St. Andrew's, having in his company the celebrated French poet, Du Bartas, whom he had invited to Scotland, and who was also entrusted with a matrimonial commission from the King of Navarre.‡ Having arrived too late to hear Melvil's ordinary lecture, his majesty insisted that the principal should deliver another, which with much reluctance, as he was quite unprepared, he consented to do. The discourse, although eloquent, was by no means pleasing to his majesty, as it bore hard upon some of his favourite views in regard to ecclesiastical affairs. Next day, the Bishop of St. Andrew's delivered a lecture in support of prelacy and the royal supremacy, of which Melvil was observed to take copious notes. Immediately after the dismission of the meeting, the principal caused the college bells to be rung, and sent notice to his majesty that he designed to lecture in the course of two hours. A message having been sent back to him, warning him of his danger if he transgressed the bounds of moderation, Melvil replied that he could not suffer the dangerous errors which had been promulgated in his hearing to pass unrefuted; but he promised that he would conduct himself with all the reverence due to his majesty's honour. A crowded meeting assembled to hear the principal's reply to the bishop, and the king and his attendants also formed part of the audience. Melvil took no notice of Adamson's discourse, but quoting from popish works all the leading positions which the bishop had laid down, he proceeded to answer them as popish errors, and exposed them with such invincible force of reason and splendour of eloquence that the bishop, who was present with the view of defending himself, was struck dumb. At the close of the discourse the king addressed the meeting, stating some distinctions with the view of mediating between the views of the presbyterian and the prelate, and concluded with enjoining upon the ministry the duty of yielding obedience to the bishop. He also partook of wet and dry confections and wine in the college hall,* where he enjoyed himself very merrily for a considerable time. The discourse of Melvil made a deep impression upon Du Bartas, who remained in conversation with the principal and his nephew a whole hour, and the favourable opinion which he expressed of him to the king may have contributed to render his majesty somewhat more reconciled to Melvil.†

Apprehensions of a Spanish invasion.

The remainder of this year was a time of great perplexity and alarm through the whole country. It was known that the popish princes upon the Continent had entered anew into a league for the suppression of the Protestant faith by force of arms, and on this ground an alliance had been concluded, more than a year ago, with England for mutual defence. The danger was becoming every day more imminent. The king of Spain had prepared an immense armament for the invasion of Elizabeth's dominions; and his emissaries were at work in every part of Scotland, taking advantage of the alienation produced by the execution of Queen Mary, and striving to exasperate the feelings of the people against their southern neighbours. The country swarmed with Jesuits and seminary priests, who, anticipating the undoubted success of the Invincible Armada, conducted their proceedings with undisguised openness in every quarter.‡ The Protestant population were filled with dismay. Rumour, with her hundred tongues, was busy everywhere. One day the report went that the Spaniards had landed at Dunbar; next day it was said they had made their appearance at St. Andrew's, or Aberdeen, or Cromarty. "Powerful and piercing were the sermons of the preachers; earnest, zealous, and fervent were the prayers of the godly."§ Immense excitement pervaded the kingdom, and anticipations of coming disaster agitated every bosom.

Extraordinary meeting of the General Assembly.

In these circumstances Melvil, by virtue of the authority with which he was invested as moderator, summoned an extraordinary meeting of the General Assembly, for the purpose of considering the dangers with which the Church and commonwealth were threatened. The excitement which prevailed in every quarter congregated a meeting of unusual size. It may appear to some that the General Assembly was hardly the body which should have taken the initiative in such an emergency; but it must be remembered that it was not invasion simply which was dreaded, but invasion for the avowed purpose of overthrowing the Protestant faith. Besides, fears were entertained by not a few that the king was

* Spottiswood, p. 365; Robertson, vol. ii. pp. 117, 118.
† Basilicon Doron, lib. ii. p. 43.
‡ Memoires de M. Du Plessis, tom. i. p. 656; Sir James Melvil's Memoirs, p. 177.

* Melvil's Diary, p. 256; Wodrow's Life of Andrew Melvil, p. 52.
† Calderwood, vol. iv. pp. 638, 639; M'Crie's Life of Melvil, vol. i. p. 372.
‡ Moyse's Memoirs, pp. 130—133.
§ Spottiswood, pp. 319, 366; Melvil's Diary, p. 261; Calderwood, vol. iv. p. 647.

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not sufficiently alive to the danger which threatened the country; and it seemed not unlikely that the appeals made by foreign emissaries to his mother's death, might produce an impression upon his mind unfavourable to co-operation with Elizabeth. Whatever might be the path of duty and safety in this alarming crisis, it is not at all wonderful that the Scottish king had much to overcome, on the score of feeling, before he could think of publicly concerting measures with one whose garments were stained with the blood of his mother.*

Measures suggested by the assembly.

It was considered most expedient at the assembly that the barons and gentlemen, the commissioners of the boroughs, and the ministers, should hold three separate preliminary meetings, and that afterwards the whole body should assemble together to decide upon the course to be followed. The result of these meetings was, that a deputation was appointed to wait upon his majesty, and to state the apprehensions with which the present posture of affairs inspired all classes of the community. They were to crave that the laws of the kingdom should be carried into execution against Jesuits, seminary priests, and idolaters; and, particularly, that James Gordon and William Crichton, who were known to be plotting against the religion and liberties of the country, should be seized and compelled to depart with the first ships that sailed.† They were also to crave that commissioners might be appointed to investigate the state of the kirks in the north and south-west districts, that ministers might be settled in vacant parishes, and the Gospel more widely preached in the land. And they were to make offer to his majesty of their lives, lands, and friends, to be employed for the defence of the country in this trying emergency. James was somewhat offended‡ at the proceedings of the assembly, viewing them as an interference with his royal prerogative; but the advice which they offered was so sound, and their readiness to make all sacrifices for the support of his throne so conspicuous, that he thanked them for their zeal, and appointed a committee of the privy council to meet with them and devise measures for the public safety. And much benefit ensued from this meeting. All ranks of men were stirred up to zeal in behalf of their religion and liberties. One feeling animated the whole country. And if James ever wavered under the efforts which were made by the King of Spain to detach him from the English alliance, and to secure his co-operation against Elizabeth, he became now quite decided, and heartily laboured for the defence of his kingdom against the machinations of popish adversaries. The expedient of which Scottish history exhibits so many examples was adopted, with the concurrence of his majesty, and the privy council, and the General Assembly, of a national bond or covenant for mutual defence. A document was drawn up, designated a bond touching the maintenance of the true religion and the king's majesty's person and estate, in which reference was made to the detestable conspiracy against Christ and his Gospel, called the Holy League, and to the rumour of the approach of foreign powers to this realm.* The subscribers, considering that religion and the king's authority have the same friends and enemies, bind and oblige themselves by oath to assemble, in arms or in a quiet manner, at such times and in such places as his majesty may appoint; and to hazard their lives, lands, and goods, and whatever God has given them, in defence of religion, and of his majesty's person against all enemies. They also engage to do their utmost to search out papists and other enemies of religion, to give information regarding them to his majesty and council, and to sacrifice every private interest to the public welfare. And in order to their complete union, they agree that all existing feuds and variances should be composed by the arbitration of five or seven indifferent persons appointed by his majesty; and whoever withdrew his signature was to be regarded as a traitor to God, and to his king and country.†

This bond was extensively signed in all parts of the kingdom. Proclamations were issued by the government calling upon all classes to subscribe it, and the General Assembly commanded all the ministers of the Church to promote the signature of it in their parishes, and to endeavour to secure the names of men of all ranks, from the highest to the lowest. These various measures were attended with the happiest consequences; and when his majesty summoned a convention of the Estates in August, one feeling animated the whole meeting. The firm and decided appeal which he made to them met with a most hearty response,‡ and the determination was formed to resist with combined energy the threatened invasion of the enemy.§

Grievances of the Church.

At the meeting of the General Assembly held this summer, the dangers to which the Church of Christ was exposed from the continued influx of Jesuits and seminary priests, engaged a large share of attention; and several days of fasting were appointed, during which certain ministers were to bring this subject under the consideration of the people, and to exhort them to defend their religion and liberties, and to maintain the authority of the king. Grievous complaints were also made of the increasing poverty with which the ministers were afflicted in consequence of the continual spoiling of the patrimony of the Church; and a deputation was appointed to wait upon his majesty, for the purpose of craving that some measures might be adopted for their protection. It was found, too, that an evil far

* Spottiswood, p. 367; Courcelles Despatch to the King of France, 12th of May, 1587; Gordon's History of the Earldom of Sutherland, 210.

† Calderwood, vol. iv. p. 654; Book of Universal Kirk, p. 327.

‡ Spottiswood, p. 367.

* Calderwood, vol. v. p. 49; Book of the Universal Kirk, p. 332; Melvil's Diary, p. 268.

† Robertson, vol. ii. p. 122; Aikman's Buchanan, vol. iii. p. 160.

‡ *Supra*, vol. ii. p. 333.

§ Spottiswood, p. 369.

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worse than the mere loss of property had resulted from the late annexation of church lands to the crown. There were patronages connected with these lands, which had previously been administered by their ecclesiastical proprietors. Now, these patronages were laid hold of, as well as the lands of the Church, by the king; and when the lands were bestowed, as large portions of them were, upon different noblemen, the patronages were disposed of along with them. Nay, in many cases the patronages were disjoined from the lands, and conferred separately upon laymen. This undoubtedly was an unjust proceeding. It might be quite a wise and proper measure for the government to annex the church lands to the crown, and then portions of these lands might be made over to individuals as the reward of services; but there was not the shadow of a reason for laying hold at the same time of the patronages, which were altogether of a spiritual character, and which, if they were to exist at all, should naturally be in the hands of the Church herself. It was the Church that created these patronages, authorising certain of her office-bearers to make certain appointments, and the seizure of ecclesiastical revenues was the worst of all reasons for claiming the right also of nominating ministers. It was as if acquiring possession of your neighbour's property, you should for that reason insist upon being entrusted likewise with the management of his family.*

This subject engaged the serious attention of the assembly, and they considered that the transference which had been made, since the late act of annexation, of patronages from his highness to various "temporal men," as earls, lords, barons, and others, evidently tended to the danger, hurt, and prejudice of the whole Kirk. Therefore it was determined to present a supplication to his majesty, not only that he would make no more such transferences, but also that he would be pleased to take measures for annulling those which had already taken place. At the same time, the assembly forbade all commissioners and presbyteries to give collation or admission to any persons presented by the said new patrons until next meeting.

A strong feeling was cherished by the assembly, apparently more on religious than on sanitary grounds, against the practice of burying the dead within the walls of churches. It is described as a practice permitted in no place where anything like religion prevails. Yet many cases of it had recently occurred in violation of existing acts, and, therefore, the assembly renewed their condemnation of it, and agreed to request his majesty to forbid it by an act of council.†

It might have been expected that the signal overthrow of so mighty a force as the Spanish Armada would have crushed the hopes of the party in Scotland favourable to its objects; but it was not so. Jesuits and seminary priests continued to prosecute their measures with unabated zeal, and they were still sanguine in the belief that, by means of a foreign army landed in Scotland, they might be able to invade England and dethrone Elizabeth. A widely ramified conspiracy was actually organised for this purpose, and through the supineness of the king it seemed not unlikely to succeed. These proceedings, however, were not unobserved by the adherents of the Presbyterian Church. Numbers of the brethren met together in Edinburgh to consult regarding the best means of warding off the dangers with which the nation was threatened; and they presented a petition to his majesty praying that commissioners might be dispatched to all parts of the country, to ascertain who were rightly affected to the true religion, and willing to join in the defence of it. They also besought his majesty to dismiss all papists from his house and council, and from every department of service under the crown, alleging that it was his "employment of them in sundry places which begat sinistrous suspicions of his religious sincerity," and encouraged the Jesuits to persevere in their seditious practices.* At this meeting ten laymen, comprising noblemen, lawyers, and burgesses, and ten ministers, were appointed to consult together in private; and after they had conferred with one another, they offered some suggestions as to the manner in which Jesuits and priests, and those who harboured them, should be dealt with; and also strongly recommended that there should be a weekly meeting of certain brethren in Edinburgh, to watch the progress of events, and to suggest such measures as might be needful in so dangerous a crisis.

Continued machinations of the popish party.

As his majesty was now of full age, it was considered desirable that he should subscribe the Confession of Faith anew; and certain brethren having brought this point under his notice, a proclamation was issued, calling upon all subjects of every rank to append their names to it, as a token of their agreement in religion, and their determination to maintain and defend their privileges. Some ministers were also commissioned by an act of council to receive subscriptions afresh to the "general band," which had been subscribed during the preceding year; and both this national covenant and the Confession of Faith were subscribed at this period by persons of all ranks and conditions.† The patriotic feeling displayed by the Church, and her evident interest on the side of James, produced a favourable impression on the royal mind; and as his efforts against the popish conspirators when they rose in arms were crowned with success, the events of the spring and summer were all of a kind to weaken still further the prejudices which he

* Calderwood, vol. iv. pp. 682—686; Book of the Universal Kirk, p. 335.

† Book of the Universal Kirk, p. 336; Calderwood, vol. iv. p. 689.

* Calderwood, vol. v. p. 2.

† Scott's Apologetical Narration, p. 56; Melvil's Autobiography, p. 268; Calderwood, vol. v. pp. 1—4, 37—42.

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had long entertained against the Presbyterian Church.*

Services of Bruce and the ministers during the king's absence in Norway.

When his majesty embarked in October for Norway, to bring home his royal bride, whom storms had prevented from leaving her native shores,† he manifested his conviction of the influence of the Church by appointing Robert Bruce, one of the ministers of Edinburgh, an extraordinary member of the privy council. Bruce was the second son of the Laird of Airth. He had been educated for the profession of law, and had begun to practise at the Bar with the most flattering prospects of success; but the conviction arising in his mind that it was his duty to devote himself to the work of the ministry, he had abandoned his secular occupations, and entered as a student of theology at St. Andrew's.‡ His friends were strongly opposed to this step, and he himself at first resisted the unaccountable impulse by which he felt himself hurried on to it; but the agony of mind which he experienced during this struggle between worldly considerations and the voice of conscience, was so extreme that he was obliged to assure his father that he could see nothing but wretchedness before him, unless he were allowed to place himself as a student under the care of Andrew Melvil. One day, while he and James Melvil were walking in the fields near St. Andrew's, he stated to him that sooner than expose himself again to the torment of conscience which he had experienced, while resisting the call of God to the ministry, he would walk through a fire of brimstone half a mile long.§ After his studies were finished, he was recommended by Andrew Melvil as in all respects qualified to fill the pulpit where Knox and Lawson had proclaimed the unsearchable riches of Christ with so much power; and although he himself was averse to occupy so conspicuous a position, and would have preferred to settle in St. Andrew's, in compliance with a call from that place,‖ yet the unanimous and urgent entreaties of the commissioners from Edinburgh, and of his brethren in the ministry, prevailed upon him to lay aside his scruples, and to accept the charge.¶ He was held in the highest esteem by all ranks of men. His eloquence as a preacher, and his faithfulness in the discharge of every duty, secured for him the admiration of the common people; and his family connexions opened up a ready way for him to the respect of the nobility. His influence had no small effect in mitigating the prejudices of the royal mind against the Presbyterian Church; and when James appointed him as one of the council who were to be entrusted with the affairs of government during his absence, he declared that he placed more confidence in him and his brethren for preserving the peace of the country than in all his nobles.*

Unwonted tranquillity during the king's absence.

Nor did the result belie the expectations of the king. During the entire period of his absence, which extended to half a year, unwonted tranquillity prevailed in every part of the kingdom. Some feeble efforts were made to renew the insurrection which his majesty had crushed before his departure, but they were promptly resisted, and the parties concerned in them compelled to remain quiet. Hardly such a thing as bloodshed occurred during the whole time, although previously scarcely a week elapsed without the breaking out of some quarrel which ended fatally.† Even the turbulent Bothwell, who was never at rest, presented himself spontaneously to Mr. Bruce, and publicly, in the Church of Edinburgh, professed sorrow for his turbulent conduct, requesting the people to pray for him, and promising to lead quite a different life in days to come. It was found by the General Assembly in spring, when they instituted an inquiry into the state of the kingdom, that there was no movement of any kind among the papists, nor any disturbance excited by unruly individuals of any class. And with the view of maintaining this favourable position of affairs, it was agreed that the practice which had been adopted by the church in Edinburgh, should be extended to other places, and that every Sabbath-day should be observed as a day of fasting and moderate diet till his majesty's return. The king was so sensible of the beneficial influence exerted by Bruce over the state of the kingdom, that he wrote him several letters with his own hand, in which he declared that he considered him worth the quarter of his kingdom, and promised that he would never forget his services. "Good Mr. Robert, besides the welcome news that by your last letter you sent unto me, you painted out so vively therein your honest meaning to my service, besides the good report I have otherwise heard of your daily travails to that effect now during my absence, that I think myself beholden, never while I live to forget the same." There are also letters extant from Chancellor Maitland to Bruce, which give the same view of the value of his services, acknowledging the great burden which had come upon him since the king's departure, and expressing the confident belief that God would strengthen him to sustain it, as it was so intimately connected with the interests of religion.‡

When the king returned with his royal bride, the Danes who accompanied them home were desirous that the coronation of the young queen should take place on the Sabbath-day. Some

* *Supra*, vol. ii. p. 335; M'Crie's Life of Melvil, vol. i. pp. 378, 379.
† *Supra*, vol. ii. p. 337.
‡ Wodrow's Life of Bruce, pp. 4, 5; Melvil's Diary, pp. 147, 277, 300; M'Crie's Life of Melvil, vol. i. p. 380.
§ Melvil's Autobiography, pp. 147, 255.
‖ Record of Kirk Session of St. Andrew's, 21st May, 1589.
¶ Maitland's History of Edinburgh, p. 45.

* Calderwood, vol. v. p. 67; Wodrow's Life of Bruce, p. 18; Melvil's Diary, pp. 271, 277.
† M'Crie's Life of Melvil, vol. i. p. 381.
‡ Calderwood, vol. v. pp. 81, 93; Wodrow's Life of Bruce, p. 17; Melvil's Diary, p. 277.

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of the ministers opposed this as a desecration of the day's sacred rest, but others maintained that as crowning was a mixed action, like marriage, and as a solemn oath was interposed between the prince and his subjects, and the officiating minister invoked the blessing of Heaven upon the parties, so important and religious an act might be quite lawfully performed on the Lord's-day. A similar question was raised with regard to the ceremony of anointing, which the majority considered as no part of the office of a Christian minister, but as a rite borrowed from the Jews, and therefore bordering upon superstition when practised by Christians. It was allowed, however, that if the king chose to authorise its performance, it might be used, not as a religious rite, but as a civil ceremony; and as his majesty was determined that unction should be employed on the occasion, and even spoke of having recourse to the bishops,* his will was acquiesced in. The coronation accordingly took place on the Lord's-day, in the chapel of Holyrood House; Lindsay, assisted by the chancellor, placing the crown upon her majesty's head, and Bruce pouring the oil on her right hand, forehead, and neck.† And, as if to give proof of the king's reconciliation to the Presbyterian Church, Andrew Melvil also was not only invited to be present, but was even asked to take part in the proceedings. He recited a Latin poem in honour of the great event of the day, which excited the highest admiration, and which was declared by the king to do such honour to himself and the country as he could never forget. It was immediately printed by his majesty's command, and extended the fame of Melvil's learning over the Continent.‡

Questions regarding the coronation of the young queen.

A meeting of the General Assembly took place in August, at which James Melvil, as moderator of the previous meeting, delivered the opening discourse. He entered at great length into the question of the proper discipline of the house of God, and recounted the efforts which had been made during a course of years for establishing a scriptural order in the Church of Scotland. He admonished the brethren to make themselves well acquainted with this subject, that they might be able to speak with effect in defence of their church order, and to resist the numerous and insidious influences which were at work for its complete overthrow.§ And, in particular, he refers to one who was hatching a cockatrice's egg. "This is Patrick Adamson, false Bishop of St. Andrew's, who is employed upon a book against our discipline, which he entitles 'Psyllus,' and dedicates to the king. The epistle dedicatory of which is in my hand, wherein he shows his purpose to be to suck out the poison of the discipline of the Kirk of Scotland, as the Psylli, a people of Africa, suck out the venom from the wounds of those who are stung with serpents. But I trust in God he shall fare like the silly Psyllies, of whom Herodotus, in his 'Melpomene,' writes that they perished in this manner:—When the south wind had dried up their cisterns of water, they took counsel to proceed against it in arms, but when they came among the deserts, the wind blew fiercely, and overwhelmed them with dry sand." *

Meeting of the General Assembly.

Another point which he handled at considerable length was the obligation under which congregations were placed by Christ, not only to love and honour their ministers, but also to provide them with all things needful to their comfortable subsistence. "God bids thee honour him in the ministry of his appointment with the best of thy substance; and if thou do not this way acknowledge the owner and giver of all thou hast, thou art but an unthankful thief, and not a lawful possessor with a good conscience; and in the day of God's justice court, thou shalt hear the doom, and receive the punishment of a thief, if thou prevent not by repentance." Nor were flocks to excuse themselves from this duty on the ground that the tiends were rigorously exacted, and that therefore the support of the ministry should be devolved upon those who received them. As they would spare no cost to procure food for the body, so they should be solicitous to a much greater extent for proper supplies of nourishment to the soul. And the conviction was expressed that if the importance of Gospel ordinances were more frequently made the theme of discourse in the pulpit, many would be stirred up to procure and maintain pastors on their own charges. Melvil's discourse was highly approved by the assembly, and the reception which was given to it showed that the ministry retained all their affection for the old policy, and would hardly desist from their efforts till it was completely restored. At this meeting of the General Assembly the king made his appearance in person, and delivered a panegyric upon the Church of Scotland, which has been often quoted. He praised God that he had been "born in such a time as that of the light of the Gospel, and in such a place as to be king in the purest Kirk in the world. The Kirk of Geneva keepeth Pasch and Yule.† What have the yfor them? They have no institution. As for our neighbour Kirk in England, their service is an evil-said mass in English, wanting nothing but the liftings.‡ I charge you, my good people, ministers, doctors, elders, nobles, gentlemen, and barons, to stand to your purity, and I, forsooth, so long as I brook § my life and crown, shall maintain the same against all deadly." ‖

Adamson, to whom James Melvil referred in such bitter terms in his opening discourse, had been excommunicated during the preceding year

* Spottiswood, p. 381.
† Calderwood, vol. v. p. 95—98.
‡ *Supra*, vol. ii. p. 338; M'Crie's Life of Melvil, vol. i. p. 383; Aikman's Buchanan, vol. iii. p. 174.
§ Melvil's Diary, p. 282.

* Herodotus, lib. iv. cap. 173.
† Easter and Christmas.
‡ Raising the host.
§ Possess or enjoy.
‖ Calderwood, vol. v. p. 106; M'Crie's Life of Melvil, vol. i. p. 385.

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on the ground of various charges, among which were included the mutilation of the records of the General Assembly, and celebrating the marriage of the Earl of Huntley, contrary to an express prohibition of the commissioners of the Church. The case having been transmitted for trial to the presbytery of Edinburgh, they found the bishop guilty of falsehood and double-dealing, erroneous doctrine, opposition to the discipline of the Church, and contempt of the late public thanksgiving; and therefore they excluded him from the communion of the Church, till he should manifest signs of repentance. He was at this time occupied with a work under the title of "Psyllus," the object of which was to defend episcopacy and the royal supremacy, and to warn the neighbouring kingdom of England of the dangerous rocks upon which the Church of Scotland had struck.* He was also engaged in a correspondence with Bancroft, chaplain to the lord chancellor of England, who had preached a sermon at Paul's Cross, at the opening of the English parliament in February, 1588, in which he traduced the character of Knox and the Scottish Reformers, and represented the Presbyterian Church as full of sedition, treason, and tyranny. This sermon, which was bitterly complained of in Scotland, as doing the grossest injustice to the Presbyterian Church, drew its representations mainly from Adamson's famous declaration; and Adamson's correspondence with its author was designed to prepare the way for the assimilation of the ecclesiastical polity of Scotland to that of England.† But the bishop's day of influence was now gone. His efforts to stir up the mind of the king against the liberties and discipline of the Presbyterian Church utterly failed. James took an early opportunity of contradicting the statement made by Bancroft in his discourse, that the recent concessions in favour of presbytery were merely made under the pressure of circumstances, and that they might be expected to be soon recalled. He also withdrew his countenance from Adamson, being disgusted with the complaints which were poured in against him from all quarters.‡ The bishop was continually exposed to lawsuits for the recovery of property unjustly detained in his hands; and although it is probable that it was mismanagement rather than dishonesty with which he was chargeable, still the effect was to lower his character, and to hold him up to universal contempt.§ The temporalities of his bishopric too were made over to the Duke of Lennox, and as the king refused to afford him any assistance, he fell at once into extreme poverty and the deepest dejection.‖ He was under the necessity of applying to Andrew Melvil for assistance, who with a generous forgetfulness of all the wrongs which the bishop had inflicted upon him, supported him for some months out of his own private resources, and afterwards procured for him a contribution from the members of the church in St. Andrew's. From this time he expressed an earnest desire to be loosed from the sentence of excommunication; and several brethren having been deputed to converse with him on the subject, their report was such that his request was complied with. He was asked, however, to sign a recantation, which he did, acknowledging that he had done wrong, in desiring to be more than a simple pastor of God's Word,* and in describing presbyteries as a foolish invention, whilst they were really an ordinance of Christ. He also professed sorrow for having married the Earl of Huntley contrary to the prohibition of the Church; and he owned that he was the author of the act by which ministers were deprived of their stipends for not subscribing the enactments of 1584. For this harsh treatment of his brethren he confessed that in God's providence he was now receiving a righteous recompence. With regard to the document styled the King's Declaration, he does not deny that he wrote it, and he allows that it traduced the order of the Kirk, and was full of misrepresentations, but he excuses himself on the ground that he was commanded by the king's ministers for the time being to undertake the work.†

Conduct and circumstances of Adamson.

His recantation.

The circumstances in which this recantation was written were such, that but little value can be attached to it. It is impossible to ascertain how far it was the result of sincere conviction. Spottiswood ascribes it to the pressing difficulties in which the bishop's own mismanagement of the funds of the Church had involved him, coupled with the fact that he received pecuniary assistance from his former opponents; and the probability is that but for these causes, no such document would ever have been signed by the Bishop of St. Andrew's. It is surprising, however, that Spottiswood represents the publishing of this document as an injury to Adamson; and intimates that the bishop himself complained heavily of the wrong which was done to him, and with the feeling of an injured man committed his cause to God. But for what other purpose can it be imagined that a recantation was asked from him at all, if not in order to be published? The sole use of a recantation is to make it known that a change of opinion has taken place; and if it was conceived that the paper which Adamson signed ought to be suppressed, it was an utter mockery that his name should be affixed to it at all. If he really felt that the publication of it did him injustice, then nothing more is needful to show that he was acting an hypocritical part when he subscribed his name to it.‡

Estimate of recantation.

* Calderwood vol. v. p. 118.
† Miscellany of the Wodrow Society, pp. 470—520; M'Crie's Life of Melvil, vol. i. p. 396.
‡ Melvil's Diary, p. 288.
§ Spottiswood, p. 385.
‖ Scott's Apologetical Narration, p. 59

* Calderwood, vol. v. p. 119.
† Melvil's Diary, p. 290.
‡ Calderwood, vol. v. pp. 118, 124; Spottiswood, p. 385; M'Crie's Life of Melvil, vol. i. p. 397; Hetherington, p. 53.

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Adamson's death.

No gleam of prosperity ever again visited the fallen Bishop of St. Andrew's. The few remaining months of his life were spent in extreme indigence, and he died on the 19th of February, 1592. He was a man of distinguished ability and most extensive attainments; as a public speaker, he was endowed with a singular gift of eloquence, and he could handle a pen with rare facility and grace;* his writings exhibit a wonderful ingenuity and elegance: but he was deficient in principle, and therefore, with all his eminent talents, he never acquired any lasting influence over the minds of men. No trust could be reposed in him when his own interest or ambition came into play. From the very commencement to the close of his career, cases of undeniable tergiversation abound in his life. One of his first public appearances was devoted to the condemnation of episcopacy, and yet he accepted a bishopric a very short time afterwards; and one of the last acts of his life was to affix his name to a recantation of the episcopal principles which he had so long professed. And the whole interval between these first and last scenes of disgrace exhibits inconsistencies of a similar kind, such as signing the book of policy when presbyterian principles were in the ascendant, and then labouring to overthrow it when the aspect of the political heavens changed. He was utterly devoid of that stern integrity which distinguished his opponents in so remarkable a degree, and which made them willing to die rather than to sacrifice their principles. His name might have been honoured in Scottish history if he had been consistent in his support of episcopacy, which, notwithstanding his recantation, must be conceived to be the scheme of ecclesiastical policy which he really approved; but a cloud hangs over his character which can never be dispelled. Every supposition which it is possible to make obliges us to charge him either with defective and feeble judgment, or rather with a want of integrity and honesty.

Influences favourable to the Presbyterian Church.

It could not be the removal of Adamson from the scene which led to the full recognition and establishment of the presbyterian system, for his influence had expired long before himself. But certain it is, that within four months after his death there was effected a settlement of the differences by which the nation had been agitated for a number of years. The king himself had been growing rather more favourably disposed towards the presbyterian leaders, probably because he saw that their influence in the country was unbounded, and that consequently there was no likelihood of his being able to secure anything like a general acquiescence in his own favourite scheme. Chancellor Maitland, too, now Lord Thirlstane, although formerly connected with Arran, and implicated in his assaults upon the freedom of the Church, had yet come to perceive that true policy required an abandonment of the struggle for the establishment of episcopacy in opposition to the will of the nation; and his influence tended powerfully to soften and modify the dislike of James to the presbyterians. The conduct of the ministers, also, during the period of his majesty's absence in Norway, and the benefits which had accrued from their influence over the people, did much to counteract the prejudices of the royal mind against them. And in particular, Robert Bruce, both on account of his valuable services at that time, and his intimacy with Maitland, and his family connexions, was eminently instrumental in disposing the king to restrain his hostile feelings, and to look with some small degree of favour, or at least patience, upon the scheme of ecclesiastical polity which was so dear to the nation.*

Interview between his majesty and a deputation of the Church.

At the meeting of the General Assembly held in May, it was agreed that a strenuous effort should be made to procure the repeal of the obnoxious acts of 1584,† and for this purpose several articles were prepared, and a deputation was appointed to present them to his majesty. The scene which occurred when the members of the deputation were admitted to the royal presence, was far from promising a successful termination of the business on which they had come. The king expressed much displeasure at the favourable opinions entertained by the ministers in regard to Knox, the Good Regent, and George Buchanan, who were men, he said, that could not be defended but by traitorous and seditious theologues. This remark roused the spirit of Andrew Melvil, who spoke so warmly in defence of these illustrious men that the chancellor, afraid of the impression which might be made upon the king, reminded him that it was a different business on which he had come; but Melvil refused to be silent on such a subject, unless his majesty himself positively forbade him to speak. The king found fault with Buchanan's book, "De Jure Regni," which led Melvil to remark that the men whom he was blaming so severely, were the very individuals who had placed the crown upon his head. To this James replied that the crown came to him by succession, and was not bestowed upon him by any one.‡ But Melvil rejoined that the men in question were the instruments of his elevation, and assured him that whoever strove to prejudice his mind against them, were neither his friends nor the friends of their country.

Offence given to the king by Balcanquhall.

Another ground of offence was given to the king by Balcanquhall, in a sermon preached upon the 2nd of June, in which he censured the rulers of the country for negligence in the discharge of their duties; and reminded them of the Earl of Morton, who, at his execution, just eleven years past that very day, bitterly regretted that, when he had

* Wodrow's Life of Bruce, p. 11; Melvil's Diary, p. 293.

* M'Crie's Life of Melvil, vol. i. pp. 379, 381.
† Book of the Universal Kirk, p. 358.
‡ Calderwood, vol. v. pp. 156—159.

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time and opportunity, he did not do the good which was in his power. Balcanquhall was summoned into the king's presence, and charged with declaiming against the government in a style unprecedented in any country. But he defended himself by appealing to the example of the prophets in Israel. To this James replied that the office of prophet no longer existed; but Balcanquhall alleged that a greater office had succeeded in the ministry of the New Testament. Proof was demanded by James; and the case of John the Baptist was adduced in reply. The liberty of speech assumed by the ministers was so displeasing to the king, that he earnestly pressed the lords of articles to frame an act calculated to restrain them, and to propose the appointment of some special magistrates, who should be authorised to eject them from the pulpit when they transgressed. Such a thing, remarked the Provost of Edinburgh, to whom his majesty specially addressed himself, he could never do, but would rather resign his office. "What," said the king, "do you prefer them to me?"—"I prefer God before man," replied the provost.*

Presbyterian policy restored by act of parliament.

Notwithstanding these altercations, which chafed the mind of the king to a great extent, and were calculated to rouse into violent action all his strong prejudices against the presbyterian ministers and the republican genius of presbytery, the claims of the Church were favourably entertained by parliament; and an act was passed very greatly in advance of what the ministers expected, by which the encroachments of 1584 were removed, and the old policy, in all its leading features, was restored.† Various influences conspired to bring about this unexpected result. Public indignation was strongly excited on account of the recent assassination of the Earl of Moray, son-in-law of the Good Regent, who while residing with his mother, Lady Doune, at Dunnibristle Castle, was attacked and killed in cold blood by the Earl of Huntley, on the ground of some existing feud. Moray, who resembled his father-in-law both in appearance and in character, and was considered the handsomest man of his times, being popularly designated the "Bonnie Earl of Moray," was held in the highest regard by the people; and as no disposition was shown to bring the perpetrator of the foul murder to punishment, the public discontent rose to a high pitch, and songs and placards everywhere appeared, charging even James himself with a share of the guilt.‡ Bothwell, too, although defeated in his recent attempt to seize the king's person, was still in arms, and his unscrupulous and daring character rendered the position of his majesty not a little insecure. These and other causes, such as James's lavish profusion and consequent poverty, diminished the royal power, and rendered it imperative to make some concessions to the Church, with the view of regaining its support. Chancellor Maitland, too, exerted his influence to prevail upon the king to accede to the wishes of the ministers, and James at length consented, though there is reason to believe that he repented immediately after the deed was done.*

Substance of the act of 1592.

The act of parliament obtained as the result of all these concurring circumstances, has always been considered as the great charter of the Church of Scotland.† It begins with confirming all the liberties, privileges, and immunities, which had ever been granted by his majesty, or by regents in his name, or by his predecessors, to the true and holy Kirk presently established in the realm. It does not ratify, or even mention, the Second Book of Discipline, but it sanctions most of the leading principles of government embodied in it, and employs not a little of its language. In the first place, it was declared lawful to hold general assemblies at least once in the year, or oftener should occasion and necessity require; but it was at the same time provided, that either his majesty in person or his commissioners should at each assembly fix the time and place of the next meeting, unless neither of them were present, in which case the assembly itself was allowed to make the appointment, as had been the practice for some years past. Authority was likewise granted for holding synodal or provincial assemblies twice each year; and presbyteries and sessions were sanctioned without any restriction of the number of meetings which they might hold. Synods were to be entrusted with the consideration of weighty matters connected with the wellbeing of the churches within their bounds, and they were also invested with power to handle, order, and redress all things done amiss in subordinate judicatories. To presbyteries it belonged to carry the ordinances of the General Assembly, and of provincial synods, into effect; to attend to the good order of the churches within their bounds; to see that the Word of God was purely preached, the sacraments rightly administered, discipline properly executed, and ecclesiastical goods honestly distributed. Particular churches, also, were to be ruled by a sufficient ministry and session, and they were to exercise through these office-bearers power and jurisdiction over their own members in matters ecclesiastical. It was likewise enacted by parliament, that when persons charged with misconduct were excluded from office in the Church by sentence of presbytery, synod, or the General Assembly, this exclusion was to deprive them of all interest in the temporalities of benefices which they had formerly possessed; and notice of the sentence being communicated to the patron, he was to be bound to present another qualified person to the vacant church within six months, on pain of losing his right of patronage

* Calderwood, vol. v. p. 161.
† Tytler, vol. ix. p. 72.
‡ Scott's Apologetical Narration, p. 59; Calderwood, vol. v. p. 162; Spottiswood, p. 388; Aikman's Buchanan, vol. iii. pp. 180, 181; Robertson, vol. ii. p. 133.

* Calderwood, vol. v. p. 162; Spottiswood, p. 388.
† M'Crie's Life of Melvil, vol. i. p. 402; Aikman's Buchanan, vol. iii. p. 182; Tytler, vol. ix. p. 74.

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for that time. It was further provided that if the presbytery should refuse to admit a qualified minister presented to them by the patron, it should be lawful for the patron to retain the funds of the benefice in his own hands.*

Besides these provisions, the new law embodied some other enactments. It abolished a variety of acts of parliament favourable to popery, which had remained upon the statute book, some of them for more than a century; and it also declared that the more recent enactments of 1584 should in no respect interfere with the privileges of spiritual functionaries, in regard to heresy, excommunication, and the settlement or deposition of ministers. The commissions granted at that time to bishops and other judges to receive his majesty's presentation to benefices, and to decide in ecclesiastical causes, were declared to have expired, and to be null in time coming, and of no avail, force, or effect; and presentations were ordained to be laid before presbyteries, which should have full power to give collation to benefices, and to settle all ecclesiastical questions within their bounds, "providing the foresaid presbyteries be bound and astricted to receive and admit whatsoever qualified minister presented by his majesty or laic patrons."†

Nature and value of the enactments now passed.

It is considered by Dr. M'Crie as a defect in the act of parliament, passed in 1592, regarding the Church, that the supreme court was deprived of the right of appointing its own meetings, and that the power of presbyteries, and the liberties of the people, were fettered by the continuance of lay patronage.‡ The question of the relations which should subsist between an established church and the civil government is one encompassed with extreme difficulty. Where a church neither asks nor receives from the State anything in the shape of recognition or pecuniary support, there exists no reason why its proceedings should be in any respect interfered with, unless it were charged with raising the standard of revolt, and attempting to introduce civil disorder into the land. But it must be quite different with a church whose principles have received a civil recognition, and whose ministrations are supported by funds which the State has supplied. If it be the magistrate's duty to make laws and provide means for the religious instruction of the people, it must also be his duty to watch the agencies which he brings into operation, and to take steps for securing that they really serve their purpose. It seems quite unreasonable on the one hand to affirm that it is the duty of a particular person to provide for a certain object, and yet on the other hand to deny that he has any right to control or regulate the means which he considers it proper to employ. There must be some point in an established church upon which the magistrate has a right to lay his restraining and guiding hand; and the principle of the Confession of Faith seems a very reasonable one, as applied to such churches, that the magistrate "has power to call synods, to be present at them, and to provide that whatsoever is transacted in them be according to the mind of God."* This appears to be the only consistent theory on which an established church can rest.

Progress of the Presbyterian Church.

The Presbyterian Church had now attained what was considered a settled and very favourable position. And notwithstanding the numerous difficulties with which she had been struggling for years past, her ministers had gradually augmented in number. It was during the course of this summer that measures were taken for the division of Edinburgh into eight congregations,† to be supplied by eight ministers; and it was arranged that the stipends should be provided in the manner suggested by James Melvil‡ two years previously, by a yearly contribution from the godly people of the town, until the "common good" of the burgh should be able to bear the burden.§ It thus appears that the voluntary principle outran the scheme of legal support; and we doubt not that, if it had been employed not merely to supplement the deficiencies of that scheme, but as an independent method, in whose intrinsic power confidence was placed, and whose scriptural obligation was believed and felt, it would have shown itself in all respects adequate to maintain the ordinances of religion; and the Church of Scotland might have been saved those struggles with the State, into which she was thrown in consequence of her dependence upon the civil power for support. But the ideas of that age in regard to religious liberty were radically and totally wrong. It was the universal conviction that only one church ought to be allowed by government to exist, that that church should be supported by the authority of parliament, and that all deviation from its principles should be suppressed by civil pains and penalties. This was the belief of the Romish Church, and she had acted upon it with unrelenting rigour so long as she possessed the power, persecuting with fire and sword in all directions; but it was also the belief of the Reformed Church, though she had been restrained by the influence of her purer faith from carrying it out to the same extent of cruelty.‖ The universal prevalence of this most erroneous and unscriptural idea, which has been productive of such fearful woes to the human race, by making men the deadly enemies of one another on account of conscientious differences of religious opinion, rendered it impossible for the

* Melvil's Diary, p. 298; Book of the Universal Church, p. 376; Calderwood, vol. v. pp. 162—164; Scott's Apologetical Narration, p. 61.

† Acts of Scottish Parliament, vol. iii. p. 541; Calderwood, vol. v. p. 166; Dr. Cook's plain Observations on the Enactment of the General Assembly in 1824 relating to Patronage and Calls, p. 3.

‡ M'Crie's Life of Melvil, vol. i. p. 401.

* Confession of Faith, c. xxiii. sect. 3.

† Wodrow's Life of Bruce, p. 32; Melvil's Diary, pp. 283, 284.

‡ Melvil's Autobiography, p. 283.

§ Calderwood, vol. v. pp. 172, 173.

‖ *Supra*, vol. i. p. 686; *supra*, vol. ii. p. 246; Robertson, vol. i. p. 176; Lesley *ap.* Jebb. vol. i. p. 231.

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voluntary principle to obtain anything like a trial at all. The right of men to worship God according to the dictates of their own conscience, whatever those might be, required first to be seen and recognised before the idea could suggest itself, that not public funds, but the contributions of godly and Christian men, are the only proper means of supporting the ordinances of God's house.

Edinburgh was not the only place where the number of ministers had greatly increased; this was the case also in most other districts of the country. In the presbytery of St. Andrew's, for example, there had been only five parishes provided with ministers at the time when Andrew Melvil became connected with the university, but we know that shortly after the period which we have now reached, the number amounted to sixteen. This increase of Christian pastors throughout the country manifests how strong a hold the principles of the Reformed Church had taken of the public mind in Scotland, and accounts for the influence which the religious teachers were enabled to exert over the public affairs of the nation.*

Extraordinary convention in Edinburgh.

The power of the clergy had been exerted in a very beneficial manner at the time of the threatened invasion of the Spanish Armada; and now again a somewhat similar posture of affairs demanded a similar interference. It was known that seminary priests from the Continent were at work in various parts of the kingdom, and rumours of plots and invasions were succeeding each other with portentous rapidity, so that the public mind was in a state of constant agitation and alarm. An extraordinary convention was, therefore, held at Edinburgh in November, which was numerously attended by brethren from all parts of the country.† The information communicated to this meeting at once gave rise to the general conviction, that some scheme was on foot for the subversion of the Reformed Faith, and for the overthrow of the existing government. With the view of averting the dangers with which it thus appeared that the country was threatened, it was agreed that a general fast should be observed in all the churches of the kingdom on the 17th and 24th days of December, when, with true humiliation and unfeigned repentance, they should supplicate God's help in this trying emergency. The reasons assigned for this fast were the intention of the enemy to execute the bloody decree of the Council of Trent against all Protestants; the spiritual destitution of so large a portion of the country for want of pastors and sufficient means of upholding the gospel; the defection of many from the faith, particularly among the nobility, through the efforts of Jesuits and priests; and the general disorder of the commonwealth, and wickedness of all kinds that abounded in the land. It was agreed that a committee of brethren should meet weekly in Edinburgh to watch the progress of events, and to take care that the Church should suffer no damage;* and instructions were sent to all the different presbyteries, to the effect that they should endeavour to compose all existing disagreements in their several neighbourhoods; that they should warn the congregations under their care of the dangers which were apprehended; that they should gather all the information which they were able to procure, and transmit it to the committee in Edinburgh without loss of time. These measures were communicated to the king, and obtained his sanction.†

Discovery of a plot for the invasion of the kingdom.

It seems to have been in consequence of the activity of the Church, and the instantaneous communication of intelligence between the ministers of different districts, that discovery was made of a plot for landing a Spanish force of thirty thousand men upon the west coast of Scotland, partly for the invasion of England, and partly for the subversion of the Protestant faith in Scotland itself.‡ Andrew Knox, minister of Paisley, acting upon secret intelligence which he had received, proceeded with a number of students belonging to the University of Glasgow, and some gentlemen from the neighbourhood, to the island of Cumbray, and there apprehended George Kerr, a doctor of laws, and brother of Lord Newbottle, just as he was preparing to set sail for Spain. On his person were found letters from certain priests in Scotland, and blanks subscribed and sealed by the Earls of Huntley, Angus, and Errol. The nature and extent of the plot were thus completely unmasked. The intelligence discovered was immediately transmitted to the king, who was absent; and he was requested to hasten to Edinburgh with all possible speed. At first he was disposed to resent the proceedings instituted in the case, as an encroachment upon his prerogative; but as the existence of the plot was undeniable, and the objects of it were plainly of the most traitorous kind, he gradually gave his approbation to the measures proposed, and declared that he would prosecute all parties implicated in the conspiracy with promptitude and severity.§ The utmost zeal now animated all ranks in the community. A body-guard was provided for the king, to defend him from the machinations of his enemies. A new bond was subscribed for the defence of religion, and the support of his majesty's government. A proclamation was also issued by the king warning the lieges of the dangers to which the country was exposed, exhorting them to hold fast their religious privileges, and commanding them to be in readiness to follow his majesty to the field, as occasion might require.‖ And, meanwhile,

* M'Crie's Life of Melvil, vol. ii. p. 17; Melvil's Diary, p. 331.

† Aikman's Buchanan, vol. iii. p. 187; J. Melvil's Autobiography, p. 298; M'Crie's Life of Melvil, vol. ii. p. 25.

* "Et providere in omnibus ne quid ecclesia detrimenti capiat."—*Calderwood*, vol. v. p. 181.

† Wodrow's Life of Bruce, p. 34; Melvil's Diary, p. 300.

‡ Tytler, vol. ix. p. 75; Aikman's Buchanan, vol. iii. p. 188; M'Crie's Life of Melvil, vol. ii. p. 27.

§ Calderwood, vol. v. p. 216; Row's History, p. 145.

‖ Calderwood, vol. v. pp. 233, 238, 258.

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they were to communicate to him, or to his council, all such intelligence as they might be able to procure regarding the treasonable proceedings of Jesuits and seminary priests. Graham of Fintry, an accomplice of Kerr, was brought to trial and beheaded at the Market Cross of Edinburgh.* Kerr also was examined at great length, but as he had powerful friends, the proceedings against him were somewhat dilatory; and at length he was allowed, it was said with the connivance of the king himself, to escape from prison. Immediately after Graham's execution, James marched northwards against the popish earls, with the view of apprehending them and bringing them to trial; and his proceedings seemed to be conducted with vigour.†

Demands of the Church.

Meanwhile a meeting of the General Assembly was held at Dundee. They craved of his majesty that all papists within the country might be punished according to the laws of God and the realm; that the act of parliament might *ipso facto* apply to all manner of men, landed and unlanded, in office or not, as it applied to beneficed persons; that a declaration should be issued against Jesuits, seminary priests, and trafficking papists, pronouncing them all guilty of treason; and that all such persons as the Kirk found to be papists should be debarred from holding any office in the country, from having access to his majesty's presence, and even from enjoying the benefit of the laws.‡ These demands, when brought into juxtaposition with the ideas prevalent at the present day, appear altogether unreasonable; and Tytler bitterly censures the Church for her procedure against papists. But this historian forgets that the true idea of religious liberty, or even of toleration, was quite unknown to any party in those days. And when it is considered that a conspiracy had just been discovered for the overthrow of the Protestant faith, and the substitution of the popish religion in its room, it is not at all wonderful, if the principles are kept in view which were then universally recognised, that the severest measures should be recommended. The Romanists might complain of persecution, but experience left no room for doubt, that if they succeeded in their designs there would indeed be a persecution, compared with which any intolerance shown by the Reformers was hardly worthy of being mentioned. That the Protestants held persecuting principles as well as their opponents is undeniable, but they never acted upon them to the same extent. They were better than their principles. They were restrained by emotions of humanity, and the mellowing influence of Christian feeling; and even when most provoked, they stopped short of the lengths to which their opponents made no scruple of going. But still they were strangers to the true idea of religious liberty; and so were all others as well as they. Men might have some dim visions of the excellence of liberty of conscience when they were in a minority, but no majority ever looked upon it as anything else than a deadly sin. The exclamation of Lord Hamilton, when James ventured one day in private to throw out the idea of granting liberty of conscience to the popish earls, "Sir, then we are all gone, then we are all gone, then we are all gone!" gives a just view of the horror with which everything like recognised toleration of religious differences was regarded.* Nor was the king himself at all an exception. Those who ascribe the coldness which James manifested with regard to the measures proposed by the Kirk, to a zeal for the interests of religious liberty, claim an honour for him to which he has no title. He could speak of liberty of conscience, like others, when he felt an interest in the parties for whom it was claimed; but the idea of such liberty, to be enjoyed as a privilege and a right by all, was as foreign to the mind of James as it was detested by every one else. The motives by which the king was swayed, in looking coldly upon the proposals of the Church, seem rather to have been a wish not to offend the popish party in England, lest they should oppose his succession;† a consideration of the power of many of the leading individuals implicated in the recently discovered plot; the unhappy dissensions prevailing among the nobility; and the fear that the royal authority was too feeble to bring them all to punishment. Mere dislike of persecution will not account for the fact that the Earls of Huntley, Angus, and Errol, Gordon of Auchindown, and Chisholm of Cornelix, who were undeniably guilty of treason, were treated with the utmost lenity, and in the end acquitted on the ground of some informality in the libel against them. The views of James are sufficiently apparent from the declaration which he afterwards made, that he would purge the land of papists, and suffer no man, in whatsoever degree, to be of a different religion than he was of himself.‡

The king's answer to the assembly.

To the requests of the General Assembly, James sent an answer, in which, proceeding upon the principle that the enemies of the Church and of his own authority were one and the same parties, he expressed the desire that in all the presbyteries there might be persons appointed, to gather the utmost possible information regarding papists and Spanish factioners, and also regarding the practices of Bothwell, and to communicate their discoveries to his council. He found fault too with the assembly for convening without his appointment, in violation of the late act of parliament; and he required that before breaking up they should send two of their number to him, that he might prescribe the day when their next meeting should be held.§ He likewise desired the

* Spottiswood, p. 391.
† Tytler, vol. ix. p. 86; Pitcairn's Criminal Trials, vol. i., part 2, pp. 317, 335.
‡ Calderwood, vol. v. pp. 240, 241; Tytler, vol. ix. pp. 92, 93; Row's History, p. 150.

* Calderwood, vol. v. p. 269.
† Hetherington, p. 58.
‡ Calderwood, vol. v. pp. 255, 278, 285, 455.
§ Spottiswood, p. 393.

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assembly to pass an act forbidding ministers, under pain of deprivation, to declaim in the pulpit against his proceedings or those of his council; and this demand he grounded not only upon his acknowledged favour to piety and justice, but also upon the facility with which ministers could obtain access to his presence, to make known their grievances to himself. With these views of his majesty the assembly expressed their entire concurrence; and they admonished ministers to avoid rash and irreverend speeches against the king or his council, and to make sure that in all public admonitions they proceeded upon just and necessary causes. This admonition, however, was not considered by James as at all constituting a sufficient remedy for the evil of which he complained; and therefore he in his turn felt the less disposed to enter warmly into the views of the assembly with regard to Jesuits and seminary priests, and other adherents of Rome.*

Disorderly conduct prevalent at this period.

To the dissatisfaction of the Kirk with the lenity of the king towards the papists, and their consequent refusal to cooperate with him for the preservation of good order, Tytler ascribes the tumults and irregularities which everywhere abounded about this time.† But there is no evidence to show that the ministers at all relaxed their efforts for the preservation of the public tranquillity. A far more likely cause of the disorderly spirit which now began to manifest itself, was the lenity shown by the king and parliament to men who were undeniably guilty of treason. It was not mere popery with which Angus, Huntley, Errol, and Auchindown were charged, but it was a conspiracy to land thirty thousand Spaniards in Scotland for the overthrow of the religion of the country: and yet it was the mere form of a trial which they were required to undergo, and no punishment whatever was inflicted upon them. This was a positive encouragement to all sorts of disorders; and the deplorable outrages which Tytler enumerates, are just the consequences which might have been anticipated from a feeble administration of the law. It was too apparent from the first that James had no intention to take any decisive step against the conspirators, whom he was unwilling to exasperate, as they had a powerful party on their side; and with this acknowledged fact in view, it is certainly surprising that any historian should search for another cause of prevailing disregard of law, and more astonishing still that he should fix upon the alleged connivance of the Kirk at breaches of the public peace. Were James Gray, a gentleman of the king's suite, Lord Home, the Duke of Lennox, the Earl of Mar, Campbell of Ardkinglass, the Earl of Argyle, Lord John Hamilton, Chancellor Thirlstane, the Master of Glammis, Lord Spynie, Lord Maxwell, Lord Cessford, Sir James Sandilands—who are all mentioned by Tytler as implicated in the disorders of this period—were these men more likely to be influenced by the inactivity of the Kirk, than by the manifest feebleness of the royal arm?

Popish lords excommunicated by the synod of Fife.

The lenity shown by the king to the popish lords, of whose connection with the conspiracy recently detected hardly any one entertained a doubt, was highly displeasing to the whole country, and excited grave doubts with regard to the sincerity of his majesty's own attachment to the Protestant faith. The subject was brought before the synod of Fife at their meeting in September; and, with bitter lamentation for the encouragement which was afforded by the king to the enemies of the Reformed Church—who were known to be boasting that they would soon make all men receive their religion—they determined to institute proceedings against the Earls of Angus, Huntley, and Errol, Lord Home, Sir Patrick Gordon of Auchindown, and Sir James Chisholm, on the ground that, having signed the Confession of Faith while studying at St. Andrew's, they were amenable to their jurisdiction.* And they did accordingly excommunicate these noblemen, and "deliver them to Satan for the destruction of the flesh, that the spirit might be safe, if God were pleased to reclaim them by true repentance;" and they appointed not only that intimation of the solemn deed should be made by every minister in his own church, but that notice of it should be sent also to all the adjacent synods. These proceedings, while they were approved of by the great body of the Presbyterian Church, and considered as the most efficient means of warding off danger from the country,† were highly displeasing to the king, because they tended to defeat his views with regard to the case of the popish earls, which, although postponed, still stood over for final judgment. He sent for Robert Bruce, and endeavoured to prevail upon him to prevent intimation of the sentence from being made, alleging that it was unjust and informal; but Bruce assured him that it was quite beyond his power to interfere with the proceedings of a neighbouring synod.‡

During an interview with commissioners from a convention in Edinburgh, in October, the king inveighed bitterly against the synod of Fife for excommunicating the popish earls, and even threatened to summon a meeting of parliament for the purpose of restoring episcopacy. James Melvil defended the course which the ministers had taken, and assured his majesty that they were actuated by all reverence for him, and that their object was to ward off imminent dangers which were threatening the religion and liberties of the country. Other meetings took place with regard to this business at Linlithgow and Holyrood House, but the final re-

* Calderwood, vol. v. pp. 243, 244; Book of the Universal Kirk, p. 385; Row's History, pp. 151, 152; Spottiswood, p. 393.

† Tytler's History, vol. ix. pp. 94—100.

* Calderwood, vol. v. p. 263; Aikman's Buchanan, vol. iii. pp. 196, 197; Spottiswood, p. 396.

† Melvil's Autobiography, p. 310.

‡ Spottiswood, p. 397; Wodrow's Life of Bruce, p. 38.

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sult was that the king carried his purpose, and an "act of abolition" was passed, by which the process against the popish earls was stopped, and they were declared "free and unaccusable" in all time coming with regard to the crimes charged against them, provided they abstained for the future from all treasonable correspondence with foreigners.*

Conduct of Andrew Melvil at Holyrood House.

Andrew Melvil attended the meeting at Holyrood House as one of the six commissioners for the Church, nominated by the convention of Estates at Linlithgow. Disapproving of the proceedings, he expressed his mind with his wonted freedom, and censured the king for the terms in which he spoke of the leaders of the Reformation, and for the favour which he showed to the enemies of religion, and particularly to the house of Huntley. He called upon those who were the advisers of this course to avow themselves in presence of the Estates, and he offered to prove them guilty of treason against Christ and the king's person,—expressing himself ready, if his proof failed, to go to the gibbet, provided the same measure were meted out to them, if he succeeded.† His words made the king and his courtiers smile, and they said that he was more zealous and choleric than wise.

Character of the proceedings against the popish lords.

The proceedings of the king were highly displeasing to the adherents of the Presbyterian Church, who regarded his lenity to men that were undoubtedly guilty of treason, as warranting the suspicion that he was favourably disposed to their principles. Yet while the act of abolition was certainly by far too lenient in one respect, it wears, as read by the light of the nineteenth century, an aspect of revolting severity in another. In fact, it is a document which it is both painful and at the same time highly instructive to peruse; and it strikingly exemplifies the difficulties which must necessarily perplex government, where religious liberty is either not understood or not practised. The popish earls were declared "unaccusable" in regard to the treason of which it was not questioned that they were guilty, and their estates, instead of being forfeited, were spared to them; but the conditions prescribed were that they should either embrace the Protestant faith, and make their peace with the Kirk, or quit the kingdom and live in perpetual exile.‡ Now, although the principles prevailing among Protestants would oblige us to characterise such a condition, if proposed at the present day, as most unreasonable and unchristian, yet according to the views which were then universally prevalent, and which maintained their sway for more than a century afterwards, it was the most lenient course which could possibly have been adopted. Where hostile parties conscientiously entertained the belief, that if they tolerated one another's religious opinions they became chargeable with the guilt attaching to erroneous doctrine, there was an utter absence of everything like a mediating or harmonising principle, and no alternative remained but to carry on the conflict, till one party gained such a superiority as the other could not venture to contest. We are sometimes apt to wonder that the Protestant leaders did not sooner discover the principle of toleration, which appears to us so obvious and reasonable; but we forget the personal experience which they had had of the horrid cruelties inflicted by popery upon alleged heretics; we forget that popery continued the dominant system over Europe, and displayed the same cruel spirit everywhere; and we forget that at this very period there was a powerful league in existence for suppressing protestantism by force of arms throughout Christendom. If it required all the philosophic calmness and experience of Locke to reason out the principle of toleration, and that too in a state of society so exceedingly different, was it to be expected that the early Reformers should be able to discover and assert this principle amid the plots, and alarms, and leagues, and conspiracies with which they were surrounded? It admits of no doubt that, tried by the principles prevalent at the time, the treatment given to the popish lords was in some respects most culpably lenient. They had conspired to land a foreign force in the country to overthrow its religion, and yet their lives were spared, their estates were not forfeited; they were only required, if they could not conform to the religion of the country, to live in a foreign land. Would any Romish power have treated Protestant rebels in this manner?*

Continued treason of the popish lords.

But not only did the popish lords not accept within the prescribed period the terms offered to them, but they continued to carry on a treasonable correspondence with Spain, and made every effort to procure a foreign force to aid them in their rebellious designs.† The king, now thoroughly persuaded of the folly of tampering any longer with so flagrant a case of treason, determined to take prompt and decisive measures against the conspirators;‡ and the General Assembly also, as guardians of the religion and liberties of the nation, brought into exercise the spiritual weapons which belonged to them. They confirmed with entire unanimity the sentence of excommunication which had been pronounced upon the popish lords by the synod of Fife,§ and ordained that every minister in the kingdom should make solemn intimation of the sentence from his pulpit, that none might be able to pretend ignorance, or become chargeable with the crime of harbouring excommunicated

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* *Supra*, vol. ii. p. 356; Calderwood, vol. v. p. 285; Aikman's Buchanan, vol. iii. p. 200; M'Crie's Life of Melvil, vol. ii. p. 36; Robertson, vol. ii. p. 140.
† Calderwood, vol. v. p. 288; Melvil's Diary, p. 313.
‡ Calderwood, vol. v. 286; Spottiswood, p. 400.

* Robertson, vol. ii. p. 140.
† Aikman's Buchanan, vol. iii. p. 202; Robertson, vol. ii. p. 141.
‡ *Supra*, vol. ii. p. 362.
§ Calderwood, vol. v. p. 309; Melvil's Diary, p. 315.

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persons.* Lord Home, however, was not included among the rest when this final step was adopted. As he had appeared before the assembly, made professions of penitence for his fault, and craved to be released from the sentence of excommunication pronounced by the inferior court, the brethren took a favourable view of his case; and after he had given his consent to certain conditions which they prescribed, such as signing the Confession of Faith, attending public worship, supporting the true religion, and abstaining from all intercourse with Jesuits and seminary priests, they ordained that he should be formally released by the moderator from the spiritual burden under which, according to his own profession, he was suffering so much distress of mind.† Andrew Melvil was moderator at the time, but in consequence of suspicions which he entertained of the sincerity of Home, and on account of the view which he took of the unsettled state of the country, he could not bring himself to undertake the performance of this duty. His reasons having been stated to the assembly, they respected his scruples, and appointed David Lindsay, the former moderator, to supply his place for the occasion.‡ Such consideration of private feelings has not always characterised the procedure of church judicatories. Not unfrequently individuals, who have conscientiously disapproved of decisions adopted by the majority, have been compelled to take an active part in carrying them into effect, when their place might easily have been supplied by others to whom the task would have been quite agreeable; and thus much wanton cruelty has been inflicted, and in some cases the unity of the Church has been broken. The plea of conscience is one which should never be lightly regarded, or rashly set aside, by an ecclesiastical court.§

Deputation sent to his majesty.

At this assembly it was agreed that a deputation should be appointed to bring under his majesty's notice the dangers to which the religion and liberties of the country were exposed from the designs of Spain, and the continued machinations of the popish lords, and to request that vigorous measures might be adopted for warding off the threatened perils and bringing the guilty parties to justice.‖ James Melvil was nominated as one of the individuals who should compose this deputation; but several members of the assembly objected that his appointment was inexpedient, as he had incurred the displeasure of the king on account of certain rumours circulated against him at court. It had been alleged that monies intrusted to him by good Christians for the purpose of being transmitted to Geneva,* and applied to the relief of the suffering brethren there, had been misappropriated by him, and employed, with his uncle's connivance, to further the designs of Bothwell, who was pretending that he had a commission from the Church against papists. Assuming the very attitude which conscious innocence would dictate, Melvil remarked that his name had often been put upon commissions in times of greater danger than the present, when there was a difficulty of finding individuals to act; that in ordinary circumstances he had no wish for such appointments, but that at present the very reason assigned for the omission of his name, made him earnestly desirous of being appointed one of the deputation. It was his wish to have the opportunity of presenting himself at court, that he might openly meet the charges which any individuals might be able to bring against him. Accordingly, his name was put upon the list of the commissioners, and after they had brought the public business with which they were intrusted under the notice of his majesty, he adverted to his own private concerns. He begged of the king that his traducers might be brought face to face with him, and that any charges which they had to make might be plainly stated. But the king at once assured him that he gave no credit to anything alleged against him, but, on the contrary, considered both him and his uncle to be trusty and faithful subjects.† So, says James Melvil, "I that came to Stirling a traitor, returned to Edinburgh a great courtier, yea, a cabinet councillor." This bold and open procedure on the part of a poor minister at the court of his sovereign could only proceed from a consciousness of perfect integrity, and is of itself sufficient to sweep away all the slanders which have been heaped upon the memory of James Melvil. This courting of inquiry stamps the seal of truth upon the denial he made: "I never liked the man, nor had to do with him directly or indirectly; yea, after guid Archibald Earl of Angus died, I knew not one of the nobility in Scotland with whom I could communicate my mind touching public affairs, let be to have a dealing with in action."‡

Surmises against James Melvil.

Reference is made, in the proceedings of the assembly, to a singular custom which prevailed in Garioch, and many other parts of the country, of dedicating a parcel of ground to the devil, under the designation of the "Good man's Croft." The object of the practice seems to have been to purchase the goodwill of the powers of darkness, and thus to secure immunity from any damage which it might be in their power to inflict; and the plot of ground thus dedicated, being considered as no longer belonging to its human proprietors, was left uncultivated from year to year. This most superstitious and wicked

Practice of dedicating ground to the devil.

* Book of the Universal Kirk, p. 392; Spottiswood, pp. 403, 404.
† Calderwood, vol. v. pp. 317, 318; Row's History, p. 155.
‡ Melvil's Diary, p. 315; Book of Universal Kirk, p. 407.
§ M'Crie's Life of Melvil, p. 44; Hetherington's History, p. 58.
‖ Spottiswood, p. 404; Calderwood, vol. v. p. 311.

* Spon, Histoire de Geneve, tom. i. pp. 334, 393.
† Calderwood, vol. v. p. 327; M'Crie's Life of Melvil, vol. ii. p. 43.
‡ Calderwood, vol. v. p. 307; Melvil's Diary, p. 315.

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practice the assembly loudly condemned, and they urged upon parliament the propriety of enacting a law that all such lands should be immediately brought under cultivation by those to whom they belonged, under pain of being forfeited to the crown, and bestowed by his majesty upon such persons as would engage to make a proper use of them.*

After the popish lords were defeated by the vigorous measures of the king, and received permission to betake themselves to a foreign country, public tranquillity again blessed the nation, and the suspicions which many had cherished with regard to his majesty's attachment to the Protestant faith were allayed. The ministers of the Church appeared satisfied with the issue of the king's expedition to the north, and commendations of his zeal and ability were heard from many of the pulpits.† Thus relieved for a time from the dread of insurrections, designed for the restoration of popery, the leaders of the Church now turned their attention in good earnest to the deficiency and precariousness of the means provided for her support, and set themselves to devise some efficient and permanent remedy. The poverty of the ministers was extreme. The great mass of ecclesiastical property had passed into the hands of the nobility; new temporal lordships had been founded upon lands wrested from the Church, or bestowed by his majesty after the act of annexation; and the stipends which had been fixed as payable to the ministers of the Gospel were not only small in themselves, but they were never paid faithfully or regularly. On this account many ministers had been compelled to leave their charges, and a large number of parishes remained destitute of the ordinances of religion altogether.‡

Insufficiency of the provision made for ministers.

This important subject was brought under the consideration of the General Assembly in June, and after mature deliberation it was resolved that a commission, consisting of individuals from all parts of the kingdom, should be appointed to meet in Edinburgh in the beginning of September, for the purpose of devising some permanent scheme. In order to prepare the way for the labours of the commissioners, all the presbyteries were commanded to institute a previous inquiry with regard to the state of the churches within their bounds, and to digest the information gathered by them in an orderly form, stating the names of patrons; whether the benefices were distinct, or conjoined with others; who possessed the revenues, and by what right; the old rent of the ground, the present rent, and what was considered their just value. The whole mass of information thus collected was to be brought under the consideration of the brethren appointed to meet in Edinburgh; and with the aid of an individual from each presbytery, they were to prepare what was designated a "constant plat of the kirks."* This scheme, after its completion, was to be again reviewed by the commissioners, in conjunction with deputies from each of the fifty presbyteries in the kingdom; and when it had passed through these several ordeals, it was to be presented to his majesty and council for ratification.

Steps taken to devise a permanent scheme.

The subject of "a constant plat" was under discussion for a long time. It was no favourite with the court or the nobility. Hay, the clerk of register, held it to be an impossibility, as things then stood in Scotland, either to devise or to execute such a measure. Lindsay, however, the secretary, one of the Octavians,† was inclined to take a more favourable view of the subject, and he made an effort to construct a scheme which might prove acceptable, and set the vexed question of ministerial support at rest. His scheme, which embraced as one of its leading provisions the allocation of a certain quantity of victual in every parish to the minister, together with a manse and glebe of at least four acres, and also contemplated the support of schools and a provision for the poor out of the tithes, was received with the highest approbation by the friends of the Church, who considered it the best which had ever been devised, and would gladly have embraced it; but the obstacles thrown in its way, by those who were interested in its rejection, were too numerous and powerful to be overcome.‡ At length Lindsay himself abandoned the attempt as hopeless in existing circumstances. It was obvious that those who had obtained possession of ecclesiastical revenues and lands would never accede to any such scheme; and their number and influence were so great as to render their opposition decisive. The "constant plat" was frequently brought forward by the king and his council, when they had any object in view, in regard to which it was considered desirable to obtain the concurrence of the ministers; but they had no serious intention of ever really carrying it into effect.

Proceedings with regard to the plat.

The assembly, which met in the spring of 1596, exhibited a scene of a very remarkable and impressive kind. The dangers and difficulties which had beset both the Church and the nation for some years past, led many of the best men in the country to the conclusion that some great national reformation of manners was needed, as the means of averting the wrath of God. A proposition bearing upon this subject was brought by

Meeting of the General Assembly.

* Book of the Universal Kirk, p. 402; Calderwood, vol. v. p. 326; Row's History, p. 159; Cook's History of the Church of Scotland, vol. ii. p. 41.

† *Supra*, vol. ii. p. 364; Calderwood, vol. v. pp. 357, 358.

‡ Calderwood, vol. v. pp. 374, 421; Row's History, p. 167; Spottiswood, p. 393.

* Book of the Universal Kirk, pp. 415—419; Calderwood, vol. v. pp. 375, 376; M'Crie's Life of Melvil, vol. ii. p. 56; Cook's History, vol. ii. p. 55.

† *Supra*, vol. ii. p. 366.

‡ Calderwood, vol. v. pp. 420, 421; Melvil's Diary, p. 931: Cook's History of the Kirk of Scotland, vol. ii. p. 55.

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John Davidson before the presbytery of Haddington, and after being cordially embraced by them, it was transmitted to the General Assembly, that it might obtain the sanction of the supreme court, and be immediately carried into effect. The assembly entered most heartily into the views of the presbytery of Haddington. It was the universal feeling that the sins prevailing among all ranks and conditions of men exposed the country to the displeasure of Heaven, and demanded some special act of repentance and humiliation. A document was accordingly prepared, by appointment of the whole meeting, specifying under four different heads the sins which were considered to stand in need of immediate reformation.* These heads were transgressions and blemishes in the lives of ministers of the Gospel, faults chargeable upon persons connected with his majesty's household, corruptions prevailing among all ranks and classes of men, and lastly, defects in the administration of justice both in civil and criminal cases.

As it is common for men to see more clearly, and to expose more unsparingly, faults committed by others, than those with which they themselves are chargeable, some may be ready to imagine that the first of the above heads would be very gently handled as compared with the rest. But the very reverse was the case. While the document touches but slightly upon the faults of his majesty's household and the courts of law, it dwells at great length upon the offences of Christian ministers, and treats them with inflexible severity. A high standard of excellence is set up for ministers, both as regards their personal demeanour and the discharge of their ministerial functions; and no toleration is extended to deficiencies and shortcomings among them.

Solemn act of confession on the part of the ministers;

With the view of stirring one another up to sorrow on account of their faults, and a resolute purpose of amendment, it was agreed that the ministers should meet by themselves in the little church, and engage in a solemn act of conjoint confession and supplication for divine assistance. Davidson, from whom the proposal had first emanated, was appointed to preside at this meeting. He conducted the services in the most affecting manner. His addresses, to God, in confessing the sins of the ministry, and supplicating forgiveness, were so fervent, and his appeals to his assembled brethren were so pointed and exciting, that the feelings of every heart were profoundly stirred; and at one period, for the space of a quarter of an hour, the whole church resounded with sighs and groans, and every eye streamed with tears of penitence. The scene was such as had never been witnessed from the commencement of the Reformation in Scotland. When the meeting was about to dissolve, all the members rose, at the request of the moderator, and holding up their right hands, they entered anew into a solemn covenant with God, and engaged "to walk more warily in their ways, and more diligently in their charges."*

—and renewed dedication of themselves to God.

Many of the ministers throughout the country were not present at the General Assembly; and as the benefits accruing from the solemn service in which this court had engaged were conceived to be of great and permanent value, it was appointed that similar acts of humiliation, confession, and importunate prayer, should take place in all the synods of the Church, and also in all the presbyteries. Prompt and cheerful obedience was everywhere accorded to this command. The services were conducted in the same manner as had been followed in the General Assembly itself; and they were the means of stirring up the whole ministry throughout the country to unwonted earnestness and zeal in the discharge of their official duties. Many were led to discover deficiencies in their own conduct which they had previously overlooked. The weighty responsibilities connected with the ministerial office were more deeply felt than they had ever been before. And all were filled with a salutary fear of being visited with wrath, should their negligence occasion the loss of any of the souls whom God in his providence had committed to their care.† Such a reverence of the divine Being was fostered in their minds as tended to exclude every other fear.

Similar scenes in synods and presbyteries.

The exercises with which all the ministers of the Church, in all its judicatories, had thus been occupied, produced a very solemn impression upon their minds, and seemed as if designed in providence to prepare them for the severe trials by which their attachment to their principles was so soon to be tested.‡ The king had never heartily acquiesced in the restoration of the presbyterian scheme of church government. His assent to the measure had been extorted by the pressure of circumstances, and he had repented of it as soon as the act of parliament was passed. Of late, his dislike to the ministers and their proceedings had been sensibly increasing; and indications were not wanting that he meditated the overthrow of presbyterianism, and the restoration of the episcopal system. At the time of the queen's coronation he had honoured the presbyterian ministers by employing them to perform the rites connected with the august ceremonial; but when the ordinance of baptism was to be administered to his son Prince Henry, it was observed with alarm by the adherents of the Church, that he sent for the Bishop of Aberdeen to officiate on the occasion. Chancellor Thirlstane, too, who in his later years had been so zealous a friend to the Presbyterian Church, and whose efforts had been mainly instrumental in procuring the

Indications of a change in the king.

* Book of the Universal Kirk, p. 426; Spottiswood, p. 416; Calderwood, vol. v. pp. 395—411; M'Crie's Life of Melvil, vol. ii. p. 57; Row's History, p. 170.

* Calderwood, vol. v. p. 408; Aikman's Buchanan, vol. iii. p. 217.

† Melvil's Diary, p. 353; Calderwood, vol. v. p. 434.

‡ M'Crie's Life of Melvil, vol. ii. p. 61.

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act of 1592, was now gone; and James, so far from regretting the loss of a councillor who was considered by Burghley as the wisest man in Scotland, seemed rather to rejoice that he was free from the guidance of one whose intellectual superiority inspired him with too much awe.*

Return of the popish noblemen.

The event which mainly contributed to precipitate the rupture between the king and the Kirk, was the return of the popish lords to Scotland. The ministers contended that as these men had undeniably been guilty of treason, and as they had also been excommunicated by the Church, they could not be allowed, consistently with the authority of the laws, to remain on Scottish ground; but the king, although he did not question the principles and statements thus advanced, and although he affirmed also that he had not given permission to the earls to return,† yet was disposed to overlook their past offences, and to sanction their continuance in the country on proper submission being made by them.‡ The view thus taken by the king appears the more tolerant and generous. Yet James was just as severe in his exactions from the popish lords, as the most rigid member of the Kirk could be. In a letter to the Earl of Huntley, he assured him plainly, that unless he adopted the Protestant faith, he need never think of being recognised as a Scotsman again: "Think not that I will suffer any one professing a contrary religion to dwell in this land."§ In judging of the proceedings of this period, the question is not, whether the king or the Kirk was more tolerant of opinions avowedly opposed to their own; in this respect there was no difference between them. The sole question of any moment is, which of the parties took the more correct view of the dispositions and designs of the returned noblemen? On the principles which the king and the Kirk alike recognised, their banishment was just, and they ought not to have presumed to return till they had given satisfaction to the authorities, and obtained their sanction. There was too much ground for suspecting that their object in revisiting their native land was to prosecute the same designs which had formerly brought them so prominently before the tribunals of the country; and it is a fact that during the very agitation which their arrival occasioned, their accomplices were engaged in contriving new plots. It was known, too, that Philip of Spain was organising another armament for the purpose of making a descent upon some part of the British Isles.‖ These considerations ought to shield the ministers from all charges of bigotry and intolerance, with reference to the course which they now pursued. It admits of no question that they were actuated by the truest patriotism; and every circumstance seems also to favour the idea that they took a juster view of the exigencies and dangers of the times than his majesty's government did.*

Measures with regard to the restoration of the popish lords.

Although desirous that the popish lords should be restored to their position in the country, the king would not venture to incur the odium of reinstating them himself, without the sanction of the Estates of the realm. For the purpose of obtaining this sanction, a meeting was summoned at Falkland in August, and care was taken that there should be a numerous attendance of the friends of the noblemen whose case was to be considered.† Some ministers, also, who were supposed to be more moderate than their brethren were invited to be present, and to take part in the deliberations. Andrew Melvil was not one of these, but he considered it to be his duty to attend, as being one of the commissioners of the General Assembly. His presence was most unacceptable to the king, who at once put to him the question why he had come without being called. Melvil promptly replied, "Sir, I have a call from Christ and his Church, who have a special interest in this convention; and I charge you and your Estates, in their name, that you favour not their enemies, nor go about to make citizens of those who have traitorously sought to betray their country to the cruel Spaniard, to the overthrow of Christ's kingdom."‡ In the midst of his harangue he was interrupted by the king, who commanded him to leave the meeting; and he obeyed, thanking God that the opportunity had been afforded to him of stating some wholesome truths. The other ministers remained, and endeavoured to enforce the same views which Melvil had advanced; but they were overruled, and the meeting in the end decided that the popish lords might be restored on certain conditions, which were to be drawn up and proposed to them by the council.§ This decision, however, gave such general offence to the community, that the king considered it prudent to declare that he had no intention of carrying it into effect. His words were hailed with satisfaction, and the presbytery of Edinburgh were so much delighted with this statement, that they sent two of their number to express their acknowledgments to his majesty,‖ when he repeated to them the assurance which he had already given, that it was not his purpose to proceed any further in this business. Yet almost immediately afterwards another convention of the Estates was held at Dunfermline, to take the subject into further consideration; and although the king was reminded of the repeated promises

* *Supra*, vol. ii. pp. 362, 365; Calderwood, vol. v. p. 344.

† Calderwood, vol. v. p. 444; Scott's Apologetical Narration, p. 67.

‡ Robertson, vol. ii. p. 148.

§ *Supra*, vol. ii. p. 371; Tytler, vol. ix. p. 232.

‖ *Supra*, vol. ii. p. 367.

* M'Crie's Life of Melvil, vol. ii. p. 61.

† Calderwood, vol. v. p. 437.

‡ Ibid., vol. v. p. 438; M'Crie's Life of Melvil, vol. ii. p. 64; Cook's History of the Church of Scotland, vol. ii. p. 62.

§ Record of the Privy Council, 12th August, 1596; Melvil's Diary, p. 368.

‖ Records of the Presbytery of Edinburgh, 31st August, 1596.

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which he had made, not to proceed with the restoration of the popish lords, still the decision pronounced at Falkland was confirmed.*

Excitement among the ministers.

These proceedings having excited the utmost alarm among the adherents of the Kirk, a meeting was held at Cupar by the commissioners of the General Assembly, and other zealous friends of the presbyterian cause; and it was agreed that a deputation should be sent to Falkland, to represent to his majesty the dangers which were apprehended from the restoration of the popish lords, and to beseech him to exert his influence and authority in order to save the nation from calamities so great.† When the deputation was admitted into his majesty's presence, James Melvil, whom his brethren had appointed, on account of his mild and courteous manners, to speak in their name, began to inform the king of the meeting which the commissioners of the Church had held at Cupar. The mention of this meeting at once excited the displeasure of James, who charged the ministers with sedition for holding such conventions without his express warrant, and blamed them for spreading alarms among the people which were utterly groundless. James Melvil was on the point of replying to these charges of his majesty when Andrew, who could restrain himself no longer, burst upon the king in a style of passionate address altogether different from that of his nephew. And although his majesty took every means of showing that he did not wish to hear him, yet he persisted in pouring out the sentiments which were struggling in his bosom for utterance. Seizing the king by the sleeve, and calling him God's silly vassal, he proceeded, amid much hot reasoning and many interruptions, to address him in the following singular and unexampled strain:—"Sir, we will always humbly reverence your majesty in public; but since we have this occasion to be with your majesty in private, and since ye are brought in extreme danger both of your life and crown, and along with you the country and the Church of God are like to go to wreck for not telling you the truth, and giving you faithful counsel, we must discharge our duty, or else be traitors both to Christ and you. Therefore, sir, as divers times before I have told you, so now again I must tell you, there are two kings and two kingdoms in Scotland: there is Christ Jesus, the King of the Church, whose subject King James VI. is, and of whose kingdom he is not a king, nor a lord, nor a head, but a member. Those whom Christ has called, and commanded to watch over his Church, and govern his spiritual kingdom, have sufficient power and authority from him to do this both jointly and severally; the which no Christian king or prince should control and discharge, but fortify and assist; otherwise they are not faithful subjects of Christ and members of his Church. We will yield to you your place, and give you all due obedience; but again I say, you are not the head of the Church; you cannot give us that eternal life which even in this world we seek for, and you cannot deprive us of it. Permit us then freely to meet in the name of Christ, and to attend to the interests of that Church of which you are the chief member. Sir, when you were in your swaddling clothes, Christ Jesus reigned freely in this land, in spite of all his enemies; his officers and ministers convened and assembled for the ruling and welfare of his Church, which was ever for your welfare, defence, and preservation, when these same enemies were seeking your destruction and cutting off. These assemblies, since that time, continually have been terrible to these enemies, and most steadable to you. And now, when there is more than extreme necessity for the continuance and discharge of that duty, will you, drawn to your own destruction by a devilish and most pernicious counsel, begin to hinder and dishearten Christ's servants, and your most faithful subjects, quarrelling them for their convening, and the care they have of their duty to Christ and you, when you should rather commend and countenance them, as the godly kings and emperors did? The wisdom of your counsel, which I call devilish, is this, that ye must be served by all sorts of men, to come to your purpose and grandeur, Jew and Gentile, Papist and Protestant; and because the Protestants and ministers of Scotland are over strong, and control the king, they must be weakened and brought low, by stirring up a party against them; and the king being equal and indifferent, both shall be fain to flee to him. But, sir, if God's wisdom be the only true wisdom, this will prove mere and mad folly; his curse cannot but light upon it; in seeking of both ye shall lose both; whereas, in cleaving uprightly to God, his true servants would be your sure friends, and he would compel the rest, counterfeitly and lyingly, to give over themselves and serve you."*

This singularly bold address of Melvil, so far from fanning the flame of the king's anger, had the effect of extinguishing it. He now spoke to the deputies in a kindly and pleasant manner.† He repeated to them the statements which he had formerly made, that he knew nothing of the return of the popish lords, until information was brought to him that they were actually in the country. He also promised that although permission had been given to them to make offers of submission, still no offers should be received from them until they put themselves once more in the position of exiles; and whatever might be the offers which they made, it was his determination that they must satisfy the Kirk, otherwise they should receive no favour from his hands. But notwithstanding these promises of his majesty, the popish

* Spottiswood, p. 417; Collier's Ecclesiastical History of Britain, vol. ii. p. 649; Aikman's Buchanan, vol. iii. p. 218.
† Calderwood, vol. v. p. 439; Melvil's Diary, p. 369.

* Melvil's Diary, p. 370; Calderwood, vol. v. p. 439; M'Crie's Life of Melvil, vol. ii. p. 66; Scott's Apologetical Narration, p. 68.
† Melvil's Diary, p. 371; Calderwood, vol. v. p. 441; Epistolæ Philadelphi vindiciæ; Altare Damascenum, p. 755.

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lords were permitted to remain in the country, and everything indicated that it was his design to restore them. The Countess of Huntley was invited to the baptism of his infant daughter Elizabeth; and Lady Livingston, an adherent of the Romish Church, was entrusted with the care of the young princess.*

Strong measures taken by the ministers.

These events rekindled once more the jealousy of the Church. The presbytery of Edinburgh immediately took steps for convening the commissioners of the General Assembly;† and when they met in October, they were of opinion that the dangers with which the country was threatened were great and urgent. The declaration constantly made by his majesty that the popish lords had returned without his warrant or approbation, seemed to them to prove, either that they must have a secret force at home adequate to defend them, or that they expected assistance from abroad. Reference was also made to the confident statements put forth by the friends of the popish lords, that they had already procured his majesty's protection and pardon, formally subscribed in council; and that they were encouraged to expect advancement to office, charge of guards, and lieutenancies.‡ As a means of guarding against the dangers and troubles which were apprehended, it was agreed by the commissioners that notice should be sent to all the presbyteries, of the critical posture of affairs; so that every minister in the country might be on the alert, and take opportunities both in public and in private of awakening the zeal of the whole body of the Christian people. It was also agreed that the excommunication of the popish lords should be intimated anew from every pulpit in the kingdom, and that a day of humiliation should be universally observed on the first Sabbath of December. And besides these measures, it was considered expedient that a few commissioners from the four quarters of the kingdom—the north, the south, the middle, and the west—should be appointed to attend to the interests of the Church, to watch the progress of events, and to suggest such measures as the emergency might seem to demand.§ They were to reside, by monthly rotation, in Edinburgh, one from each quarter being there at a time; they were to meet together every day along with some members of the metropolitan presbytery, and the expenses of each commissioner were to be defrayed by the district to which he belonged; and if the danger should appear to increase, they were authorised, in conjunction with the presbytery of Edinburgh, to summon a meeting of the General Assembly, comprising ministers from all parts of the country, with a good number of the best affected noblemen, barons, and commissioners of boroughs, that "by a common advice the most expedient way might be found out and followed for the preservation of religion and the public peace."*

Character of the proceedings of the Church.

These proceedings of the ministers and other friends of the Church were highly offensive to his majesty; and certainly the views which are now entertained would lead at once to the conclusion that they opposed too pertinaciously the design of the government to pardon the popish lords. Why were they not satisfied with pronouncing their own sentence of excommunication in their church courts? and why did they not leave the government to deal with the offenders for their political delinquencies in the way they judged best? But we forget that civil and sacred things were far more intermingled in those days than they are now. The sentence of excommunication inferred civil consequences of the most tremendous kind, and this was not the law of the Church merely, but it was also the law of the land. The theory of an established church, as it was then universally understood, made the Church and the nation co-extensive, so that exclusion from the Church involved the loss of the rights of citizenship; and although this was a most erroneous and pernicious principle, yet it was not an error chargeable upon the ministers only; it was equally shared in by all ranks of the community. It was a root of bitterness which nobody as yet had even dreamed of attempting to pluck up. Besides, it was not popery merely, but treason, which was laid to the charge of the popish lords; and there was a general and, as the result demonstrated, a well-grounded conviction, that they were still engaged in treasonable correspondence, and were only watching a favourable opportunity to renew their attempts. True, the Countess of Huntley presented a paper to the synod of Moray, in which she engaged for her husband that he would banish from his society all Jesuits and seminary priests, and would assist the ministers in maintaining their discipline; and she craved that he might be allowed some reasonable time to meditate upon the points of difference between the Romish and the Protestant systems.† And the moderation of the requests preferred in this document leads Tytler‡ to condemn the proceedings of the Kirk with the most acrimonious severity. But this historian admits that similar assurances made by Huntley himself at an earlier period had been utterly disregarded by him, and that after engaging to be faithful to his country and to the Kirk, he had entered into a more active correspondence with Spain than ever.§ What confidence then could be placed either in the promises of this noblemen with regard to himself, or in the engagements of another made in his name? Is it at all to be wondered at that the offers, whose moderation Tytler so highly extols, should be looked upon with suspicion? or is it in any degree

* M'Crie's Life of Melvil, vol. ii. p. 69; Aikman's Buchanan, vol. iii. p. 219.
† Record of the Presbytery of Edinburgh, 5th October, 1596.
‡ Calderwood, vol. v. pp. 444—446.
§ Spottiswood. p. 418.

* Calderwood, vol. v. p. 447; Scott's Apologetical Narration, p. 69; Robertson's History, vol. ii. p. 148.
† Calderwood, vol. v. p. 441.
‡ Tytler, vol. i. pp. 229—231.
§ Ibid., vol. ix. pp. 26. 27: Spottiswood, p. 418.

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marvellous that jealousy should still be entertained, with regard to the favour which his majesty was disposed to show to the popish lords? The king himself, too, was to blame for a considerable part of the asperity which was manifested at this period; for he had declared that, as the popish lords had returned without permission obtained from his government, they should be required to leave the country before any attention was paid to the offers which they might make. But the royal promise was forgotten, and it was not unnatural that men should misconstrue the king's intentions, and ascribe to him something worse than he at all thought of. Still it was unfortunate that the opposition given to his majesty's procedure, with regard to Huntley and his associates, needed to be made through the Kirk; and yet it is vain to complain of this, for there was no other channel in existence through which the popular will could readily manifest itself.

Deep displeasure of the king against the ministers.

His majesty was at no pains to conceal the deep displeasure which he cherished against the ministers, nor is it at all surprising that he was offended with them; for although their proceedings were quite consistent with the recognised theory as to the co-extensive limits of Church and State,—it being allowed on all hands that no man had a title to citizenship who disowned the national religion,—yet certainly they interfered most inconveniently with the movements of the machine of government. The measures too which the ministers suggested might perhaps be wiser, allowance being made for the ideas prevailing at that period, than those of the king; but still it could hardly be expected that the State would always consent to square its procedure in accordance with the wishes of the Church. The dissatisfaction of James with the conduct of the ministers, which was everywhere expressed without reserve, excited very uneasy feelings among them; and they sent a deputation to him to inquire into the grounds of the offence which he had taken against the Church, and to endeavour to remove the jealousies which were springing up between them. It was at the interview to which this deputation were admitted, that the design of the court to commence an attack upon the privileges of the Church first became apparent. When they expressed their desire for a better understanding and agreement with his majesty, he replied that there could be no good agreement between him and them, until the marches of the civil and sacred jurisdiction were properly adjusted, and he laid down several principles which he considered indispensable to harmonious co-operation.* The ministers must not comment in their discourses upon his proceedings and those of his council: no General Assembly must ever be summoned excepting by his authority and special command: nothing transacted at any General Assembly must be considered valid, until it should be ratified by himself or his commissioners, as in the case of acts of parliament: and synods, presbyteries, and sessions must refrain from meddling with any causes which were punishable by the civil law, and must confine their censures to fornication and such slanders.*

Resolutions adopted by the commissioners of the Church.

These principles, so distinctly enunciated by the king, manifested the design, already to a considerable extent matured, of reducing the Church to complete subjection under the State, and the ministers at once saw the full extent of the danger which threatened them. The commissioners, when his majesty's answers were reported to them, declared themselves to be very glad that he had uttered his meaning so plainly;† and being thus forewarned, they determined on making a vigorous defence of their rights and privileges. They admonished all the brethren to study carefully the discipline of the Church, that they might be able wisely to defend it; they appointed that a collection should be made of all the acts of council and parliament which had been passed in favour of the Church and her discipline; and they wrote to all the presbyteries throughout the kingdom, warning them of the perilous times which were at hand, and counselling them to united and vigorous efforts in self-defence.‡ A church such as the king desired, although very peaceable and unobstructive to government, was justly considered by the ministers as one which would prove utterly inefficient for good. It was a problem, however, far more difficult than was imagined in those times, so to regulate the position of a church supported by the state, that neither on the one hand should the spiritual functionaries interfere inconveniently with the proceedings of government, nor on the other should the government disturb the legitimate action of the spiritual functionaries. The church feels the evil when the balance declines too much to the one side, but equally the government is hampered when it leans too much the other way; and it is now the belief of many, that a settlement of this question perfectly satisfactory to all parties, and conservative of every right and privilege which each can claim, is really not possible. While the state affords pecuniary support and the protection of its statutes, the church which receives these must relinquish some portion of its liberties. If it be the magistrate's duty to support the truth, and to provide for its preachers, he must have some control over them. Already in the Church of Scotland, according to the constitution of 1592, it was provided that no assembly could be held without the king's sanction; and patronage was perpetuated as another bond or bridle by which her movements might be controlled. But now it was proposed to tighten the reins beyond endurance. The views enunciated by

* Calderwood, vol. v. pp. 450, 451; Spottiswood, pp. 418, 419, M'Crie's Life of Melvil, vol. ii. p. 69.

* Wodrow's Life of David Black, pp. 12—15; Cook's History of the Church of Scotland, vol. ii. p. 68.

† Scott's Apologetical Narration, p. 70.

‡ Calderwood, vol. v. p. 453; M'Crie's Life of Melvil, vol. ii. p. 70.

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James were calculated to reduce the Church to a still more helpless condition, in which she must appear despoiled of everything like liberty of action.

Case of David Black.

The first attempt to carry the principles of the king into effect was made in the shape of an assault upon David Black, minister of St. Andrew's, who was summoned to appear before his majesty's council to answer for certain "undecent and uncomely speeches," said to have been uttered by him in the pulpit during the month of October. His case seems to have been laid hold of by the king, merely as a convenient weapon for aiming a blow at the ministers, and circumscribing the privileges claimed by the Church. There was no specific charge at first made against Black. He was cited to appear in regard to certain points which were to be inquired into.* And when he complained of this mode of procedure as contrary to act of parliament, he was told that the general terms of the summons were to be understood as restricted to the particular offence which had excited the displeasure of the English ambassador. It was alleged that he had called the Queen of England an atheist, and described the religion of the sister kingdom as nothing better than an empty show. It was also said that he had charged James himself with treacherous connivance at the return of the popish earls; that he had represented the court as being under the influence of Satan; and that he had said all kings were devil's bairns. The lords of session, too, and the Queen of Scotland herself, it was alleged, had been spoken of by him in most disrespectful terms.†

Ground of the charges brought against Black.

With regard to the truth of the charges preferred against Black, grave doubts may be entertained; for although he was condemned, yet on account of the course which the proceedings took, the case was never properly sifted. Certain it is that he himself utterly denied the allegations made against him, and his whole career shows that he was not a man likely to shrink from any position which he had once assumed.‡ Testimonials, also, in proof of his innocence, were produced from the provost, bailies, and council of St. Andrew's, and from the rector, dean of faculty, professors, and regents, of the university, all of whom had most ample opportunities of knowing what he had really said.§ It was shown too that the persons who had informed against him, were actuated by personal hostility, because their delinquencies had been exposed to censure through his means. John Rutherford, the minister of Kilconquhar, was the principal informer; and he had been prosecuted by Black before the presbytery for neglect of his pastoral duties.* And more than all this, it is a fact that the king himself did not attach much importance to the charges against Black, for during a conversation which the commissioners of the Church held with him on the 16th November, with regard to a variety of points, he declared when the case of Black was brought under his notice, and a request was made to him to abandon the prosecution, that "he did not think much of that matter, only they must cause him to appear and take some course for pacifying the English ambassador; but take heed, he added, that you do not decline the judicatory, for if you do so, it will be worse than anything that has yet fallen out."† And even the English ambassador, whose concern in the affair was thus represented by James as the most important feature of it, declared himself quite satisfied with the explanation which he received from Black in a private conversation.‡

These considerations make it obvious that the case of Black was really not considered one of intrinsic importance at all. Probably he did utter some rash words, which respect for existing authorities should have led him to suppress, but they had been greatly exaggerated; and no attention would have been paid to them on their own account, had it not been that the king needed a case which he might employ as a weapon against the ministers. The simple object of James was to obtain from the Church an acknowledgment that his jurisdiction as king extended not only over all persons, but also over all kinds of causes.§ But this was an acknowledgment which the ministers would not make, for they considered it utterly subversive of the liberties and immunities of the Church; and therefore the commissioners of the General Assembly made common cause with Black, and advised him to decline the jurisdiction of the king and his council, in regard to words spoken in the pulpit. They adopted the principle, which had formerly been acted upon by Melvil, that a minister in the first instance is only responsible to his ecclesiastical superiors for his official conduct; and that, therefore, such a case as that of Black should be remitted to his presbytery, although it might afterwards, if necessary, be brought before the civil courts. Accordingly, after mature and grave consideration, they prepared a declinature of the king's jurisdiction in spiritual matters, to be presented by Black to the council when he should appear before them.‖ This document is drawn up with much ability, and exhibits a full and clear view of the motives and principles by which the ministers were actuated. "Albeit the consciousness of my innocence upholdeth me sufficiently against whatsoever calumnies of men, and

Black's declinature of the king's jurisdiction.

* "Super inquirendis." Record of the Privy Council, 18th November, 1596; Calderwood, vol. v. p. 453.
† Spottiswood, p. 421; Robertson, vol. ii. p. 150; Tytler, vol. ix. p. 232; Cook's History of the Church of Scotland, vol. ii. p. 69.
‡ Melvil's Diary, p. 293; Altare Damascenum, p. 751.
§ Aikman's Buchanan, vol. iii. p. 225.

* Altare Damascenum, p. 752; M'Crie's Life of Melvil, vol. ii. p. 74.
† Calderwood, vol. v. p. 456; Scott's Apologetical Narration, p. 71.
‡ Moyse's Memoirs, p. 246.
§ Melvil's Diary, pp. 444, 445; Spottiswood, p. 421; Calderwood, vol. vi. p. 495.
‖ M'Crie's Life of Melvil, vol. ii. p. 74.

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that I am ready, by the assistance of the grace of my God, to give a confession and stand to the defence of every point of the truth of God uttered by me in the said sermons, either in opening up of his Word, or application thereof, before your majesty or council, or whatsoever person or persons that, upon any lawful cause, will crave an account of that hope which is in me, in whatsoever place or manner, so far as shall be requisite for clearing and maintenance of the truth and of my ministry, and may be done without the prejudice of that liberty which the Lord Jesus has given and established in the spiritual office-bearers of his kingdom; yet seeing I am not at this time brought to stand before your majesty and council, as a judge set to cognosce and decern upon my doctrine, by which means my answering to the said pretended accusation might import (with the manifest prejudice of the liberties of the Kirk) an acknowledging also of your majesty's jurisdiction in matters that are purely spiritual, which might move your majesty to attempt further in the spiritual government of the house of God, to the provocation of his hot displeasure against your majesty, and in the end, either a plain subverting of the spiritual judicature, or, at least, a confounding thereof with the civil, if at any time profane and ambitious magistrates might, by such dangerous beginnings, find the hedge broken down, to make a violent irruption upon the Lord's inheritance, which the Lord forbid: Therefore I am constrained, in all humility and submission of mine, to use a declinature of this judgment, at least *in prima instantia;* which I beseech your majesty to consider earnestly, and accept of according to justice, for the reasons following:—

"1. The Lord Jesus, the God of order and not of confusion, as appeareth evidently in all the kirks of his saints, of whom only I have the grace of my calling, as his ambassador (albeit most unworthy of that honour), to bear his name among his saints, he has given me his Word (and no law nor tradition of man), as the only instructions, whereby I should rule the whole actions of my calling, in preaching of the Word, administration of the seals thereof, and exercise of discipline. And in the discharge of this commission, I cannot fall in the reverence of any civil law of man, but in so far as I shall be found to have passed the compass of my instructions, which cannot be judged according to the order established by that God of order, but by the prophets, whose lips he has appointed to be the keepers of his heavenly wisdom, and to whom he has subjected the spirits of the prophets. And now, seeing it is the preaching of the Word, whereupon I am accused, which is a principal point of my calling, of necessity the prophets must first declare whether I have kept the bounds of my directions, before I come to be judged of your majesty's laws for my offence.

"2. Because the liberty of the Kirk and whole discipline thereof, according as the same has been, and is presently exercised within your majesty's realm, has been confirmed by divers acts of parliament, and approved by the Confession of Faith, by the subscription and oath of your majesty, your majesty's Estates, and whole body of the country, and peaceably bruiked* by the office-bearers of the Kirk in all points; and namely, in the foresaid point, touching the judicature of preaching of the Word *in prima instantia*, as the practice of divers late examples evidently will show: Therefore the question touching my preaching ought first, according to the grounds and practice foresaid, to be judged by the ecclesiastical senate, as the competent judge thereof in the first instance."†

Copies of this declinature were dispatched by the commissioners of the General Assembly to all the presbyteries throughout the kingdom, with a letter explaining the perilous situation of the Church, and pointing out the necessity of union among her ministers, that they might be able to stand "whole and unbroken." All were admonished to affix their names to the declinature, and to study diligently the whole question of ecclesiastical policy; and the fear was expressed that "Satan's first onset was to be made upon this hedge of the Lord's vineyard, that he might break down the same, and afterwards waste and wreck the plants thereof at his pleasure."‡ The success which attended this appeal manifests the deep and wide-spread interest which was felt in the case of Black. The declinature received about four hundred signatures, and among these was included the name of Spottiswood, who was as zealous at this period—though his sincerity has been suspected—in defending the liberties of the Church, as he afterwards became in bringing her ministers under the yoke of bondage.§

Attempts at accommodation of differences.

Earnest endeavours were made by the commissioners of the General Assembly, before the day of Black's trial arrived, to prevail upon his majesty to depart from the charge against him; and the king expressed his willingness to comply with their request, on the condition that they also withdrew their declinature of his authority in reference to such questions; but to this proposition the commissioners could not on any account accede. A proclamation was, therefore, now issued by royal authority, commanding the commissioners of the General Assembly to leave Edinburgh within twenty-four hours, and to return home to their several flocks and congregations, under pain of being denounced as rebels and put to the horn. But the commissioners immediately assembled, and having laid the proclamation and charge open before the Lord, and implored divine counsel and help in their present straits, they appointed the ministers of Edinburgh and all who were to occupy the pulpits to "deal mightily with the Word of the

* Enjoyed.
† Melvil's declining Age of the Kirk, p. 512; Calderwood, vol. v. pp. 457—459; Tytler, vol. ix. p. 233.
‡ Calderwood, vol. v. p. 461.
§ Wodrow's Life of Black, pp. 14, 16, 20; Cook's History of the Church of Scotland, vol. ii. p. 70.

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Lord, the king of glory, that the honour and liberty of his kingdom might be vindicated from the yoke of oppression.* On the day of Black's trial, while a number of the brethren were appointed to aid him in his defence, the rest assembled to make humble acknowledgment of their sins before God, and with penitent hearts to pour out their prayers for divine assistance, and they continued all day in supplication before the throne of grace.† When it was reported to the commissioners that his majesty and council had declared themselves competent judges in regard to the points charged against Black, they at once ordained that the doctrine, or exercises of the pulpit, should be directed against the said interlocutor on the following day.‡ Meanwhile the treasurer and provost of Edinburgh, being sent by the king to hold conference with certain of the brethren, assured them that although his majesty and council had declared themselves competent judges in the case, yet for the sake of the peace of the Church he was willing to pardon Black, if he resolved his majesty of the truth of the points libelled by the declaration of his own conscience. To this it was replied, that if it was Mr. David Black's own personal interest only which was at stake, or that of any of the brethren, his majesty's offer would be thankfully accepted: "but seeing it was the liberty of Christ's Gospel and kingdom that was so heavily hurt and wounded in the discipline thereof by the proclamation and charge given out on Saturday, and now in the preaching of the Word by usurpation of the judicature thereof by the interlocutor pronounced that day, it was a matter of such importance and weight in the estimation of all the brethren, that if the king had taken Mr. Black's life, and a dozen of theirs also, he could not have wounded the hearts of the brethren more, nor done such injury to the Lord Jesus. And, therefore, either these things behoved to be retreated and amended, or then the brethren could nowise be content, but oppose themselves to such proceedings to the extremity of their lives."§ These solemn words made a deep impression upon the provost and treasurer, and also upon his majesty, when they were reported to him, and, after spending a very restless night, he dispatched a messenger early next morning with a request that "the dint of the doctrine might stay that day." But it was answered that the doctrine could not be blunted, unless there were an evident appearance of amending the wrongs; for the brother appointed to preach had God to answer to, in a good conscience, and his brethren's expectation, whom he would not offend for the sake of pleasing all the kings upon the earth.‖ And the doctrine accordingly took its usual course, and sounded mightily. The oppressions of Zion and the indignities threatened to Christ's crown were bewailed in every church.

Adjustment of differences prevented by treachery.

Repeatedly, during the progress of these events, the contending parties were on the very point of coming to an amicable adjustment of their differences; but the opposing factions at court found it to be their interest to perpetuate the strife, and by means of suggestions and rumours they fanned the flame, whenever its intensity began to abate. The cubiculars, or lords of the bedchamber, were exceedingly jealous of the Octavians, who had long engrossed the whole power of the State; and as it was conceived that a breach between the king and the Church would facilitate the scheme of ejecting them from power, every plan of conciliation was defeated by secret machinations.* And thus the feelings of both the contending parties became continually more exasperated. The pulpits resounded with denunciations of the wickedness of those men who were forging chains of bondage for the Church of Christ; fasting and prayer were employed as means of obtaining redress from God; and a prodigious excitement prevailed among the people.† Notwithstanding this, however, Black was condemned by the council, and commanded to confine himself beyond the north water, and to remain there at his own charges during his majesty's pleasure.‡ And as the period for the yearly modification of stipends was now at hand, his majesty gave the ministers to understand that those who acknowledged the authority which he claimed should at once receive their accustomed payment, whilst those who continued to deny it should be cut off from all emolument; and with the view of securing an accurate discrimination between these parties, a bond they were told was to be prepared, to which every minister's subscription should be demanded. On the 14th of December, too, another proclamation was made by sound of trumpet at the Market Cross, commanding the commissioners of the Church to leave the capital within forty-eight hours; and although the brethren were of opinion that they might disobey such an order, yet they judged it more expedient to comply with it. Before their departure, however, they considered it requisite, lest any of the ministers should be tempted for the sake of their stipend to subscribe the bond of which the king spoke, to prepare a declaration containing a full statement of the origin and progress of the present differences, and to send copies of it to all the presbyteries. In this document they expressed the conviction that the present troubles had sprung from the efforts of the friends of the popish lords, and that their object was to compel the ministers to abstain from all proceedings against these lords, by assailing their own liberties, and thus com-

* Calderwood, vol. v. p. 480.
† Scott's Apologetical Narration, p. 75.
‡ Spottiswood, pp. 419—424; Collier's Ecclesiastical History of Britain, vol. ii. p. 650; Baillie's Historical Vindication, p. 52.
§ Calderwood, vol. v. p. 482. ‖ Ibid., p. 483.

* Calderwood, vol. v. p. 511; M'Crie's Life of Melvil, vol. ii. p. 80; Tytler, vol. ix. p. 243.
† Calderwood, vol. v. p. 500.
‡ Spottiswood, p. 425; Rymer's Foedera, vol. xvi. p. 305.

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pelling them to expend all their energies in self-defence. The commissioners also expressed the belief that freedom in rebuking sin from the pulpit was the principal butt which was shot at in this whole action. "And because that impiety dare not yet be so impudent as to crave in express terms that iniquity be not rebuked, it is only sought that his majesty and council be acknowledged judge in matters civil and criminal, treasonable and seditious, which shall be found uttered by any minister in his doctrine; thinking to draw the rebuke of sin to the king and his council under the name of one of these crimes, and that way either to restrain the liberty of preaching, or else to punish it under the name of sin or vice, by a pretence of law and justice; and so at length to bind the Word of God, that sin may go forward with hand lifted up to the highest."*

Unsatisfactory relation of Church and State.

This whole process exhibits the unsatisfactory character of the relations subsisting between the Church and the State. There can be no question that the ministers were actuated by the purest motives. What they dreaded was, that the free preaching of the Word should be obstructed, and the doctrine of ministers brought under the censure and controlment of his majesty's council.† And there was too much ground for apprehending this danger. Under an arbitrary monarch like James, the right of controlling the pulpit would have been employed to check everything displeasing to himself or any of his courtiers, and in the absence of a free press vice would have stalked without check through the land.‡ Yet, on the other hand, the claim which the ministers made of being exempted in the first instance from civil control in regard to everything done in their official capacity, was liable to immense abuse. The Church was right in being jealous of restraints imposed upon the free preaching of the Gospel, but she was wrong in the course which she adopted for the protection of her privileges. On the other hand, the king was right in thinking that treasonable language, no matter where it was uttered, was an offence of which the civil courts were warranted to take immediate cognizance; but his whole history makes it obvious that in his view everything wore the aspect of treason, which was at all opposed to his own opinions and wishes.

Origin and extent of the tumult in Edinburgh.

While the minds of men were excited by these conflicting views, a tumult took place in Edinburgh, which, although altogether unpremeditated, and attended with no serious consequences, was eagerly laid hold of by the king as a means of reducing the ministers to subjection.§ The rumour having been spread by the cubiculars that the Earl of Huntley had been closeted with his majesty, and that the papists were contriving a massacre of the Protestants,* the excitement of the public mind, already sufficiently great, was augmented tenfold; and Balcanquhall, on whom it devolved by rotation to preach, addressed the numerous audience which assembled with fiery eloquence, painted in glowing terms the dangers with which religion was threatened, and exhorted the noblemen and barons to concur with the ministers in averting those dangers.† A meeting was immediately held in the little church, from which Lords Lindsay and Forbes, the Lairds of Barganie and Balquhan, two bailies, and also two ministers, Bruce and Watson, were sent as a deputation to the king, sitting at the time in the Tolbooth with his council;‡ and, on their being admitted, Bruce explained the nature of their commission, and besought his majesty to take measures for warding off the dangers of the Church. "What dangers?" said James; "I see none; and who dares to convene contrary to my proclamation?"—"Dares!" retorted Lord Lindsay; "we dare more than that; and shall not suffer the truth to be overthrown, and tamely stand by." Meanwhile, new rumours were industriously spread among the excited people, and an emissary § of the cubiculars raised the shout "To arms!—to arms!" and a scene of great confusion ensued. Some ran to the Tolbooth, thinking the king was in danger; others hastened to the kirk, hearing the ministers were slain; and others demanded that President Seton, Elphinstone, and Hamilton, should be delivered up to them for punishment.‖ At length, through the efforts of the provost and magistrates, assisted by the ministers, the tumult was quelled without the slightest damage having been done to person or property.¶

The tumult employed as a weapon against the ministers.

This was a very unfortunate event for the Church, for although the ministers were really less to blame than the king's own courtiers, and, so far from exciting the tumult, did everything in their power to restrain the people, yet it was employed as a weapon to assail them. The bond already spoken of was immediately prepared, and subscription to it was demanded from all the ministers under pain of forfeiting their stipends. A proclamation was issued commanding the ministers of Edinburgh to put themselves in ward in the castle, and the magistrates were enjoined to apprehend both them and a number of other citizens. David Black was denounced at the Market Cross as guilty of slander and sedition, and declared unfit to be a minister. And sheriffs and other magistrates were authorised and enjoined to apprehend all preachers who should introduce matters

* Calderwood, vol. v. p. 507. † Ibid., p. 456.
‡ M'Crie's Life of Melvil, vol. ii. p. 76.
§ *Supra*, vol. ii. p. 370.

* Melvil's declining Age of the Kirk, p. 516.
† Calderwood, vol. v. pp. 511, 512; Epistolæ Philadelphi vindiciæ; Altare Damascenum, p. 752.
‡ Tytler, vol. ix. p. 245.
§ Calderwood, vol. v. p. 513; Robertson, vol. ii. p. 153; Aikman's Buchanan, vol. iii. p. 228.
‖ Tytler, vol. ix. p. 246.
¶ Spottiswood, p. 428; Baillie's Historical Vindication, p. 68; Bishop Guthrie's Memoirs, p. 6; M'Crie's Life of Melvil, vol. ii. p. 86; Scott's Apologetical Narration, p. 85; Wodrow's Life of Bruce, p. 23.

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of state into their sermons, or find fault with the laws and acts of parliament.*

Withdrawment of the leading ministers.

In these circumstances the leading ministers were advised by their friends to withdraw for a period, and some of them retired into England, whilst others concealed themselves in their native land.† Bruce was averse to quit the scene of his labours, but the most judicious members of his Church were persuaded that he would expose himself to extreme danger by remaining among them, and therefore they urged upon him the propriety of seeking shelter from the storm. Before his departure he addressed his people with reference to the threatening aspect of affairs, and reminded them that present difficulties were designed in God's providence for the trial of their faith and constancy. "Sorry am I that I should see such weakness in many of you, that ye dare not so much as utter one word for God's glory and the good cause. It is not we who are the party in this cause, the quarrel is betwixt a greater Prince and them. What are we but silly, unworthy creatures? yet it has pleased Him to set us in this office, and to make us His own mouth, that we should oppose the usurpation which is made upon the spiritual kingdom and encroachment upon our liberties. I am heartily sorry that our holy and gracious cause should be so obscured by this late tumult, and that the desperate enemies should be so emboldened to pull down the crown off Christ's head."‡ Bruce also wrote a letter, in conjunction with several of his brethren, to the Lord Hamilton, requesting him to take an interest in the present state of the Church, and to aid the barons and gentlemen who were endeavouring to act as mediators in her behalf. This letter was altered in a variety of respects after it reached the hands of Hamilton, and then transmitted to the king, who immediately drew from it the conclusion that the ministers were concocting rebellion, and had formed the design of placing Hamilton at their head, and perhaps of offering him the crown.§ From a subsequent letter of Bruce it appears how much he considered himself injured by the vitiation of his first communication, and how remote from his mind was everything like a wish to introduce civil disturbance. "I hear that your lordship has presented a copy of my letter directed unto your lordship unto his majesty; a copy, as I have seen, not transumed out of the original, but a vitiated copy, manked,‖ altered, and so adulterated, that scarcely it keeps the right portraiture of my letter."¶ And in a defence of himself which he wrote, he says, with regard to his letter to Lord Hamilton, "In that letter we craved no other thing but that he, with the rest of the barons, as a chief nobleman and peer of the realm, would intercede and employ his credit and influence at his majesty's hand, to see, if it were possible, the Kirk restored to the liberty and freedom she wont to have. Of all the fools in the world we had been the greatest if we had designed, as I hear it is taken, to set him in a chair forenent* his majesty."† From this time the king conceived a rooted dislike of Bruce, forming a marked and instructive contrast to the favour which he had shown to him, and the confidence which he had placed in his judgment, during the time of his visit to Norway. There might be imprudence in some of the expressions which occur even in the genuine letter of Bruce,‡ but the idea which many have taken up, that he and his brethren contemplated an armed resistance to government, is utterly without foundation.§ It was a constitutional opposition to what they considered the encroachments of arbitrary power, which alone they thought of; and the dangers which they declared themselves prepared to encounter were not the dangers of war, but the sorrows and suffering of persecution.

Measures taken by the king against the Church.

The absence of the leading ministers, the panic which seized the inhabitants of Edinburgh after the unfortunate tumult of the 17th December, and the consequent diminution of the influence of the Church, afforded to the king an opportunity of carrying out his designs, of which he promptly availed himself.‖ It was his fixed purpose to restore episcopacy as speedily as possible; and although this design was not avowed, yet all his plans and measures were regulated with a view to its accomplishment. A convention of

* Calderwood, vol. v. pp. 522—531.

† Melvil's Diary, pp. 374, 517; M'Crie's Life of Melvil, vol. ii. p. 93.

‡ Calderwood, vol. v. p. 517; Wodrow's Life of Bruce, p. 26.

§ Calderwood, vol. v. pp. 515, 517, 567.

‖ Maimed.

¶ That the alterations were made designedly and maliciously is obvious from the nature of them. The expression in the original letter, "the people, animated partly by the Word and violence of the course, took arms," was thus exhibited in the copy sent to the king, "the people, animated no doubt by the Word and motion of God's Spirit, took arms." And this sentence, descriptive of the efforts of the ministers to repress the tumult, was omitted, "But, by the grace of God, we repressed and pacified the motions incontinent." Spottiswood, although at the time he was as zealous in the same cause as the other ministers, yet afterwards allowed his party spirit so far to sway him as to insert only the vitiated copy of Bruce's letter in his history. (Calderwood, vol. v. pp. 515, 516; Spottiswood, pp. 431, 432; M'Crie's Life of Melvil, vol. ii. p. 94; Altare Damascenum, p. 753.)

* Opposite to.

† Calderwood, vol. v. pp. 534, 567.

‡ Cook's History, vol. ii. p. 78; Baillie's Historical Vindication, p. 71.

§ Tytler, vol. ix. pp. 250, 251. Tytler follows in the main the vitiated copy of Bruce's letter, and at the same time he introduces the clause mentioned above as left out of that copy. The consequence is that the letter becomes absurd and contradictory, for on the one hand Bruce is made to say that the people were animated "no doubt by the Word and God's Spirit" to take arms, and yet, on the other, he represents himself as restraining their fury. Why restrain them, if he believed them animated by God's Spirit? With more consistency, the vitiated letter having introduced the words "no doubt animated by the Word and by God's Spirit," omits the statement about the efforts which the ministers made to repress the tumult. The one forgery requires the other as its complement. Who would restrain what he believed to be a work of the Spirit of God?

‖ Cook's History, vol. ii. p. 83; Hetherington's History, p. 63.

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estates and a meeting of the General Assembly were appointed to be held at Perth in the end of February. Fifty-five questions, drawn up by Secretary Lindsay, and bearing upon the constitution and discipline of the Church, were printed and circulated among the synods and presbyteries, with the view of preparing the way for the contemplated assault upon the policy of the Church. They had been concocted before the 17th of December, to be in readiness for any suitable opportunity which might offer, and the events of that day occasioned them to be brought immediately into the field.* They were questions which involved many nice and delicate points, and which, although they might appropriately enough be discussed through the press, yet would never be moved in any deliberative assembly met for actual business, unless with the view of overturning the existing order of things. The very proposal of them, therefore, was fitted to excite alarm. It was asked whether matters relating to the external government of the Church might be brought into controversy; whether it was the king or the pastor who should make laws for the Church, or both conjointly; what vices it was allowable publicly to rebuke from the pulpit; whether the regents of universities should have a vote in church courts; whether the king, when pious and Christian, might not convoke a general assembly of the Church; whether a believing king might not annul a notoriously unjust sentence of excommunication; whether summary exclusion from the communion of the Church was lawful in any case; whether fasts might be proclaimed by a Christian prince; and whether, when pastors neglected their duty, the king might not apply a remedy to the evil?†

Answers of the synod of Fife.

The questions of the king were first taken up by the synod of Fife, who held a meeting expressly for the purpose of considering them. Some of their answers were such as manifested a want of perception of the difficulties which really do encompass the subject of the connection between sacred and civil concerns, where there is an established Church. Without any misgiving, they exhibit the following as their reply to the second of his majesty's queries:—"All acts of the Kirk should be established by the Word of God contained in holy Scripture, the ordinary interpreters whereof are the pastors and doctors of the Kirk: the extraordinary, in time of corruption of the whole estate of the Kirk, are prophets and such as God endues with extraordinary gifts; and kings and princes ought by their civil authority to ratify and approve that by their laws, and vindicate by their civil sanctions, which they declare to be God's will out of His Word,"—a reply which gives the sovereign no deliberative voice, in a case where nevertheless he is conceived bound to act: he is made merely the executor of the will of the Church.* But many of the synod's answers were lucid, conclusive, and scriptural; and all of them manifested an accurate perception of the purpose which the king had in view, and a determination to maintain the existing ecclesiastical order to the utmost extent of their ability.†

General Assembly at Perth.

The proceedings of the synod of Fife convinced the king, that although the Church now occupied a very disadvantageous position, there would still be great difficulty in procuring her consent to his measures in any assembly collected together in the usual manner. Sir Patrick Murray, therefore, one of the gentlemen of the bedchamber, was immediately dispatched to the north country, where the ministers were by no means so zealously attached to the presbyterian system, nor in general so well informed as their southern brethren; and the object of his mission was to gain them over to the king's views, and to secure their attendance at the approaching meeting in Perth. And by expatiating upon the good intentions of his majesty, by exaggerating the late tumult in the metropolis into a dangerous rebellion, by representing the ministers of Edinburgh as traitors and popes, and by ascribing to the ministers of the south a desire to engross the whole management of church affairs to themselves, he produced such an impression upon the minds of the northern ministers, that an unusual number from Angus and Aberdeen made their appearance on the field, when the time of the assembly appointed by his majesty arrived.‡ Faces were seen which had hardly ever been exhibited in a church court before; and flocks of ministers were observed going in and out at the king's palace, late at night and betimes in the morning.§ Still, notwithstanding the efforts which had been made to strengthen the royal interest, three days were spent in debating the question whether the meeting could be acknowledged as a lawful assembly or not, and it was only in consequence of threats and persuasions and promises, addressed to individual members in private, that it was agreed in the end to acknowledge it as a lawful assembly extraordinarily convened.‖ James Melvil mentions that his especial friend and bedfellow, James Nicholson, who had hitherto agreed with him on all points, was conducted by Sir Patrick Murray into his majesty's presence, and detained there till midnight, after which his views underwent a considerable alteration, and he spoke and voted on the king's side. These intrigues so disgusted the honest minister of Kilrenny, that after protesting, agreeably to the instructions which he had received from the synod of Fife, against the lawfulness of the meeting, he withdrew from Perth, afraid to trust himself any longer in an atmosphere of so

* Scott's Apologetical Narration, p. 87; M'Crie's Life of Melvil, vol. ii. p. 96; Melvil's Diary, p. 385.

† Spottiswood, p. 434; Calderwood, vol. v. p. 585; Scott's Apologetical Narration, p. 87; Aikman's Buchanan, vol. iii. p. 235; Tytler, vol. ix. p. 256.

* Calderwood, vol. v. p. 586.

† Melvil's Diary, p. 386; Aikman's Buchanan, vol. iii. p. 236.

‡ Melvil's Diary, p. 403; Tytler, vol. ix. pp. 258, 259; Petrie's Church History, vol. iii. p. 529.

§ Scott's Apologetical Narration, p. 88.

‖ Wodrow's Life of Bruce, p. 28; Spottiswood, p. 438.

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much corruption. He was shocked at the thought that the friend, in whose virtue he had reposed the highest confidence, should be so strangely altered by one night's conference with the king.*

Some of the king's questions answered.

A number of the king's questions were now brought under the consideration of the assembly; but although such unworthy means had been employed to bias the meeting, the answers which they prepared were by no means satisfactory to the royal mind.† His majesty, therefore, proposed that the assembly should convene along with the Estates for a more full discussion. At this joint meeting he delivered a speech calculated to overawe the minds of the ministers; and thus schooled by a lecture from the throne, they met again in their own separate capacity, and amended their answers so as to render them more palatable to the king.‡ They agreed that the prince might propose to the General Assembly changes in matters of external government; that no minister should find fault with the enactments of parliament, unless he had first sought remedy from the king; that ministers should not hold unusual conventions without his majesty's sanction; that in the chief towns no minister should be appointed without the consent of the flock, and of his majesty; that in preaching there should be no application made, but what had respect to the edification of the persons present at the time; and that in rebuking sins the name of no individual should be mentioned from the pulpit.§

Another assembly at Dundee.

Some progress having thus been made in unsettling the existing order of things, and imposing restrictions upon the freedom of the pulpit, the king appointed that another meeting of the General Assembly should be held in May, at Dundee, for the consideration of the remaining questions. Meanwhile the moderator of the assembly which had been held prior to the meeting in Perth, and a number of the most zealous brethren, convened at St. Andrew's at the time when, according to the usual order of procedure, the General Assembly should have met; but so few appeared that, without transacting any business, they referred all matters to the meeting appointed to take place at Dundee on the 10th of May.* Every effort was made to render this assembly subservient to the king's views. The restrictions laid upon the ministers of Edinburgh and upon David Black were relaxed, although they were not allowed all at once to resume their clerical functions.† Aware that no small part of his success had been owing to the absence of Andrew Melvil, his majesty was determined that he should not be allowed to attend the meeting at Dundee. For this purpose Sir Patrick Murray sent for James Melvil, and used means to prevail upon him to advise his uncle to return home, as the king could not abide him, and might be tempted to take some strong step against him. But the minister of Kilrenny replied that it would be altogether vain for him to suggest such a course, as he was certain his uncle would not follow his advice. "Surely," replied Sir Patrick, "I fear he shall suffer the dint of the king's wrath."—"And truly," rejoined Melvil's nephew, "I am not afraid but he will abide all."‡

Proceedings at Dundee.

The king experienced rather more difficulty in managing this assembly than the one at Perth. However, the lawfulness of that meeting was acknowledged; all that had been done there was sanctioned with certain explanations; and some more of the king's questions were answered, although in a very guarded manner.§ Measures were agreed to for the restoration of the popish earls, and they were shortly afterwards admitted to the communion of the Church with great pomp at Aberdeen, James having distinctly told them that they must either adopt his religion or quit the kingdom.‖ That it was his majesty's fixed purpose to subvert the presbyterian government admits of no doubt. Yet, perceiving the difficulties in his way, he concealed the full extent of his designs, and under the pretext of maintaining concord between the Kirk and himself, he obtained their consent to a measure whose tendency was to undermine the power of the General Assembly. It was agreed that fourteen ministers should be nominated as commissioners, any seven of whom might meet with his majesty to advise with him regarding the planting of churches, and the providing of stipends for ministers throughout the kingdom, "and whatever concerned the weal of the Church and the obedience due to his majesty within the realm."¶ These functions were wholly different from any commission which had ever before been granted to individual ministers. The persons named became his majesty's ecclesiastical council, and they were at the same time armed with the authority of the Gene-

* Melvil's Diary, pp. 403—405; Calderwood, vol. v. p. 606; M'Crie's Life of Melvil, vol. ii. pp. 105, 106.

† Tytler, vol. ix. p. 261; Spottiswood, pp. 439—442; Scott's Apologetical Narration, p. 91.

‡ Row's History, p. 177; Calderwood, vol. v. pp. 610—614; M'Crie's Life of Melvil, vol. ii. p. 102; Cook's History, vol. ii. p. 89.

§ At first the answers of the assembly were not so general, but were moulded by a consideration of existing circumstances. The first answer, for example, stood thus: "The brethren convened give their advice that it is not expedient to make any law or act concerning that matter, lest a door should be opened thereby to turbulent spirits; otherwise they think it lawful for his majesty to propose anything whatsoever for consideration." They felt that they could not deny the abstract propriety of making occasional changes, but at the same time they were sensible that, as at present proposed, his majesty's question was an ensnaring one, being designed to pave the way for overturning their whole system. (Spottiswood, p. 439; Melvil's Diary, p. 406; Book of the Universal Kirk, p. 440; Row's History, pp. 176, 177.)

* Melvil's Diary, p. 412; Calderwood, vol. v. p. 626; Aikman's Buchanan, vol. iii. p. 239.

† Spottiswood, p. 442; Calderwood, vol. v. pp. 651—654; Scott's Apologetical Narration, p. 92.

‡ Melvil's Diary, p. 416; Calderwood, vol. v. p. 629; M'Crie's Life of Melvil, vol. ii. p. 109.

§ Calderwood, vol. v. p. 642.

‖ Tytler, vol. ix. p. 262; Warrender MSS., vol. A, p. 160.

¶ Calderwood, vol. v. p. 644; Aikman's Buchanan, vol. iii. p. 239; Book of the Universal Kirk, p. 461.

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ral Assembly; and thus they were enabled to arrogate an overwhelming power to themselves. They are designated by Calderwood "the king's led horse," and "a wedge taken out of the Church to rend her with her own forces." James Melvil calls them "the very needle which drew in the episcopal thread."*

Proceedings of the new commissioners.

Having thus obtained a compendious method of bringing his influence to bear upon the ecclesiastical affairs of the kingdom, James was not slow to make full proof of the efficiency of the plan. The attention of his commissioners was directed to the University of St. Andrew's, from the rectorship of which they excluded Andrew Melvil, putting into his room George Gladstanes, minister of the town; and they decided that no professors or regents should be allowed to preach in congregations or to sit in church courts.† The ostensible design of this regulation was to promote the interests of learning, but its real object undoubtedly was to get rid of the opposition of Andrew Melvil, whose intrepidity and eloquence exerted so mighty an influence in the meetings of the General Assembly. The next step taken by the commissioners of the Church, through whose instrumentality it was now most convenient for the king to act, was to present a petition to the parliament which met in December, praying that representatives from the Church might be allowed to sit and vote in the supreme council of the nation. Many of the nobility were opposed to this measure, but their scruples were overcome by the king, and an act was passed providing that such ministers and pastors as his majesty should at any time advance to the office, title, and dignity of bishop, abbot, or other prelate, should have a vote in parliament, in the same manner as had been the practice in former times.‡ A clause was added, to the effect that this measure was adopted without prejudice to the jurisdiction and discipline of the Church, as established by act of parliament. This clause was designed to lull suspicion asleep, and to afford a pretext to those who were disposed to acquiesce in the plans of the king. The reasons assigned for the enactment thus passed were that the Kirk had long lain under contempt and poverty; that by having representatives in parliament she would be able to consult more efficiently for her own interests; that she would no longer require to stand at the door waiting many days for an answer to her petitions, but would be in a position to secure immediate attention to her wishes. And the spiritual estate, it was added, had always been recognised as one of the estates of the realm.§

The object of the late act of parliament was too plain to deceive any person of ordinary understanding; and although the commissioners represented it as a signal benefit to the Church, and expatiated upon the efforts which had been requisite to secure it, yet its true character and design were very generally appreciated. The synod of Fife were always distinguished by uncommon activity and zeal for the interests of religion, and, true to the character which they had earned, they proceeded at their meeting in February to discuss the merits of the alleged boon which the king had bestowed upon the Church. James Melvil maintained that if ministers were once admitted to sit in parliament, it would be found necessary to make them bishops, and thus all the efforts which for years had been made to establish their present constitution would be neutralised. When Andrew Melvil was speaking in the same strain, he was interrupted by Thomas Buchanan, who questioned his right to be present; but Melvil retorted upon him with vehemence, saying, "it was my province to solve questions from the Word of God, to reason, vote, and moderate in assemblies, when you were occupied in teaching grammar rules."* David Ferguson, the oldest minister in the kingdom, detailed the mischiefs which had flowed from the office of bishops in Scotland, and described the long and painful struggle which had been requisite for its abrogation; and, adverting to the alleged benefits of the recent act of parliament, he compared it to the wooden horse by which the Greeks succeeded in taking Troy, and emphatically warned them to be on their guard against this artifice. And John Davidson exposed the fallacy of the arguments employed to conceal the real tendency of the measure, exclaiming, "Busk him as bonnielie as ye can, and bring him in as fairly as ye will, we see him well enough—we see the horns of his mitre."†

True character of the late act clearly enough seen.

General Assembly at Dundee.

When the General Assembly met at Dundee in March, the great subject which demanded their attention was the late act of parliament, with reference to the admission of ministers into the supreme council of the nation. Andrew Melvil, although debarred by the restrictions recently laid upon professors, determined to take his place as formerly, that he might lift up his voice in opposition to the insidious measures which the king was bent upon carrying. But when he made his appearance, his majesty questioned his right to sit as a member. Melvil replied that he had a commission from his presbytery, which nothing but force would prevent him from executing. It was in vain that Davidson defended Melvil's right, and reminded the king that he was not president of the meeting. James declared that Melvil must retire, otherwise he would put a stop to the proceedings. At first Melvil was confined to his lodgings, but when it became known that his brethren visited him, to

* Calderwood, vol. v. pp. 644, 645; Melvil's History of the declining Age of the Church, p. 529; M'Crie's Life of Melvil, vol. ii. p. 111.

† *Supra*, vol. ii. p. 371; Melvil's Diary, p. 418; Spottiswood, p. 448; Cook's History, vol. ii. p. 97.

‡ Calderwood, vol. v. p. 670; Murray's Collection of Acts of Parliament, p. 347.

§ Cook's History, vol. ii. p. 100; Scott's Apologetical Narration, p. 96.

* Calderwood, vol. v. p. 681.

† Tytler, vol. ix. p. 269; Scott's Apologetical Narration, p. 99; Calderwood, vol. v. p. 681.

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consult with him regarding the interests of the Church, he was commanded to leave Dundee on pain of rebellion:* such was the dread which the king entertained of the eloquence, influence, and unbending firmness of one man! and John Knox, nephew of the great Reformer, was bold enough to tell James that this was the true secret of the restrictions recently laid upon the universities.† After the departure of the intrepid Melvil, and others who were tired out by the length of the preliminary discussions, his majesty delivered a speech to the assembly, in which he dwelt upon the great services which he had rendered to the Church, and the deep interest which he felt in the planting of churches and the providing of suitable stipends for ministers; and then declared that in order to enable him to accomplish all he desired, it was needful that the ministers should have a vote in parliament, without which the Kirk could not be vindicated from poverty and contempt. "I mean not," said the king, "to bring in papistical or Anglican bishops, but only that the best and wisest of the ministry should be selected by your assembly to have a place in council and parliament, to sit upon their own affairs, and not to stand always at the door like poor supplicants, utterly despised and disregarded."‡

King's proposal agreed to by the assembly.

A long and keen argument now ensued between the contending parties; but the royal authority, backed by the northern legion, prevailed against all opposition; and it was at length carried by a majority of ten votes, that it was expedient for the welfare of the Church that the ministry, as the third estate in the realm, should have a vote in parliament. This question being settled, others were started, which laid bare to the most incredulous the true nature of the whole proceeding.§ It was agreed that the number of ecclesiastical representatives should be the same as that of the bishops, abbots, and priors, who were wont to come to parliament in the old popish times, viz., fifty-one, and that the appointment of them should belong partly to his majesty and partly to the Kirk.‖ The assembly then proceeded to consider what should be their designation, how long their tenure of office should continue, and what should be their emoluments. These questions aroused the fears of many who had been cajoled into the belief, that no restoration of episcopacy was contemplated; and it was judged prudent to postpone the consideration of them till another time.¶ Meanwhile it was agreed that each synod, after hearing the opinions of the presbyteries within its bounds, should appoint three delegates, who along with the professors of theology should hold a conference, in presence of his majesty, regarding the points which were still unsettled; and they were to have power, if they were of one mind, finally to arrange the whole business; but if they disagreed, it was to be referred to the next meeting of the General Assembly. The anomalous commission, too, which had been the means of bringing these grave questions before parliament was re-appointed, and the same ample powers were entrusted to it, or to any nine of its members convened with his majesty.*

Several meetings of the conference.

Meetings of the conference thus appointed to consider the proposed changes in the constitution of the Church were held successively at Falkland, St. Andrew's, and Holyrood House.† The first point which was debated was whether ministers could, consistently with the responsibilities of the sacred office, appear in parliament and act as representatives. On the one hand it was argued that the Gospel does not destroy civil policy; that Scripture affords examples of the union of sacred and civil offices; that ministers were as much distracted by the visitation of Churches, and proceedings with regard to stipends, as they would be by sitting in parliament; that the admonition "not to entangle themselves with the affairs of this life" was no more inconsistent with holding civil offices than with the relations of domestic life; and that ministers were as much entitled to be represented in parliament as other citizens. To these arguments it was replied that many political institutions were inconsistent with the Gospel, and therefore wrong; that the union of sacred and civil offices occasionally mentioned in Scripture was by no means common among God's people; that the visitation of churches was a part of the ministerial function, and not a superadded encumbrance; that if ministers were distracted by difficulties connected with stipends, this was not their own fault; that the illustration drawn by the Apostle from the case of a soldier makes it plain, that he considered any worldly occupation as an entanglement which ministers should shun; and that preachers of the Gospel no more needed separate representatives than other distinct classes in the community. They were represented, like physicians and lawyers, by the commissioners of shires and boroughs.

The next point which was handled related to the length of time during which clerical representatives should hold their office. Those who were favourable to the king's views were desirous that the tenure should endure for life, or at least until the representatives were guilty of some fault which exposed them to church censure, whilst the zealous presbyterians were all in favour of annual election. On the one hand it was argued that the trouble and expense connected with the office would indispose any person to accept it for so short a period as one year; and also that that space of time would

* Petrie's Church History, vol. iii. p. 537; Scott's Apologetical Narration, p. 100.
† Wodrow's Life of Andrew Melvil, p. 73; Scott, p. 102.
‡ Calderwood, vol. v. p. 694; Tytler, vol. ix. p. 271.
§ Row's History, p. 187.
‖ Scott's Apologetical Narration, p. 104.
¶ Row's History, p. 191.

* Calderwood, vol. v. pp. 692—700; Book of the Universal Kirk, pp. 474, 475; Cook's History, vol. ii. p. 107.
† Calderwood, vol. v. pp. 726, 738, 746; M'Crie's Life of Melvil, vol. ii. p. 136; Scott's Apologetical Narration, pp. 107, 110, 111.

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not suffice for acquiring sufficient experience, or for bringing any piece of business relating to the Church to a satisfactory conclusion. But on the other hand it was alleged that regulations should be made, not for the convenience of individuals, but for the good of the Church or commonwealth; that although perpetual attendance on parliament might lead to extensive acquaintance with the laws of men, it would certainly be attended with diminished attention to the oracles of God; and that the General Assembly itself would consult far more efficiently and wisely for the good of the Church than a few individuals perpetually sitting in parliament. The undue influence also, which perpetual representatives would acquire, their elevation above their brethren, the temptations to which they would be exposed to neglect their spiritual functions, were adduced as arguments of great force.

The next point which was brought under discussion was the title which the clerical representatives in parliament should bear. Those who regulated their views by the king's wishes were prepared to call them bishops, arguing that if the substance were agreed upon, the mere name was a matter of small moment. It was considered an argument of much weight that bishop was a scriptural title, and it was also alleged that when the late parliament agreed to the admission of clerical representatives, it was on the supposition that they were to be bishops. It was acknowledged by the opposite party that ἐπίσκοπος, or bishop, was certainly a scriptural designation; but it was argued that, according to the usage of the Apostles, it belonged indifferently to all pastors. And therefore Andrew Melvil sarcastically suggested that, as something was added, in the case of the representatives now spoken of, to the office of the scriptural bishop, it was proper also to add something to their name, and he proposed to apply to them the designation used by Peter, ἀλλοτριοεπίσκοποι, *busy bishops*, who interfered with the concerns of other people. If they were named simply bishops, they must bear this title either according to its proper significance in Scripture, or according to the ideas commonly associated with it by the people. They could not bear it in the former sense, for Scripture applied it indiscriminately to all pastors, and not to a favoured few; and as little could it be given to them in the latter acceptation, for that would imply the restoration of all the corruptions, against which they had been labouring for years, contrary to the assurances so solemnly made by the king and his courtiers.*

The effect of this conference was not at all, either what the king expected or desired. Instead of mollifying the opposition of the zealous presbyterians to the changes which he was labouring to introduce, it only confirmed them in their views. The conference, therefore, was abruptly brought to an end, and, in dismissing the meeting, his majesty addressed them in the following strain:—He had been moved, he said, by the commissioners to appoint this conference for the satisfaction of such as felt scruples, but he saw men were so full of their own conceits, that they were rather confirmed in their opinions than disposed to give place to reason. He would, therefore, leave the matter to the assembly. If they would receive the benefit which he offered, he would ratify their conclusions with a civil sanction, so as to paralyse all opposition; but if the assembly rejected the proffered benefit, let them blame themselves if increased poverty and contempt overspread the Church. As for him, he would not want one of his estates. He would put in the vacant place such persons as he knew would accept the office, and perform their duty to him and the country.*

Nature and effect of the king's publications.

The opposition which most of the presbyterian ministers gave to the measures proposed by James, and the jealousy with which they regarded all the safeguards against abuse which were spoken of, were greatly strengthened by the views which the king himself put into print. He had published the preceding year a work entitled "The True Law of Free Monarchies," in which the most arbitrary principles of government were advanced. The sovereign, in such a monarchy as James delineated and declared to be the *beau ideal* of government, was free from all restraint; and in no circumstances was it allowable to offer resistance to his will. "A good king will frame all his actions according to the law; yet is he not bound thereto, but of his good will; although he be above the law, he will subject and frame his actions thereto, for example's sake to his subjects, and of his own free will, but not as subject or bound thereto."† And during the course of this summer, some extracts from another work of the king, of which only some seven copies were printed for the use of the court, were brought under the notice of the synod of Fife by one of its members.‡ These extracts made it plain that, whatever might be the views of some of the commissioners, as to the security of the presbyterian system in its leading principles, and the efficiency of the checks which it was proposed to lay upon the clerical representatives in parliament, it was his majesty's settled purpose to overthrow presbytery as speedily as possible, and to rear episcopacy upon its ruins. James Melvil mentions that it was these extracts which changed their previous strong suspicions of the king's designs into certain knowledge and absolute conviction.§ The following are some of the propositions which were contained in these extracts:—The office of a king is a mixed office betwixt the civil and the ecclesiastical. The ruling of the Kirk well is no small part of the king's office. The minister who appeals from the

* Melvil's Diary, pp. 443—459; Row's History, pp. 193—198; M'Crie's Life of Melvil, vol. ii. pp. 138—142.

* Melvil's Diary, p. 461; Calderwood, vol. v. p. 160.
† M'Crie's Life of Melvil, vol. ii. p. 159.
‡ Spottiswood, pp. 455, 456; M'Crie's Life of Melvil, vol. ii. pp. 161, 488, 489.
§ Melvil's Diary, pp. 444, 445.

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king's judicature in reference to his doctrine should "want his head."* No man is more to be hated by a king than a proud puritan. Parity among ministers cannot agree with a monarchy. Godly, learned, and modest men among the ministry should be promoted to bishoprics. Without bishops the three Estates in parliament cannot be re-established; therefore there must be bishops, and parity must be banished. Those who preach against bishops should be punished with the rigour of law. Puritans are pests in the commonwealth, and for a preventative against their poison there must be bishops.

Assembly held at Montrose.

The meeting of the General Assembly held at Montrose in March, 1600, was one of great importance. The conferences of the preceding year were merely designed as preparations for it. They were the marshalling and reviewing of the troops before the decisive engagement, or rather skirmishes in which the combatants made proof of their weapons. The ground selected as the scene of the final conflict was most skilfully chosen by James, as it gave him the opportunity of readily mustering his northern legions,† which had rendered such signal service to his cause at Perth and Dundee. And as his majesty thus took pains to secure a full attendance of those favourable to his own views, so he strove also to weaken the influence of his adversaries. Andrew Melvil, having been appointed one of the representatives of the presbytery of St. Andrew's, made his appearance in Montrose to take his seat in the assembly; but no sooner was his arrival reported to the king, than he sent for him, and demanded why he persisted in attending assemblies after he had expressly prohibited him. Melvil replied, that he had a commission from the Church, which it was his duty to discharge; and putting his hand to his throat he said, "Sir, take this head, and cut it off, if you will; you shall have it sooner than I shall betray the cause of Christ."‡ But James was too much afraid of his intrepidity and eloquence to give him the opportunity of speaking in public, and, therefore, he peremptorily forbade him to appear in the assembly. He was not expelled from the town, however, as he had been from Dundee in 1598; and being thus allowed to remain upon the spot, he was exceedingly serviceable to his brethren, both encouraging them by his presence and aiding them by his counsel.

Proceedings of the assembly.

The same questions, which had been handled in the conferences at Falkland and Holyrood House, were discussed at this assembly. The greatest eloquence and power of debate were undoubtedly displayed on the side of the advocates of the existing scheme of church government; and appearances seemed to indicate that the decision formerly obtained in favour of clerical representatives in parliament might be overturned; but the king interposed with the declaration that he would not allow that decision to be disturbed, and the assembly were constrained to acquiesce in this expression of the royal will.* With regard to the designation, which the ministers who might be deputed to parliament should bear, it was decided that it should not be bishops, but commissioners. And, notwithstanding all the arguments and influence which could be employed both in public and private, the majority gave their voice, not in favour of a perpetual, but of an annual appointment; although the minute was by some means or other so drawn up as to express rather a different idea, and in this altered shape it was sanctioned at the close of the assembly. As to the mode of appointing the representatives of the Church, it was agreed that the assembly should nominate six individuals for each vacant place, and that from amongst these the king should select any one whom he pleased, to occupy the seat in parliament. If none of the six met his views, then other six names were to be submitted to his inspection, from which it was to be imperative that a choice should be made.†

Checks on the power of clerical representatives.

At Falkland various checks or safeguards had been suggested, with the view of overcoming the opposition made by the zealous presbyterians to the changes proposed by his majesty. As the opposition to these changes seemed now fully more formidable than ever, these checks, or caveats as they were designated, were all agreed to by the advocates of the new measures, and their declared object was to guard against the abuse of the powers, with which the commissioners were to be entrusted.‡ Clerical representatives were held bound, under pain of deposition, to propose nothing in parliament in the name of the Church without her express warrant; nor were they to remain silent when any measure prejudicial to her interests was brought forward by others. At each General Assembly they were to render an account of the manner in which, during the course of the year, they had performed the duties confided to them. They were to be content with whatever portion of the revenues of their benefice the king was pleased to assign to them, without encroaching upon the provision made for other ministers. They were to abstain from all dilapidation of their benefices; to attend upon their own particular congregations as faithful pastors; to claim no higher power than their brethren in the administration of discipline or the general government of the Church; to be subject, like other ministers, to the authority of presbyteries, synods, and assemblies; to sit in the General Assembly only when commissioned as the representatives of their presbyteries; to swear and subscribe to the observance of all these

* Be decapitated.
† Cook's History, vol. ii. p. 115.
‡ Melvil's Diary, p. 485.

* M'Crie's Life of Melvil, vol. ii. p. 147.
† Spottiswood, p. 456; Melvil's declining Age of the Kirk, pp. 537, 538, 540; Row's History, p. 200; Heylin's History of the Presbyterians, pp. 362, 363; Petrie's Church History, Part iii. p. 550.
‡ Book of the Universal Kirk, p. 483.

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conditions at the time of their appointment; and should any of them be deposed at any time from the office of the ministry by the sentence of a church court, they were *ipso facto* to lose their place in parliament.*

Deceptive design of the cautions.

These cautions were well adapted to guard against all abuse of the powers with which clerical representatives sent to parliament were entrusted; and if they had been faithfully observed, the presbyterian scheme of polity would have suffered exceedingly little infringement.† But James, unfortunately, considered falsehood and lies as legitimate elements of that king-craft upon which he prided himself so much; and he seems never to have intended that engagements, which were so solemnly sanctioned, should be ought else than empty words. They had served their purpose when they deceived the zealous presbyterians, whose simple minds confided in the sanctity of an oath. The extracts already quoted from the "Basilicon Doron" make it obvious that whatever James might pretend, the complete restoration of episcopacy was what he meditated. And, in fact, Spottiswood acknowledges that it was far from being the purpose of the king, or of those who acted along with him, to pay any regard to the caveats. "It was neither the king's intention, nor the minds of the wiser sort, to have these cautions stand in force; but to have matters peaceably ended, and the reformation of the policy made without any noise, the king gave way to these conceits."‡ Thus it was considered a proof of wisdom to employ oaths, which were never designed to be kept, to deceive an opponent; for one of the caveats required the bishops to swear and subscribe, that they would faithfully observe the whole of them under pain of deposition, and they were not afterwards repealed. It would have been much less offensive to the feelings of the upright, and much less injurious to the interests of morality, if the king, by his own despotic authority, had at once abolished presbytery, and substituted his own favourite scheme of church government in its room.

Effect of Gowrie's conspiracy upon the Church.

The affair of the Gowrie conspiracy, details of which have already been furnished to our readers,§ was very prejudicial to the Church, by widening the breach which already existed between James and the ministers. Immediately after that mysterious event, a command was issued by his majesty that public thanks should be rendered in all the churches for his escape from "a vile treason;" but although the ministers were prepared to bless God for the king's deliverance from any danger to which he had been exposed, yet many of them doubted the reality of the conspiracy laid to the charge of Gowrie, and therefore they scrupled to use the words embodied in the form of thanksgiving which the king prescribed.* James was filled with indignation that any man should question the enormity of a treason which he himself had discovered; and for this offence five of the ministers of Edinburgh were expelled from the metropolis, and forbidden to preach in Scotland at all. Four of these afterwards submitted to the king's will, acknowledging that they were wrong; and they were obliged to appear in various churches, and make public profession of sorrow for their incredulity. But Bruce, who had still doubts respecting the accuracy of the royal narrative, refused to make his peace on the terms prescribed by the king,† and was therefore banished from the country, and obliged to seek an asylum in France, where he remained for a considerable time.‡ His resolute opposition to the policy of the court had rendered him peculiarly obnoxious to his majesty. Some time before this he had been exposed to serious annoyance on account of the circumstance, that when he was originally admitted by the General Assembly to the ministerial office, the ceremony of imposition of hands had on some account or other been omitted. The validity of his ordination was, therefore, denied by the king, who insisted that he should be formally ordained anew, to which Bruce and many of the best ministers were opposed, as attaching a stigma to the deed of the assembly, as an undue preference of the form to the substance, and as nullifying all the acts of his ministerial life.§ It was soon after the arrangement of this affair that he was expelled from the kingdom; and although at a subsequent period he was permitted to return from France, yet he was never allowed to resume his ministerial functions in Edinburgh, but continued all his days exposed to malignant persecution from the king and his bishops.‖ He was deficient in that suppleness and laxity of principle, which were indispensable to the continued enjoyment of the favour of a king, who considered that his will was entitled to regulate, not only the conduct, but the creed of all his subjects.

Anniversary commemorative of James's deliverance.

And not only did James make belief in the Gowrie conspiracy a condition of the enjoyment of his favour, but he even went the length of ordaining by act of parliament that the day of his deliverance, viz., the 5th of August, should be yearly observed in all coming ages as a day of thanksgiving for "his miraculous and extraordinary deliverance from the horrible and detestable murder and parricide attempted against his majesty's most noble person."¶ This enactment was calculated to give extreme offence, not

* Melvil's declining Age of the Kirk, pp. 539, 540; Row's History, p. 201; Calderwood, vol. vi. p. 18; Tytler, vol. ix. p. 272.

† Cook's History, vol. ii. p. 118.

‡ Spottiswood, p. 453; M'Crie's Life of Melvil, vol. ii. p. 161.

§ *Supra*, vol. ii. p. 386; Tytler, vol. ix. p. 362.

* Spottiswood, p. 461.

† Burnet's History of his Own Times, vol. i. p. 22.

‡ Record of Privy Council, September 10th, and 11th, 1600.

§ Calderwood, vol. v. pp. 711, 723.

‖ M'Crie's Life of Melvil, vol. ii. p. 169; Aikman's Buchanan, vol. iii. p. 265.

¶ Acts of the Scottish Parliament, vol. iv. pp. 213, 214.

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only as being at variance with the disapprobation of religious anniversaries and holidays characteristic of Scotland, but also as implying the right of parliament to appoint religious observances. Yet by means of the influence which the king had now acquired over the General Assembly, he obtained their sanction, at a meeting held at Holyrood House in 1602, to the appointment which parliament had made.* Many of the ministers, however, who had not scrupled to observe the single day of thanksgiving for his majesty's deliverance, absolutely refused to give the slightest heed to the anniversary. They were summoned before the king's council to answer for their disobedience; but although they were severely threatened, yet their number, and the determination which they evinced, led his majesty to desist from further proceedings. The king's mode of managing assemblies appears from an incident which occurred at the meeting, where the anniversary commemorative of the royal deliverance was sanctioned. James Melvil having been sent for to the palace, and favoured with an audience in the cabinet, the king was overheard, as he retired from the royal presence, saying to one of his attendants, "This is a good, simple man. I have streaked cream on his mouth. I'll warrant you he will procure a number of votes for me to-morrow." The vote of next day, however, given in a clear, distinct voice, was such as was fitted to show the king what a mistake he had committed in confounding simplicity and guileless manners, with laxity of principle and a disposition to easy compliance.†

No further changes of any moment took place during the continuance of James in Scotland. Although the design of restoring prelacy was not for a moment laid aside, yet it was not prosecuted with any special zeal. The caveats, indeed, were but little regarded from the beginning, as appears from a complaint of the synod of Fife in 1602.* In utter disregard of these checks, several individuals were summarily appointed by the king to vacant bishoprics; as, for example, David Lindsay to that of Ross, Peter Blackburn to Aberdeen, and George Gladstanes to Caithness.† And everything indicated that it was his majesty's fixed purpose to follow up the victories which he had already gained, by making such appointments from time to time as were calculated to advance his views. Meanwhile, Elizabeth died, and the event occurred which James had so long, and so anxiously anticipated; and he succeeded to the English throne without a struggle, his title being universally and peaceably acknowledged. Before he left Edinburgh to take possession of his new and more extensive dominions, he made reference, in the speech which he delivered in the High Church, to the state of peace in which he left the church. And when the members of the synod of Lothian came forth, and waited on him as he passed through Haddington, praying that the blessings of heaven might come down abundantly upon his head, he expressed the hope that they would live together in peace and unity, and declared it to be his purpose to make no further innovations in their ecclesiastical institutions.‡

James's accession to the throne of England.

* Book of the Universal Kirk, p. 526; Calderwood, vol. vi. p. 185; M'Crie's Life of Melvil, vol. ii. p. 172.

† Livingstone's Characteristics, Art.: William Row.

* Melvil's Diary, pp. 550, 553.

† Record of Privy Council, November 5th, 1600; December 30th, 1600; November 24th, 1602; Aikman's Buchanan, vol. iii. p. 256.

‡ Calderwood, vol. vi. pp. 215, 222; Petrie's Church History, p. 567; Melvil's declining Age of the Kirk, p. 551.

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CHAPTER XLIV.

ECCLESIASTICAL HISTORY.

A.D. 1603—1625.

Hopes and fears inspired by James's accession.

THE accession of James to the throne of England was calculated to excite the hopes and fears of the various religious parties in both kingdoms. Those who concurred with him in the design of introducing episcopacy into Scotland would naturally feel that with the augmented power which he now possessed, he would be more able to overcome the opposition which was certain to be given to this object in every stage of its progress; whilst those, on the other hand, who were attached to the existing presbyterian institutions would be filled with alarm, lest all their efforts to uphold the policy which was so dear to their hearts should prove unavailing. In England the Romanists not unnaturally hoped that James's descent from a mother who had been true to their religion through a long captivity, and under the terrible stroke which cut short her days, would dispose him to extend some degree of toleration to them; and they were probably not ignorant of the fact, that before Elizabeth's death he had written a letter to Pope Clement VII.,* in which, with the view of smoothing his way to the English throne, he promised that greater indulgence should be extended to the Romanists in Britain. The puritans, too, who had suffered so much during the reign of Elizabeth for their nonconformity, could hardly forbear cherishing the expectation that, under the sway of a monarch who had been brought up in a Church holding views so similar to their own, the severity of the pains and penalties affixed by law to their religious principles might be somewhat relaxed. The episcopalians again, who being the party in power had everything to lose, whilst, on the one hand, they might entertain apprehensions for the same reasons which inspired their opponents with hope, yet, on the other hand, were quite aware of the efforts which James had made for the introduction of episcopacy into Scotland, and of the disgust with which the proceedings of the presbyterian leaders had inspired him; and, therefore, they must have felt that their institutions were exposed to no real danger, but that probably they might still be permitted to domineer over other parties just as they had hitherto done.

Hopes held out to the puritans.

While James was on his way to London, a deputation from the puritans met him, and presented to him a petition, usually designated from the number of ministers' names appended to it, the Millenary Petition; in which they prayed for a redress of the grievances under which they had long laboured, and for the reformation of abuses acknowledged to be such by the great mass of Protestants. They had been sounded by his majesty while he was still but the King of Scotland; and being decidedly in favour of his title to the succession, they had been flattered with the prospect of a favourable consideration of their case; and now they fondly hoped that the expectations thus inspired were on the eve of being realised.* But the two universities at once took the alarm. Oxford published an answer to the petition of the puritans, charging them with a factious spirit, abusing the principles of the Scottish Church, and extolling the polity of the Church of England, as at once possessed of every excellence, and as constituting the surest support of the throne. At Cambridge it was declared that whoever opposed by word or writing, or in any other way, the doctrine or discipline of the Church of England, or any part of it, should be suspended *ipso facto* from any degree already taken, and be disabled from taking any degree in future.†

Influence of the English bishops over James.

Whatever might be the promises held out by James to different parties before he was actually acknowledged King of England, no sooner did he feel himself firmly seated upon the throne, than it became obvious to every eye that he was devoted to episcopacy, and would grant no indulgence to any one upholding a different system. His favourite maxim—no bishop, no king—became dearer to him than ever. The extraordinary deference shown to him by the English bishops, the admiration which they expressed for his wisdom and learning, and their practice of frequently falling upon their knees when they addressed him, were infinitely more agreeable to his feelings than the sturdy independence which he was so often obliged to encounter in Scotland.‡ The presbyterian ministers had imbibed the manly and generous sentiments inculcated by Buchanan, with respect to the responsibilities and limitations of kingly power; and they often found themselves under the necessity of remonstrating with James, who, in disregard of the lessons of his early preceptor, now carried his ideas respecting the power of princes to the most extravagant length. But the English bishops avowed the same sentiments which were so dear to the royal mind; they echoed back all his views with regard to the unlimited authority of princes, and the criminality of resistance in any conceivable case; and by thus flattering the prejudices of a mind of no great compass, they acquired an extensive influence over him, and secured his exclusive support of their system. He soon gave them to understand that the constitution of the Church of England was entirely in accordance with his mind, and that he

* Aikman's Buchanan, vol. iii. p. 251; Burnet's History of his Own Times, vol. i. p. 56; Rapin's History of England, vol. ii. p. 159; Neal's History of the Puritans, vol. ii. p. 4.

* M'Crie's Life of Melvil, vol. ii. p. 189; Jacob's Attestation of learned, godly, and famous Divines, pp. 14, 313.

† Bogue and Bennet's History of Dissenters, vol. i. p. 53.

‡ Aikman's Buchanan, vol. iii. p. 285.

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would allow no innovations to be made upon it for the sake of any parties whatever.*

Conference at Hampton Court.

Still it was requisite that the promises which James had given to the puritans to take their case into consideration should not appear to be utterly disregarded by him; and, therefore, he appointed that a conference should take place at Hampton Court between the episcopalians and some of the leading men among the puritans.† The professed object of this conference was to bring about an accommodation between the opposite parties; but it was plain from the very first that the whole affair was a wilful deception. In a speech which the king delivered to the episcopal clergy, at a meeting from which their opponents were excluded, he assured them that he looked upon the policy of their Church as so excellent that it needed no amendment; and he felicitated himself upon the happy change that had taken place in his own condition, transferred as he was in God's good providence from a disorderly kingdom, where no reverence was paid to him, to one where he was surrounded by prudent, grave, and learned men. And the conference was conducted with hardly the semblance of justice or impartiality. Those who spoke in favour of the existing order of things were allowed to take the utmost latitude, while those who pleaded for some reforms, and craved that the scruples of nonconformists might not be altogether disregarded, were subjected to most vexatious interruptions, and loaded with insult and scorn. The king himself gave free expression to his abhorrence of the presbyterian scheme of government. "'You aim,' said he, in reply to Reynolds, one of the puritan speakers, 'at a Scotch presbytery, which agrees as well with monarchy as God and the devil. Then Jack and Tom, and Will and Dick shall meet, and at their pleasure censure me, my council, and all my proceedings. Stay, I pray you, for one seven years before you demand this of me.'" And when the conference drew to a close, he addressed them in the following strain:—"'We have taken pains to conclude here a resolution for uniformity, and you will undo all by preferring the credit of a few private men to the peace of the Church. This is the Scottish way, but I will have none of this arguing; therefore let them conform, and that quickly, too, or they shall hear of it. The bishops will give them some time; but if any are of an obstinate or turbulent spirit, I will have them forced to conformity.'"‡

These proceedings were watched with the deepest interest in Scotland. When the account of them, transmitted by Galloway, who was present at the conference, was read in the presbytery of Edinburgh, the ministers were struck dumb for a time with apprehension. The hostile feeling which the king cherished against the puritans, who agreed in many respects with the presbyterians of Scotland, was but too well fitted to suggest to them the idea, that times of trial and persecution were soon to visit their native land.*

Apprehensions excited by these proceedings in Scotland.

If the puritans were a sect intolerable, as the king affirmed in his speech before parliament, in any well-governed commonwealth, what had the friends of the presbyterian discipline in Scotland to expect, when they differed even more than the puritans from the Church which James now regarded with so much favour? And the circumstance was fitted to deepen their alarm, that while the king spoke with so much severity of the puritans, whom he acknowledged to be sound in the great principles of religion, he applied much milder language to the Church of Rome, which he described as "our mother Church," although defiled with some infirmities and corruptions. How different from the professions which James had formerly made! What value could be attached to the solemn promises which he had given before leaving Scotland, that he would make no further changes in the state of ecclesiastical affairs? All the worst suspicions which the friends of the Presbyterian Church in that country had ever entertained with regard to his majesty's sincerity were confirmed from his own mouth. His duplicity was apparent to every eye. His kingcraft, upon which he prided himself so much, was a compound of dishonesty and lies. Honour, integrity, conscience, and truth, were entirely set at nought by him when they stood in the way of his own views and wishes.†

Fears excited by the proposed union of the countries.

One of the measures which the king proposed to his first parliament at Westminster was, that as England and Scotland were now governed by one king, they ought to be united into one kingdom. The ministers of the Scottish Church were not averse to a legislative union of the two kingdoms, but they were afraid that in bringing it about the ecclesiastical institutions of their native country might be assimilated to those of England; and, therefore, when it was appointed that a parliament should meet to take the subject into consideration, they requested that a meeting of the General Assembly should be summoned at the same time.‡ But this was refused, on the ground that the parliament could do nothing more at present than choose commissioners to consider the terms of union; and the assurance was also given that the king would alter nothing in the order and discipline of the Kirk, provided that the ministers conducted themselves quietly at this time. When all efforts to procure a meeting of the General Assembly proved unavailing, the

* Rapin's History of England, vol. ii. p. 160; Neal's History of the Puritans, vol. ii. pp. 7, 19; Collier's Ecclesiastical History, vol. ii. p. 673.

† Calderwood, vol. vi. p. 241.

‡ Neal's History of the Puritans, vol. ii. pp. 10, 21; Bogue and Bennet's History of Dissenters, vol. i. pp. 53, 54.

* Calderwood, vol. vi. pp. 246, 253; M'Crie's Life of Melvil, vol. ii. pp. 193, 194.

† Cook's History, vol. ii. pp. 146, 147.

‡ Calderwood, vol. vi. p. 257; Baillie's Historical Vindication, p. 53.

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synod of Fife, ever foremost in defending the rights of the Church, adopted the only means now within their reach of guarding against the dangers which were apprehended, and which appeared not the less threatening that the royal promises were repeated.* The commissioners of the General Assembly having, in accordance with the cautions, craved advice from the presbyteries with regard to the points which parliament was to consider, the synod took the opportunity of addressing to them in reply a solemn admonition, which displays the clear perception the presbyterians of Scotland had of their present dangers, and how firmly determined they were rather to die than to sacrifice their principles. The document is one of great importance, and exhibits decisive evidence at once of the loyalty of the presbyterians, and of their devoted attachment to the liberty of their country. "For as much as, by your missives directed to the presbyteries, we were warned to give in our advice to you before this proclaimed parliament, with regard to matters to be proposed concerning the good of the Church; for discharging of that duty we have set down, and sent to you in writing, by our commissioners, with all hearty salutations in Christ, the following articles for our advice:—

"1. We thank God for the purpose of this union of these realms, as most desirable, in respect as already, by the profession of the Gospel, they have been united in God these many years past; and now, by a special blessing of that same Gospel of peace and union in Christ Jesus, they are come under a king, for graces and virtues incomparable; and, therefore, we earnestly wish the same, by all good means and endeavours of all the Estates, particularly of the ecclesiastical, to be prosecuted even till it be effectuated, for the establishment and maintenance of the kingdom of Jesus Christ, which is the kingdom of true peace and union, working sure safety and firm welfare to all kings and kingdoms reigning and standing with Christ and in him.

"2. Because the occasion of the treaty respecting the union, so happily of God's good and great providence fallen out, is since the last General Assembly of the Church in this realm, ye could, therefore, have no warrant, direction, or information, to treat of particulars concerning the same, yet we think you may, and should do this in general, in name of the said assembly, crave that the acts made by our parliaments in favour of the Church should be ratified and confirmed, and then solemnly protest that nothing be done by way of commission or otherwise at this time, whereby any innovation, alteration, hurt, or prejudice may ensue against the present right and possession of the doctrine, discipline, and government of the Church and kingdom of Jesus Christ within this realm, established by the Word of God, confirmed by the laws of the country, briefly comprehended and published in the king's Confession of Faith, whereunto all his highness's subjects were moved with their king and sovereign lord solemnly to swear, and which his majesty, going to his prosperous promotion, most graciously vouchsafed it should enjoy peaceably and unaltered hereafter; and in case there be anything done to the contrary, as God forbid, to protest that it is null and of no force in itself, in respect that neither the General Assembly was warned thereto, or had directed any commissioners thereanent.

"3. That the old petition of the General Assembly be renewed, and so much the more at present urged, as the danger is greater, viz., that none vote in name of the Church, and for the estates thereof in parliament, who bear not office within the same, nor have any commission from it so to do; and if they be admitted to sit and vote, to protest it be not esteemed the vote and judgment of the Church of Scotland.

"4. Forasmuch as it is expressly provided that those of the ministers, who, in name of the Church are appointed to vote in parliament, shall not presume at any time in parliament, council, or convention, to propose anything in name of the Church without express direction and warrant from the same, neither shall keep silence in opposing, if they shall hear or perceive anything uttered to her hurt or prejudice, under the pain of deprivation: therefore we think that ye should charge the said voters in parliament, in name of Christ and his Church, so to do, under the pain of deprivation, and farther as Christ by his Church may inflict; and to recommend to them the order and discipline of the Church to be well considered, studied, and had in memory, that they may maintain, stand fast, and defend the same to the uttermost, remembering the account they must give to the General Assembly of the Church within this realm, but particularly to Jesus Christ, at that general, great, and glorious parliament of his last appearance, when he shall come to judge the quick and the dead.

"Lastly, we most earnestly beseech you, in the bowels of Christ, yea, attesting and adjuring you, before God and his elect angels, as ye will make answer to that great judge, to whom you must give an account of your stewardship, that ye, by these presents, inform and certify the commissioners who are to be chosen in this parliament, to treat upon this union for the part of the Church, and so by them the king our sovereign, his most excellent majesty, that we believe in our consciences instructed, cleared, and assured by the Word of God, written in Holy Scripture, that the essential grounds of the discipline and government of the Church and kingdom of Jesus Christ, established and in use in this realm of Scotland, is not a thing indifferent or alterable, but a substantial part of the Gospel, having the like warrant with any other point of our faith and religion, which to renounce or pass from we will esteem as hard as to renounce the manifest truth of God revealed to us in Scripture, yea, harder than to suffer death; which expressly, by these presents, we protest and profess, choosing

* Spottiswood, p. 486; Row's History of the Kirk, p. 223.

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rather so to do now beforehand for the ease and relief of our consciences than too late hereafter, when there may be, as God forbid, constitutions and laws made to the contrary."*

Compromise in parliament.

The admonition thus addressed by the synod of Fife to the commissioners of the General Assembly exerted a very beneficial influence, not only upon them, but also upon many of the barons and noblemen. When the parliament met at Perth, the Earl of Morton, whose years and Christian character made him venerable,† proposed that the commissioners appointed to treat of the union should be forbidden to consent to anything, which might be prejudicial to the doctrine or discipline of the Church as at present settled. But though he was supported by most of the barons and burgesses, yet the courtiers and newly appointed prelates opposed the motion so strenuously, that it was defeated, and a commission unclogged by conditions was sanctioned. Parliament, however, acceded so far to the views of Morton, as to pass an act that no proceedings in regard to the union should prejudge the doctrine or discipline of the Church.‡ To appearance, this was not very different from what the friends of the existing ecclesiastical polity desired, but in reality it was a comparatively worthless concession. It was like providing for the future ejectment of a foe from the citadel, while in the meantime a wide door was opened for his entrance. And nothing more is requisite to show the insincerity and double dealing of the prelates and courtiers, than the fact that they opposed with dogged determination the insertion of a restrictive clause into the commission, which was to be taken up to England, and made the ground of immediate action, while they offered scarcely any opposition to the embodiment of the very same clause in an act which was only to be recorded in the statute book at home. Their expectation manifestly was that the act would be a dead letter, if in the meantime they accomplished their object through means of the unlimited commission.§

Fears excited by the prorogation of the assembly.

The General Assembly which should have met at Aberdeen, in July, 1604, having been prorogued for a year, under the pretext of waiting till the conferences regarding the union should be brought to a close, meetings were held during the course of the winter at St. Andrew's and Perth, for the purpose of considering what steps should be taken to defend the liberties of the Church, now so seriously threatened.‖ Loud complaints were made at these meetings, that the cautions which had been adopted with universal consent, and made obligatory with all the solemnity of an oath, were utterly disregarded. Individuals left their flocks and went up to London, where they received bishoprics directly from the king, and then assumed titles which had been expressly condemned by the General Assembly at Montrose. John Spottiswood, Alexander Forbes, and others, had thus set at nought the authority of the Church.* In the end it was agreed that a petition should be addressed to his majesty, praying that the General Assembly might be allowed to meet according to act of parliament and long custom. And appearances seemed to indicate that the king was disposed to accede to their wishes; for when the distinguished and upright John Forbes, minister of Alford, was admitted to an audience with the king in London, he was not only assured by James that he continued faithful to the religion in which he had been brought up, and was determined to make no further changes in the constitution of the Scottish Church, but he was also authorised to communicate these welcome tidings to his brethren, and to admonish them to adhere to the acts of parliament and the decisions of those General Assemblies which had been attended by his majesty.†

General Assembly at Aberdeen.

Yet while the king was thus spontaneously sending assurances of his goodwill to the ministers in Scotland, nothing was farther from his intention than to gratify the hopes which he was exciting. His plan was formed, and, accordingly, when the time approached for the meeting of the General Assembly at Aberdeen, he signified his will that it should not take place; and the council in Edinburgh accordingly prohibited it. After an interview, however, between Forbes and the chancellor, the prohibition was recalled, on the understanding that the assembly after it met should immediately at his request be adjourned. The missives directed to the presbyteries were subscribed by the clerk of the commissioners, but those transmitted to the north country specified the second day of July as the time of the meeting, while those sent to the south named the fifth, the discrepancy being apparently designed to render the meeting abortive.‡ When the former of these days arrived, nineteen ministers, the representatives of nine different presbyteries, made their appearance in Aberdeen. With the sanction of Laurieston, the king's commissioner, they elected Forbes moderator; and the council's letter requesting them to adjourn the meeting having now been read, they at once agreed to dissolve the assembly. Before separating, however, they desired the king's representative to appoint the time and place of their next meeting, but this he peremptorily refused to do, and commanded them instantly to disperse. They were willing to separate, but they felt that if they did so without making any provision for another meeting, they would themselves be accessory to the destruction of their polity. They agreed therefore to meet again in the same place on the

* Calderwood, vol. vi. p. 259; Row's History, p. 223.
† Melvil's declining Age of the Kirk, p. 560.
‡ Calderwood, vol. vi. p. 263; Scott's Apologetical Narration, p. 126.
§ Cook's History, vol. ii. p. 156; M'Crie's Life of Melvil, vol. ii. p. 195.
‖ Calderwood, vol. vi. p. 271.

* Melvil's declining Age of the Kirk, p. 568.
† Wodrow's Life of Forbes, p. 2.
‡ Row's History, p. 227; Baillie's Historical Vindication, p. 54.

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last Tuesday of September, and then wrote to the council explaining the reasons of this appointment. His majesty's commissioner, alarmed now at what the ministers had done, and dreading the resentment of his royal master, declared that from the first he had considered this assembly an unlawful meeting on account of the absence of the late moderator and the usual clerk; and he afterwards maintained that on the first day of July he had commanded all the ministers to depart from Aberdeen, under pain of being denounced as rebels.* This was undoubtedly a fabrication on the part of Laurieston, designed to shield himself from the charge of having given too much countenance to the assembly. It had now become very obvious that it was the wish of his majesty to have no more such meetings.†

Character of the assembly at Aberdeen.

With regard to the proceedings of the assembly at Aberdeen, which have been so loudly condemned, there is no room at all for doubt that they were quite constitutional.‡ The simple question was, whether the laws of the kingdom or the will of the prince should be the rule of government. By act of parliament a yearly meeting of the General Assembly had been authorised, and the only restriction imposed was, that the time and place of meeting should be fixed by the king or his commissioner, or failing them by the assembly itself. But his majesty, without having procured a repeal of this law from the legislature, arbitrarily prevented the meeting of the assembly; and on the occasion of the prorogation at Aberdeen, his representative refused to name any time for a subsequent meeting, thus warranting the inference that he designed to annihilate the supreme court of the Church altogether. And what was the extent of the offence perpetrated by the ministers? They presumed to name a day, when the commissioner failed to do so, for their next meeting. Less than this they could not have done, without betraying the rights of their Church and the liberties of their native country. When the magnitude of the interests at stake is considered, so far will their conduct appear from exhibiting anything like violence, that they must rather be acknowledged to merit the praise of extreme moderation. Resistance to the arbitrary conduct of James was the duty of every good citizen; and if the prelates of England, instead of flattering his vanity and echoing all his slavish maxims, had joined in withstanding his encroachments upon the liberties of the nation, he might have been prevented from pursuing a most pernicious course, and his son might have been saved from that ruin in which the accumulated wrongs of many years eventually overwhelmed him.

His majesty enraged against the ministers.

When intelligence of the proceedings at Aberdeen was conveyed to his majesty, he was filled with indignation at the ministers, and sent immediate orders to the council of Edinburgh to proceed with the utmost rigour against them. Fourteen ministers were accordingly apprehended and thrown into prison; and when they declined the authority of the privy council in a cause which was purely ecclesiastical, six of them, viz., John Forbes of Alford, John Welsh of Ayr, Robert Durie of Anstruther, Andrew Duncan of Crail, John Sharp of Kilmany, and Alexander Strachan of Criegh, were singled out to stand their trial for high-treason before the court of justiciary at Linlithgow.* Their defence was conducted with singular eloquence and skill by Forbes and Welsh,† but the most infamous arts were employed to secure their condemnation. The judges were tampered with, and the jury were threatened and cajoled.‡ In a letter addressed by secretary Balmerino to his majesty, he says:—"To dissemble nothing, if the Earl of Dunbar had not been with us, and partly by his dexterity in advising what was fittest to be done in everything, and partly by the authority he had over his friends, of whom a great many passed upon the assize, and partly for that some stood in awe of his presence, knowing that he would make faithful relation to your majesty of every man's part, the turn had not framed so well, as blessed be God it has."§ And even with the aid of all these arts of intrigue, it was only by a majority of three that a verdict of guilty was extorted from the reluctant jury; six of the fifteen persisted in declaring their conviction that the ministers were innocent. Undeterred by the profound horror which these proceedings excited through the whole country, the king sent down orders to the council to proceed immediately with the trial of the remaining eight ministers, who were still in prison; but they felt constrained to assure him that the recent scenes could not be repeated, that they were regarded with detestation and horror by the whole country, and that no jury could now be found that would return a verdict of guilty. Yet the ministers, though not brought to trial, were not set at liberty. They were banished to the Orkney and Shetland Islands, where several of them died under the sufferings and privations to which they were exposed.‖

* Spottiswood, p. 487; Biography of Welsh, p. 14.
† Calderwood, vol. vi. pp. 279, 280, 286, 574; Scott's Apologetical Narration, p. 134; Collier's Ecclesiastical History, vol. ii. p. 688; M'Crie's Life of Melvil, vol. ii. p. 201.
‡ Cook's History, vol. ii. p. 163; M'Crie's Life of Melvil, vol. ii. p. 202; Heylin's History of the Presbyterians, p. 382.

* Spottiswood, pp. 489, 490; Melvil's declining Age of the Kirk, p. 616. † Calderwood, vol. vi. pp. 300—335.
‡ Scott's Apologetical Narration, pp. 148—154.
§ The lord-advocate, too, addressed a letter to the king in a similar strain. This letter is embodied in the Memorials published by Lord Hailes regarding the reign of James I. The learned judge makes the following observations upon it:—"This letter gives a more lively idea of those times than an hundred chronicles can do. We see here the prime-minister, in order to obtain a sentence agreeable to the king, address the judges with promises and threats, pack the jury, and then deal with them without scruple and ceremony. It is also evident that the king's advocate disliked the proceedings as impolitic and odious, but that he had not resolution to oppose them."—*Lord Hailes' Memorials and Letters*, vol. i. pp. 1—4.
‖ M'Crie's Life of Melvil, vol. ii. p. 207; Calderwood, vol. vi. p. 590; Life of John Welsh, p. 17.

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Proposals made by government to the synods.

Shortly after these cruel and shameful proceedings, an attempt was made by the government to prevail upon the synods to accede to five articles, which were designed to relieve the bishops from the responsibility which they owed to the General Assembly, and also to establish the power which the king claimed over the supreme judicatory of the Church. They were in flagrant contradiction to the solemn assurances repeatedly given by his majesty, that he would not alter the constitution of the Scottish Church; for although the first article merely required the ministers to originate no changes themselves, yet the others proposed that the bishops should have full jurisdiction over the ministers, that the commissioners of the General Assembly should not be changed, that no appeal should lie from them to the General Assembly, and that the king should be acknowledged supreme ruler of the Church under Christ, and the source of all the powers which were exercised by ministers.* These were chains of bondage and degradation which the synods were asked to fasten upon themselves; but although ample evidence was furnished by the recent trial of what they had reason to expect from the rage of lawless tyranny, they decidedly refused, with the single exception of the synod of Angus, to comply with the royal mandate. Such questions, they answered, could only be considered in a general assembly of the Church. James Melvil was confined to a sick-bed at the time, but he felt impelled, "out of the midst of his pains," to write to the synod to which he belonged, which was convened at Cupar; and while he declared that he could hardly believe such proposals were really made, he admonished them to stand fast in the liberty of the Gospel, "not only at the bar and in prison, but even in the fire and upon the scaffold." †

Bishops restored by parliament.

The king had more success with parliament than with the synods, for at a meeting held at Perth in August, 1606, the bishops were restored to all their ancient honours and dignities. In vain did deputations from all the presbyteries attend with the view of opposing the measure; their remonstrances and protestations were disregarded. The chancellor plainly declared that "so they were commanded;" ‡ and, in fact, they were not a free parliament, but the mere tools of arbitrary power. At last it was craved, that at least the cautions formerly agreed to by his majesty should be inserted in the act of parliament; but this was absolutely refused. The nobility, for the most part, were opposed to the measure, but they had not the courage to withhold their consent from it, because it was now much more dangerous to displease the king than it had formerly been. Besides, the prelacies were reduced in number, and all the grants which had formerly been made of church lands to noblemen were confirmed, and seventeen new temporal lordships were created out of ecclesiastical property. Hardly was the measure passed, however, when the arrogance of the newly-created spiritual peers excited the resentment of the nobility. The first day they presented a magnificent spectacle, riding between the earls and the lords, clothed in silk and velvet; but on the second day they refused to join the procession at all, because they were not allowed to take their place before the earls, and next to the marquises, as had been the practice in old popish times.*

Protest of the ministers.

The protest proposed by the ministers against the changes which it was known the king designed to accomplish in the parliament, is drawn up with much judgment and force, and it forms a striking contrast to the slavish maxims which the noblemen and other members of the legislature were not ashamed to avow. Parliament so enlarged the royal prerogative as to extend it beyond all bounds, declaring that "the Estates, of their bounden duty, with most hearty and faithful affection, humbly acknowledged the king's majesty to be sovereign monarch, absolute prince, judge, and governor, over all persons, estates, and causes, both spiritual and temporal, within the realm." † But the ministers, on the other hand, maintained that there was no absolute and unbounded authority in this world, excepting that of Christ himself. "All other authority is entrenched within the marches of the divine commandment. For this cause, my lords, let the authority of your meeting in this present parliament be like the ocean sea, which, as it is the greatest of all waters, so it containeth itself better within the coasts and limits appointed by God, than any river of fresh running waters hath done." ‡ The protest next denounces the pre-eminence of bishops above their brethren as an ordinance of man, which all experience has shown to be productive of idleness, pride, tyranny, and ambition; and it also describes this pre-eminence as having been the germ of popery. "The antichristian hierarchy climbed up by the steps of the pre-eminence of bishops, until the man of sin came forth as the ripe fruits of the wisdom of man, which God shall consume with the breath of his mouth. Let the sword of God pierce the belly that brought forth such a monster, and let the staff of God crush that egg which hath hatched such a venomous cockatrice; and let not only that Roman antichrist be thrown down from the high bench of his usurped authority, but also let all the steps whereby he climbed up to that unlawful pre-

* Melvil's declining Age of the Kirk, p. 627; Scott's Apologetical Narration, p. 156.
† Melvil's declining Age of the Kirk, p. 630.
‡ Ibid., p. 638; Select Biographies, Wod. Soc. p. 82.

* Spottiswood, p. 496; Calderwood, vol. vi. p. 494; Melvil's declining Age of the Kirk, pp. 638—641; Scott's Apologetical Narration, p. 163; Aikman's Buchanan, vol. iii. p. 308.
† Acts of the Scottish Parliament, vol. iv. pp. 281, 282; Calderwood, vol. vi. p. 495.
‡ Calderwood, vol. vi. p. 486; Life of Simpson, p. 84.

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eminence be cut down and utterly abolished in this land." And the document concluded with offering to prove that the dignities and powers with which it was proposed to invest certain ministers were contrary to the word of God, the ancient canons and fathers of the Church, the opinions of the most learned modern divines, the constitution of the Church of Scotland from the time of the Reformation, and the well-being of all ranks of the community.*

Reasons in support of the protest.

This protest, which was totally disregarded by parliament—the reading of it being interdicted—was penned by Patrick Simpson of Stirling; and the reasons, to which reference is made in the close of the document, were the production of James Melvil, aided by his uncle. These reasons enter at great length into the subject of church government. The scriptural argument is fully exhibited. An immense array of ancient and modern authorities is produced; and the paper concludes with some powerful reasoning as to the dangers likely to ensue from the subserviency of bishops to the will of the prince:—"They have their lordship and living, their honour and estimation, profit and commodity, from the king more than others. The king may set them up and cast them down, give to them and take from them, put them in and out at his pleasure; and, therefore, they must be at his direction, to do what liketh him. If any succeeding prince please to play the tyrant, and govern not by laws, but by his own will and pleasure,† signified by missives, articles, and directions, they shall never admonish him as faithful pastors, for such they are not, having no lawful calling and authority from God and his Church; but as they are made up by man, they will flatter, pleasure, and obey men. As they stand by the prince's affection, so they will by no means jeopard their standing, but be readiest of any to put his will and pleasure in execution, suppose it were to apprehend, imprison, or banish such as stand for the freedom and the laws of the realm. Unless men of whatsoever rank and degree give them their styles, places, and salutation, they shall not miss to be crossed by them in their affairs, and traduced at court by them or their means. Their company and train shall be an example of riot and excess. The bishop, in his own city, and amongst his vassals, will think himself a petty king. Who dare deny to lend, give, or serve him with whatsoever they have? If he do, cannot they and their lawyers, domestics, and dependents, devise a way how to draw him within danger of the laws? and then his estate, falling in the bishop's hand, he shall certainly be pilled and polled. Finally, it is already too manifest, that if the prince be prodigal, or would enrich his courtiers by taxations and imposts laid upon his subjects, who have been, or shall be so ready to satisfy his desire in parliament, as those who are set up for that and like service?" *

Eight of the ministers summoned to London.

In the month of May letters from the king had been addressed to eight of the principal ministers who were opposed to episcopacy, viz., Andrew and James Melvil, William Scott of Cupar, John Carmichael of Kilconquhar, William Watson of Burntisland, James Balfour of Edinburgh, Adam Coult of Musselburgh, and Robert Wallace of Tranent, requiring them to appear, all excuses set aside, in his majesty's presence in London before the 15th of September.† The ostensible reason for imposing this long and burdensome journey upon them was, that his majesty desired to hold a conference with them in regard to the best means of restoring and maintaining the peace of the Church of Scotland; but the whole course of events makes it obvious that the real design was to weaken still further the party opposed to the king's measures by the removal of their ablest men. Fourteen ministers had already been either imprisoned or banished on account of the proceedings of the assembly at Aberdeen, and eight more were now commanded, under false pretences, to leave the scene of their labours. As they augured no good from the journey, they requested the Earl of Dunbar to use his influence with the view of inducing his majesty to excuse them from it; but the earl either deceived himself, or accessory to the plot for tearing them away from their native country, urged them to comply with the king's desire, and expressed the confident belief that the step would be attended with most beneficial consequences. Certain it is that so early as June, Gladstanes, Bishop of St. Andrew's, was felicitating himself on the idea that Andrew Melvil would never more appear at the university.‡

Interview of the ministers with the king.

When the eight ministers reached London, they were first admitted to a private interview with his majesty, who demanded their opinion with regard to the late assembly at Aberdeen, and also with regard to the best mode of restoring peace to the Church of Scotland.§ After presenting their congratulations to his majesty on the high honour and dignity to which he was now raised, they requested that they might be allowed some time to advise with one another respecting the answers which it might be proper to give to his questions. On the following day they were again introduced into the royal presence, where they found themselves in the midst of a splendid assemblage of the English nobility. The Scottish bishops and commissioners were first called upon to state their views of the assembly at Aberdeen; and with one

* Aikman's Buchanan, vol. iii. p. 308.

† The ministers were greatly in advance of the nobles in their views of constitutional government. From the days of Knox downwards, their constant maxim was, that the prince was as much bound to obey the laws of the country as any subject.

* Calderwood, vol. vi. pp. 529, 530.

† Ibid., pp. 477, 480.

‡ M'Crie's Life of Melvil, vol. ii. p. 222.

§ Calderwood, vol. vi. p. 568; Cook's History, vol. ii. p. 178.

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voice they declared that they had always condemned it as an unlawful convention. The king now addressed himself to Andrew Melvil, saying, "You see that your brethren here cannot justify these men, nor their assemblies. What say you therefore? Think you that when a small number of eight or nine do meet, without any warrant, wanting the chief members of an assembly, the moderator and the scribe, convening unmannerly without sermon, being also discharged before by open proclamation, these can make an assembly or not?"* The several points thus adverted to by the king were handled by Melvil in a speech of nearly an hour's length. The thinness of a meeting did not destroy its legality. The numbers present were amply sufficient for all the business that was transacted, which was merely to adjourn to another time. The absence of moderator and clerk could never be considered fatal to the validity of a meeting, for it was easy to elect others in their room. With regard to the alleged want of sermon, his majesty had been misinformed, for James Ross, minister of Aberdeen, had preached at the opening of the assembly. And as to a public proclamation forbidding the ministers to constitute themselves into a court, Melvil brought the matter to the test at once, by appealing to the king's commissioner, who was said to have made the proclamation. "I adjure you in the name of the Kirk of Scotland, as you shall answer before the great God at the appearance of Jesus Christ to judge the quick and the dead, to testify the truth, and to tell whether any such discharge was given or not."† The silence of Lauriston made it plain that the facts of the case had been grossly misrepresented.‡ All the ministers were called upon to speak in order, and perfect harmony characterised their views and representations. "If your majesty," said James Melvil, "find fault with that meeting, let the presbyteries that commissioned the members be punished, and not the persons whom they sent. If your majesty urge me to deliver my judgment according to my conscience, then my judgment is that, unless the alleged wrongs done to them and presented to your majesty's Estates in the last parliament held at Perth be considered, and rightly judged, I would not for all the world condemn them."§ When William Scott was speaking, a legal argument ensued between him and Hamilton, the lord-advocate, with regard to the trial of the ministers at Linlithgow for treason; and Scott gave such a view of the case, and made such disclosures, as brought the blush to Hamilton's cheek. The thought of the wrongs which these brethren had suffered fired the bosom of Andrew Melvil with indignation, and falling down upon his knees,‖ he besought his majesty to allow him to speak a second time; when he poured forth such a torrent of eloquence in defence of injured innocence, and in reprobation of the conduct of the lord-advocate, that the English nobility and clergy were filled with amazement, both at the boldness of his carriage, and at the dignity and elevation of his sentiments and language. Detailing the insidious wiles and malicious craft which Hamilton had employed against the ministers, he applied to him the words ὁ κατήγορος τῶν ἀδελφῶν.* "What is that?" said the king, turning to the Archbishop of Canterbury; "I think he calls him Antichrist, out of the book of Revelations. Nay, by God! he calleth him the very devil. That is the devil's own name in the Apocalypse."†

Close of the conference.

Nothing was to be gained by further conference. The eloquence and firmness of the ministers, and the perfect accordance of all their representations and views, were producing a deep impression upon the minds of not a few of the independent English nobility. The proceedings were, therefore, abruptly brought to a termination. Before the king retired, however, he demanded of the Scottish brethren what proposal they had to make with regard to the best means of restoring peace and tranquillity to the Church. With one voice they answered, that a free General Assembly was the only means which they could imagine for removing disagreements and restoring the country to anything like repose.‡

Efforts made to ensnare the ministers.

As the ministers were accused of no crime, and as they had now answered all the questions proposed to them, it might naturally have been expected that they should be allowed immediately to return home; but nothing was farther from the king's intention. Hardly had they left the royal presence, when they were overtaken by Alexander Hay, the secretary for Scottish affairs, who delivered to them a message from his majesty, charging them not to return to Scotland, nor to come near the court without special licence or invitation. After a few days they were summoned to appear before the Scottish council, met in the Earl of Dunbar's lodgings, and there they were plied with ensnaring questions by the lord-advocate, whose object was to extort from them some unguarded expressions, on the ground of which a charge might be brought against them. James Melvil, who was first called in, refused to answer. "I am a free subject of the kingdom of Scotland, which hath laws and privileges of its own, as free as any kingdom in the world; to them I will stand. There hath been no summons lawfully executed against me. The noblemen here present and I are not in our own country. The charge *super inquirendis*§ was long ago condemned and abolished as unjust and iniquitous. I am bound by no law to furnish

* Calderwood, vol. vi. p. 573; Scott's Apologetical Narration, p. 168. † Calderwood, vol. vi. p. 574.
‡ Wodrow's Life of Melvil, p. 79; Spottiswood, p. 498; M'Crie's Life of Melvil, vol. ii. pp. 229, 230.
§ Calderwood, vol. vi. p. 575; Melvil's declining Age of the Kirk, p. 660.
‖ Melvil's declining Age of the Kirk, p. 661.

* The accuser of the brethren.
† Calderwood, vol. v. p. 577; M'Crie's Life of Melvil, vol. ii. p. 232.
‡ Calderwood, vol. vi. p. 577.
§ In regard to matters to be inquired into.

a charge against myself."* Andrew Melvil was called in last, and he indignantly reproached the Scottish noblemen for lending themselves as the tools of oppression. They had degenerated from the ancient nobility of Scotland, who were wont to give their lives and their lands for the freedom of their country and the Gospel, but they were betraying and overturning the dearest interests of both. Shortly afterwards they were served with written questions, to which they were required to return answers each for himself.† It was asked whether they had not transgressed their duty, in praying publicly for the brethren placed by sentence of a lawful judge under restraint; whether they acknowledged his majesty's right as a Christian king to convoke and prorogue, for reasons known to himself, the assemblies of the Church; and whether his majesty was not invested with the power of citing before him all persons for any faults, civil or ecclesiastical, and passing sentence upon them? Their answers to these questions were so guardedly expressed, that, without at all contradicting their own principles, they afforded no handle of which their enemies could lay hold.‡

Special charge against Andrew Melvil.

During the course of these proceedings the ministers were compelled to hear sermons from English bishops touching the points in dispute, to which of course they were not permitted to give any reply.§ On one occasion they were obliged to attend in the royal chapel at the festival of St. Michael, which was celebrated with much pomp. Perceiving upon the altar two shut books, two empty cups, and two unlighted candles, Andrew Melvil wrote the following verses:—

"Cur stant clausi Anglis libri duo regia in ara,
Lumina cæca duo, pollubra sicca duo?
Num sensum cultumque Dei tenet Anglia clausum,
Lumine cæca suo, sorde sepulta sua?
Romano an ritu dum regalem instruit aram
Purpuream pingit religiosa lupam?"‖

Through some unknown channel a copy of these verses, which were never intended for publication, was conveyed to his majesty, and they were immediately made the ground of proceedings against their author before the English privy council. Melvil at once frankly acknowledged that he had written them, but he maintained that there was nothing of the nature of a crime in them, and that even if they were criminal, he was not answerable to the privy council of England. When the Archbishop of Canterbury characterised the verses as treasonable, Melvil could not forbear exclaiming, "Andrew Melvil was never a traitor. But, my lords, there was one Richard Bancroft—let him be sought for—who during the life of the late queen wrote a treatise against his majesty's title to the crown of England; and here is the book," pulling it out of his pocket, "which was answered by my brother, John Davidson."* This completely silenced Bancroft, upon which Bishop Barlow advanced to the conflict, but Melvil's comment upon a statement of his regarding the king, contained in his account of the Hampton Court conference, that he was *in* the Church of Scotland but not *of* it, at once drove him from the field. To affirm of any one that he is *in* a church, but not *of* it, is to brand him with hypocrisy. One of the Scottish noblemen now admonished Melvil to remember where he was, and to whom he was speaking. "I remember it very well, my lord, and I am sorry that your lordship, by sitting here and countenancing such proceedings against me, should furnish a precedent which may yet be used against yourself or your posterity." In the end Melvil was declared guilty of a *scandalum magnatum*, and confined as a prisoner in the Tower of London, where he remained for four years, after which he was allowed, at the solicitation of the Duke of Boulogne, to remove to the Protestant University of Sedan, where he was installed as professor of theology, and remained till the time of his death.† Thus disappears from the field of Scottish history Andrew Melvil, a man of exalted genius, vast learning, fearless intrepidity, and incorruptible integrity; one of the greatest men whom Scotland has produced, one who lived for the benefit of his country regardless of every selfish aim, and who, next to Knox, did more for the highest interests of his native land than any other man of his age.

Fate of James Melvil and the other ministers.

With regard to James Melvil, nothing in the shape of a crime was laid to his charge, yet he was punished with perpetual exile from his native country. Mild, obliging, courteous, pious, incorruptible, he was commanded to confine himself as a prisoner to Newcastle, and such was the rigid restraint under which he was placed, that he was not even allowed to visit his wife when she was upon her death-bed. Afterwards he was permitted to return to Scotland for one month to arrange his family affairs; but he was debarred from preaching, and after the expiration of the brief allotted space, he was obliged to go back to England, where he remained an exile to the day of his death, which took place at Berwick some years afterwards. Thus, at one blow, was Scotland deprived of uncle and nephew; two men who had rendered the most eminent services to the religious interests of their

* Guthrie's History, vol. ix. p. 36; Cook's History, vol. ii. p. 181.
† Calderwood, vol. vi. p. 687.
‡ Scott's Apologetical Narration, p. 170.
§ Spottiswood, p. 497; Heylin's History of the Presbyterians, p. 384.
‖ An old translation of these verses exhibits thus their sense:—

"Why stand there on the royal altar high
Two closed books, blind lights, two basins dry?
Doth England hold God's mind and worship close,
Blind of her sight, and buried in her dross?
Doth she, with chapel put in Romish dress,
The purple whore religiously express."

(Melvini Musæ, p. 24; M'Crie's Life of Melvil, vol. ii. p. 242; Pierce's Vindication of the Dissenters, p. 172.)

* Row's History of the Kirk, p. 220.
† Spottiswood, pp. 500, 564; Wodrow's Life of Melvil, p. 79; Baillie's Historical Vindication, p. 57; M'Crie's Life of Melvil, vol. ii. p. 263.

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country, who, though widely different from one another in their intellectual features and general bearing, yet stood upon a par in regard to integrity and zeal and piety and self-denial. Not unaptly might they be designated, with reference to their peculiar qualities and their inestimable services, the sun and moon of the Scottish ecclesiastical sky in their day. The other six ministers, after presenting many entreaties in vain, were at length allowed to revisit Scotland, but they were not permitted to settle in their own parishes.* The treatment given to these men was every way worthy of their mean and dastardly oppressor. They were guilty of no crime; they were lured away from their native land under false pretences; detained in a neighbouring kingdom contrary to their own wishes; obliged to appear before a tribunal to which they owed no responsibility; and subjected to manifold insults and restraints. Surely, when the king invited them to a conference, he was bound by every principle of honour to send them home with all convenient speed? And so he would have done, if they had violated their consciences, and sold themselves to him as the instruments of his arbitrary and lawless oppression.†

Additional changes proposed by the king.

So many of the leading ministers being now either in prison, or banished, or excluded from their parishes, it was considered a suitable time for attempting some further innovations upon the constitution of the Scottish Church.‡ Letters were addressed by his majesty to all the presbyteries, in which he informed them that a convention was to be held at Linlithgow on the 11th of December, to devise measures for promoting the peace of the Church; and so little regard was paid to their privileges, that the individuals were named whom they were to appoint as their representatives at that meeting. The spirit of the ministers was not yet so completely subdued, that the designs of the king could have been carried into effect, if a free election had been allowed. And, in fact, some of the presbyteries refused to give any commission to the persons pointed out by his majesty; but these individuals nevertheless received injunctions from the court to attend, whether their presbyteries authorised them or not. When this convention,§ thus constituted in utter defiance of all the principles of the presbyterian polity, met, not a little was said about the necessity of checking popery, and making adequate provision for ministers; but after these topics, which had been generally employed of late years to prepare the way for some new encroachment, were sufficiently discussed, the grand business was brought under the consideration of the meeting in the shape of an overture from his majesty, in which it was declared to be his "advice and pleasure," that until the time when papists should be repressed, and all disquietudes removed out of the Church, constant moderators should be appointed in all the presbyteries.* The most godly individuals, the gravest, and the meetest for government were to be selected for this office, and wherever there was a bishop within the bounds of a presbytery, he was to be placed in the chair of presidency. These propositions, however, were distasteful even to this meeting, although it consisted almost entirely of ministers named by the king himself. It was readily perceived that continued moderatorship was merely designed as a means of transferring the government of the Church to the bishops. They had already been recognised by act of parliament, and if they were now invested with the privilege of presiding at presbyteries, their authority would rest at once upon a civil and an ecclesiastical basis. Constant moderators, it was said, were the little thieves entering by the narrow windows, to open the doors to the great thieves.† With the view of obviating these objections, sundry caveats were suggested, such as that the moderators should be responsible to synods, and removable by them after trial; and the meeting was likewise solemnly assured, that neither had his majesty any intention to subvert the discipline of the Church, nor had the bishops any desire to tyrannise over their brethren. Hopes, too, were held out that his majesty's clemency would be extended to the ministers who were at present under restraint. In consequence of these various influences it was in the end almost unanimously agreed that the moderators of presbyteries should, in accordance with the king's desire, obtain a permanent tenure of office. It was presbyteries only that were at first mentioned by the king, and it was to them only the decision of the meeting at Linlithgow extended; but it was afterwards found when the act was published, that it placed synods and presbyteries upon the same footing, and assigned constant moderators to both classes of courts.‡ At first, too, the convention at Linlithgow was not designated a General Assembly, but afterwards, when it was found that the proposition of the king was agreed to, it received this title; and the change effected was thus represented as the act of the whole Church, while it is perfectly certain that an Assembly freely chosen by the different presbyteries would have come to a very different conclusion.§

Opposition given to the constant moderators.

The justice of this affirmation is obvious from the resistance which was made, both by synods and presbyteries, to the new mode of supplying them with moderators. And, in fact, James himself was perfectly sensible that the Church would never have freely consented to such a

* Spottiswood, p. 504; M'Crie's Life of Melvil, vol. ii. pp. 267, 268.

† Aikman's Buchanan, vol. iii. p. 315.

‡ M'Crie's Life of Melvil, vol. ii. p. 247; Row's History of the Kirk, vol. iii. p. 239.

§ Rescinded Acts of Assembly in Book of the Universal Kirk, p. 567; Row's History, p. 241.

* Calderwood, vol. v. p. 607; Spottiswood, pp. 500, 501; Burnet's History of his Own Times, vol. i. p. 8.

† Course of Conformity, p. 50.

‡ Calderwood, vol. vi. pp. 624, 673.

§ Scott's Apologetical Narration, p. 180.

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measure; for when informed of the decision adopted at Linlithgow, although he was highly gratified, yet he remarked that, notwithstanding the opinion given by the assembly that the act would be universally received, he knew the ministers too well to expect any such thing. Their conscientious zeal to maintain parity, and their desire to keep all things "in a state of volubility," as he expressed it, were such that they would never agree to a settled government. Besides, he knew that several of those who were nominated to the place of moderator would refuse to accept the office, lest they should be thought to affect superiority over their brethren. Therefore he desired the council to look to that business, and to direct charges as well to those who were nominated, to accept the moderatorships, as to the ministers of every presbytery to receive those appointed to them.* Accordingly the most strenuous resistance was given, both by the presbyteries and the synods, to the reception of the perpetual moderators named by the court. Many scenes of violence occurred. Ministers were put to the horn and imprisoned. Of all the synods, that of Angus was the only one which agreed to accept a perpetual moderator. Of the presbyteries, a number, after refusing to submit to the imposition, at length yielded. The bishops sedulously availed themselves of the means which they possessed for influencing the minds of individual ministers.† To them the modification of stipends was now committed, and thus they had it in their power to favour the submissive, and to distress those who resisted their will. Visitations of presbyteries too were undertaken, and efforts were made, by means of private intercourse with the ministers, to lull their suspicions asleep, and to secure their acquiescence in the king's views; and through these various appliances considerable progress was made in disarming opposition.

Conference at Falkland.

At length it was arranged that a conference should be held at Falkland on the 15th of July, 1608, preparatory to a meeting of the General Assembly, which it was hoped his majesty might now permit to proceed to business without proroguing it, as had so frequently been done of late years. The ministers, who first met by themselves, prepared certain articles with reference to the maintenance of the old discipline, which they presented to the bishops and commissioners; but they, although professing to be quite satisfied with them, yet assured the ministers that, unless they were considerably modified, there was every likelihood that his majesty would be displeased, and prorogue the General Assembly.‡ The necessity of concord, and the dangers with which the prevalence of popery threatened the country, were strongly insisted upon, and in the end it was agreed that the questions which were agitated among the ministers relating to matters of government, should remain untouched and unhandled on either side till the next General Assembly, and no occasion be given, by private or public speeches, of any further distraction of mind; but that, as brethren and ministers of Christ, they should use their common endeavours, especially in the pulpit, against papists, both as to their superstition in religion and their pernicious practices. It was also considered proper that the General Assembly should meet at the time appointed, and that his majesty should be most humbly entreated to sanction the meeting. And it was even agreed that nothing at present controverted, or causing strife in the Church, should be discussed in said assembly; but that such matters should be handled in a private conference by suitable persons nominated "to prepare a way" for composing these differences. The assembly itself should appoint a meeting of some brethren at such time, place, and manner as they judged fit.*

General Assembly at Linlithgow.

As the conference at Falkland had thus pledged themselves not to introduce matters of policy at the General Assembly, it was now considered safe that a meeting of the supreme court should take place, and accordingly it was held at Linlithgow on the 26th of July. Above forty noblemen and gentlemen attended in obedience to his majesty's direction, and claimed the privilege of voting, which, after a feeble resistance on the part of the friends of constitutional order, was conceded to them.† For the first time since the Reformation, in calling the roll the names of bishops were separated from those of ministers, and mentioned first, and thus their precedence, though not formally allowed, was tacitly sanctioned. Much time was occupied with discussions regarding the causes of the increase of popery, and the best means of arresting its progress. It was found that the Earl of Huntley, notwithstanding all his promises, continued the same practices which had formerly occasioned so much disturbance, and therefore it was agreed that he should once more be excommunicated.‡ These proceedings occupied so much time, that hardly any was left for the transaction of other business. It was agreed, therefore, that the differences with regard to the government and discipline of the Church should not be considered at present; that the brethren should all pledge themselves to cultivate Christian affection towards one another, and to cast away all grudges and rancour; and that certain persons should be appointed to meet privately, for the purpose of deliberating upon disputed points, and preparing a report to be submitted to the next meeting of the General Assembly. A commission was likewise given to a large number of brethren, among whom all the bishops were included, to hold correspondence with his majesty in regard to the sup-

* Spottiswood, p. 503; Cook's History, vol. ii. pp. 201, 202.
† Calderwood, vol. vi. pp. 644—705.
‡ Ibid., p. 733.

* Calderwood, vol. vi. p. 734; Row's History, p. 247.
† Calderwood, vol. vi. p. 751; Cook's History, vol. ii. p. 208.
‡ Spottiswood, p. 505.

pression of popery, and to provide with ministers such churches as either were or might become vacant before next assembly.* Any eleven of them were empowered to act, and thus they were virtually entrusted with the whole power of the Church, to the utter subversion of the presbyterian system.†

Influence of this assembly.

In this assembly the bishops laid the foundation of their ecclesiastical power. It is true no act was passed recognising their superiority to other ministers, but they were, in fact, allowed to assume the chief direction of affairs, whilst all questions of church policy were carefully pushed aside, and committed to the consideration of a private committee.‡ The names and official designations of the bishops were engrossed in the minutes of the assembly, and they were constituted, along with some other individuals, a committee for the general superintendence of ecclesiastical interests: nor was it an unimportant circumstance that a precedent was established for always naming them before other ministers, whether in calling the roll or in arranging committees. Their apparent zeal, too, for peace and brotherly love§ was calculated to make an impression upon many, who did not reflect that the peace which they were so loud in extolling, was just the quiet submission of the Church to the encroachments which they themselves, as the instruments of the king's arbitrary authority, were continually making upon her constitution. It is easy for those to cry "Peace, peace!" who want to continue their aggressions without being troubled with opposition.

Another conference at Falkland.

Another conference was held at Falkland on the 4th of May, 1609, between the bishops and the ministers appointed at the late assembly, to consider questions relating to the policy of the Church.‖ It was urgently pressed by the bishops that the plan of appointing constant moderators to presbyteries and synods should be everywhere adopted and acted upon without any further opposition, and also that the cautions employed to limit the powers of the episcopal office should be dispensed with, as altogether unnecessary. But the ministers could not be brought, by all the arts and persuasions which were employed, to acquiesce in these proposals, and therefore the final settlement of them was postponed, in the hope that the aspect of affairs might be more propitious at some other time. Similar success attended another meeting held at Stirling in August.¶ But if checked for a moment in one direction, the bishops received ample compensation in another; for the parliament which met in June agreed to restore to them the civil jurisdiction which they had possessed in popish times.* And shortly afterwards the king himself, without consulting parliament, extended their power still further by transplanting to Scotland the abominable courts of high commission, which had been productive of so much misery in England during the reigns of Henry and Elizabeth. The two archbishops of St. Andrew's and Glasgow were authorised, by an act of council under the great seal, to hold such courts in their respective provinces, and thus they were invested with higher powers than had ever belonged to the episcopal order in popish times. Several bishops and laymen were associated with the archbishops, and any five of them were empowered to act, provided an archbishop were among them.† Their own discretion was their sole law. Whatever persons they were pleased to consider scandalous in life or religion, they were empowered to summon before them, and, after a trial not protected by the usual safeguards of law, they might order them to be excommunicated, or oppress them by fines and imprisonment. They were particularly instructed, too, to observe the conduct of all ministers and public instructors, whether in schools or colleges, and to bring them to punishment for any impertinent words which they might utter in public.‡ Nothing more odious or oppressive, or more alien to the spirit of a free country could be imagined. Yet this change, which equally affected men in their civil and religious relations, was introduced by a monarch who was continually declaring that he had no intention to alter the existing order of things. Of how little value the king's word must by this time have become in Scotland there can be no difficulty in conceiving. If one wilful lie destroys all confidence in a man, the repeated falsehoods and habitual deceptions of James must have produced in every honourable mind a feeling of loathing at the very mention of his name.§

High courts of commission established.

Meeting of the General Assembly.

Large strides had now been made by the king towards the destruction of the presbyterian polity, and the erection of the episcopal system upon its ruins; and he not unnaturally concluded that he might be able, by means of the undue influence which he had acquired over the church-courts, to bring the long-contemplated change to a state of completion. It was therefore determined that a General Assembly should be summoned, so that the Church herself might appear to effect the alterations with her own hand. A free General Assembly, however, could not have served the purpose, and therefore his majesty repeated the experiment which, successful as it had been formerly, recent changes now rendered more certain than ever to succeed, of prescribing to the presbyteries the

* Rescinded Acts of Assembly, p. 583.
† Calderwood, vol. vi. pp. 760, 773; Melvil's declining Age of the Kirk, pp. 754, 760; Scott's Apologetical Narration, p. 202.
‡ Cook's History, vol. ii. p. 211. pp. 575, 584, 585.
§ Book of the Universal Kirk, p.
‖ Melvil's declining Age of the Kirk, p. 770; Calderwood, vol. vii. p. 27.
¶ Neal's History of the Puritans, vol. ii. p. 81; Cook's History, vol. ii. p. 216.

* Spottiswood, p. 512.
† Collier's Ecclesiastical History, vol. ii. p. 703.
‡ Spottiswood, pp. 514, 515; Calderwood, vol. vii. p. 57; Scott's Apologetical Narration, p. 218.
§ Aikman's Buchanan, vol. iii. p. 329.

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individuals whom they should appoint to represent them.* In his missive to the presbyteries, he requires them to make choice of the most wise, discreet, and peaceably-disposed ministers among them; and as they might perhaps be at a loss to know who these were, he mentions that he had furnished the Archbishop of St. Andrew's with a special note of the names of those whom he desired to attend, and expressed it to be his pleasure that they would conform themselves to his views, and choose the persons whom he took to be fittest for giving advice. Nor was this all;—money was distributed where it was supposed likely to be most effective; and thus was the attempt made to rob not only the Church of her privileges, but also the ministers of their character.† So notorious was this distribution of money that even Spottiswood acknowledges it, and owns that it was stigmatized by the zealous presbyterians as bribery, though he himself represents it as the payment of just debts. And part of it, no doubt, consisted of what had been promised to constant moderators four years before; but much of it, also, was the price of subserviency to the king's will. On this ground it is, and not on account of the superior sanctity of its members, that this assembly has sometimes been designated the "Angelical Assembly"‡—angels being the coins that were distributed, to persuade where argument might have failed. With the view, too, of influencing the ministers present, an appeal was made to their hopes and fears; for the king's letter, which professed much zeal for religion, and claimed credit for condescending to call this assembly, concluded with stating that he intended, under the guidance of the reports of the Earl of Dunbar and the Archbishop of St. Andrew's, "to take special notice of every one's affection and forwardness in this service, and thereupon to acknowledge and remember them hereafter, as any fit occasion for their good shall occur."§

It is plain that a meeting so convened, and subjected to influences of such a character, could not be considered as at all expressing the mind of the people of Scotland. It did not even express the opinions of its own members—they merely gave a reluctant assent to the propositions which were brought under their notice. And it is quite certain that the king, when he used such influences to mould the meeting to his views, and that too when so many of the leading ministers were either imprisoned or banished, and the terrors of the courts of high commission were suspended over the rest, knew perfectly that he was running in direct opposition to the convictions of the whole body of the nation.

* Calderwood, vol. vii. pp. 93—95; Row's History, p. 282.
† Course of Scotch Conformity, p. 53; Spottiswood, p. 513; Burnet's History of his Own Times, vol. i. p. 8; Cook's History, vol. ii. p. 229; Scott's Apologetical Narration, p. 224.
‡ Hetherington's History, p. 72; Select Biographies of the Wodrow Society, vol. i. p. 80.
§ Calderwood, vol. vii. p. 95.

Measures adopted by the assembly.

The measures adopted by this assembly were such as might have been expected from its constitution, and the circumstances in which it met. They were discussed in private conference, and then proposed in open court for adoption, not one after another, but all in a body; and the whole meeting, with the exception of five individuals, voted for them. The assembly held at Aberdeen in 1605 was declared unlawful. The power of calling general assemblies was declared to be a prerogative of the crown. Bishops were constituted moderators of synods. No sentence of excommunication was to be pronounced against any person without the knowledge and approbation of the bishop of the diocese, who was to be answerable to his majesty for the formality of the proceedings. All presentations for the future were to be directed to the bishop of the diocese, who, after satisfying himself by means of testimonials and examination with regard to the character and abilities of the presentee, was to take the assistance of the ministers of the district, and then complete the whole act of ordination. In cases of deposition, the bishop was to associate with himself the ministers of the neighbourhood, and after trying the cause, and finding just ground, he was to pronounce sentence. Every minister, at his admission, was to swear obedience to his majesty as the only lawful supreme governor of the realm, as well in things temporal as in the conservation and purgation of religion, and to do homage for the emoluments of his benefice as held in tenure from his majesty and crown royal of the realm. The visitation of dioceses was to be the work of the bishops, or of individuals appointed by them; and all ministers absenting themselves without just cause from their visitation or diocesan assembly, were to be suspended, and failing amendment, ultimately deprived. The weekly exercise of doctrine was to be continued by the ministers at their meeting, the bishop acting as moderator, or some one appointed by him. Bishops were to be subject in regard to life, conversation, office, and benefice, to the censure of the General Assembly, and being found culpable, they might, with his majesty's advice and consent, be deprived. No bishop was to be elected under forty years of age, nor of less than ten years active service in the ministry. No minister, either in the pulpit or in public exercise, was to impugn or disobey the acts of the present assembly, under the penalty of deprivation; and particularly the question of equality or inequality in the ministry was not to be discussed in the pulpit under the same penalty.*

These decisions, it is obvious, overthrew almost entirely the presbyterian scheme of polity. Indeed, the very word presbytery had become odious to the king, and the use of it was discouraged among the ministers, who were instructed to em-

* Calderwood, vol. vii. pp. 99—102; Cook's History, vol. ii. pp. 232—235; Scott's Apologetical Narration, pp. 224—227.

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ploy such phrases as, the ministers of the bounds, or the brethren of the exercise; and, in fact, there was now no presbytery possessed of an independent power of judgment, and free to act according to its own views. The ministers of the bounds were entirely under the control of the bishops.*

Scottish bishops ordained in London.

The work of transforming the Presbyterian Church into an episcopal hierarchy, which had so long engrossed the king's thoughts, and in the prosecution of which he had acted with so much duplicity and falsehood, was now nearly completed. Another step was soon taken, in regard to which it was not considered requisite to consult the General Assembly at all, nor any presbyterian court, although it was a measure which most vitally affected the character of the Church, and ought on no account to have been even thought of without her express sanction. The mysterious virtues of episcopal ordination were not yet possessed by the Scottish bishops, and none of the ministers therefore were conceived by James to be rightly ordained at all—their consecration to office having been merely the work of presbyters. In order to remedy this radical defect, which was regarded by some as placing the Christians of Scotland in the anomalous position of having a religion without a Church, his majesty summoned Spottiswood, and two of his episcopal associates, to London,† that they might receive the hallowing touch of the English bishops, and then carry home with them the ethereal virtue thus obtained, to diffuse its influence among the ministers of Scotland. An objection was started to this course by the Scottish bishops, on the ground that some colour might thus be afforded for the old claim of superiority on the part of the English Church over that of Scotland; but the king declared that he had sufficiently guarded against the danger, by excluding the Archbishops of Canterbury and York from all share in the ceremonial, and confiding it to the Bishops of London, Ely, and Bath. Another difficulty now presented itself to the mind of the Bishop of Ely, who conceived that as the Scottish bishops had never received episcopal ordination to the ministry, it would be requisite to ordain them twice, first as presbyters, and secondly as bishops; but his Grace of Canterbury removed this obstacle by declaring that where there were no bishops, ordination by presbyters ought to be recognised as valid. Heylin says his argument was, that the higher rank of bishop included the lower one of presbyter, and that consequently ordination to the episcopal office was all that was needed in the present case.‡ And accordingly the three Scottish bishops were ordained with all the requisite solemnities, and thus elevated to a position of spiritual authority, which it was conceived nothing in Scotland could give them. This was a far wider departure from the principles of the Reformed Churches than even the violent changes which had already been effected. It set aside, or at least depreciated, the validity of the orders of every minister in Scotland from the days of Knox. It seemed to imply that there had never been any right administration of Christian ordinances in any part of the country. For the first time a proper Church was now to be planted in the land; and the ministers, hitherto mere preachers without adequate warrant or authority, were to be changed into channels for the communication of grace. And what was worst of all, and most insulting to the Christians of Scotland, the whole of the steps with regard to this grave question were taken, without its being considered in the slightest degree necessary to consult the persons whom it most intimately concerned. The bishops were inoculated in London, on the sole authority of the king, with what was considered in Scotland as the virus of superstition, and then they were sent home to spread the plague over the length and breadth of their native land. A more short-sighted policy it is difficult to imagine. The direct tendency of it was to fill the country with abhorrence of those very bishops whom the king wished to recommend and uphold.*

Parliamentary ratification of the changes made at Glasgow.

Two years elapsed before the changes made by the General Assembly at Glasgow were ratified by act of parliament. This delay did not arise from any difficulty or obstacle which impeded the progress of the king's designs, but the parliament which met in October, 1612, was the first which it was considered necessary to summon. On this occasion, the conclusions which had been adopted by the ecclesiastical authorities were brought before the legislature, that they might receive the civil sanction also; and they were all ratified without hesitation, and thus became part of the law of the land. Before being submitted to parliament, however, they were altered in a variety of particulars, and made in all respects more agreeable to the bishops. The act passed at Glasgow placed the bishops under the authority of the General Assembly, prescribed the age of forty as the earliest at which episcopal functions could be undertaken, enjoined the continuance of the weekly exercise of doctrine, and entrusted to the ministers the task of certifying to the bishops the qualifications of those applying for ordination;† but these provisions were all omitted from the assembly's act as presented to parliament for ratification. On the other hand, various points were introduced into the measure on its way from the assembly to the legislature, of which the Church was by no means disposed to approve. The parliament empowered the bishops to depute others to moderate for them in synods, authorised them to dispose on lease of portions of their benefices with-

* Calderwood, vol. vii. p. 103; Row's History, p. 276.
† Calderwood, vol. vii. p. 150: Scott's Apologetical Narration, p. 234; Aikman's Buchanan, vol. iii. p. 333.
‡ Spottiswood, p. 514; Heylin's History of the Presbyterians, p. 387; Skinner's Ecclesiastical History of Scotland, vol. ii. p. 252.

* Cook's History, vol. ii. p. 249.
† Calderwood, vol. vii. p. 172.

out being liable to the charge of simony, and allowed appeal to be made from any bishop who refused to admit a qualified person to the archbishop, and ultimately to the lords of session; but none of these points were embraced in the act as it was passed by the assembly at Glasgow. And besides such omissions and insertions, not a few features of the General Assembly's decision were changed, as, for example, the oath of allegiance to be taken by a minister at the time of his ordination. Instead of the words "conservation and purgation of religion," employed by the assembly to describe the king's duty with regard to the Church, the phrase "matters spiritual and ecclesiastical" is used, which was conceived to have a wider amplitude of meaning; and, conjoined with the oath of allegiance, there stands in the act of parliament the new matter of an oath of submission to the bishop of the diocese and his successors.* Now in all this there was manifest bad faith. The thing pretended was, that parliament was merely giving a civil sanction to what the Church had already agreed to; but instead of this, the legislature affixed the stamp of its authority to very different regulations, as if these had received the approbation of the Church. And besides thus positively sanctioning the authority and power of the bishops in ecclesiastical matters, the parliament completed the work of demolishing the presbyterian system by repealing the famous act of 1592, which had always been regarded as the great charter of the Church, erected in Scotland with so much toil and difficulty.†

Remarks on this consummation.

Thus at length was the presbyterian system abolished, and prelacy established in its room. And no man, be his views of church government what they may, can deny that the change was effected in utter contempt of the wishes and convictions of the nation, and by means of the most disgusting duplicity, and the most oppressive tyranny. The king continued for years to repeat without a blush the declaration that he had no design to make any change on the ecclesiastical polity of the country; and yet change succeeded change with all the rapidity which was practicable. That obstacles might be removed out of the way, large numbers of the most influential and able ministers were imprisoned, or banished, or forbidden to appear in church courts—really on account of their devoted attachment to presbyterian principles, but professedly on account of proceedings which it was ridiculous to call crimes. And when General Assemblies were summoned to sanction some contemplated innovation, only those ministers were allowed to attend whom the king chose to name. Falsehood, fraud, and tyranny, were the foundation upon which episcopacy was reared in Scotland; and when the facts connected with its establishment are kept in view, it cannot appear surprising that it should have become to Scotch minds the object of an abhorrence and detestation, which remain to this day deep-seated in the nation's heart, the lapse of two centuries having failed to remove these feelings. The ministers have sometimes been blamed for acting so as to disgust the king at an early period with their pretensions, and thus themselves exciting the desire in his bosom for an ecclesiastical revolution. Be it so. Their faults will never justify the wilful falsehoods, and acts of oppression, by which James sought to accomplish his designs. Yes, the ministers had faults. Their leading error was that they did not exactly perceive where the line separating civil from sacred things should be drawn. But were they alone in this? Did not the same error exist in James himself in a far more aggravated form? What sacred thing did he consider beyond his control? And were the bishops blameless? Their courts of high commission mingled the civil with the sacred in a way which the poor presbyterian ministers had never dreamed of. The real fault of the ministers, whom James so relentlessly persecuted, was that they would not lend themselves as the tools of his tyranny.* They were men devotedly attached to the civil liberties of their country. Not the will of the monarch, but law was with them the supreme rule. But the avowed doctrine of James was that laws were not for kings, but only for subjects. This was all along the radical difference between the king and the presbyterian ministers. Even in the case of Huntley, where modern sympathies are most apt to be enlisted on the side of the king, they stood upon the undoubted law of the case, and James's view was an illegal plan of his own, which though it pleases us from its resemblance to toleration, was yet essentially different in principle. The ministers were men whose whole souls were engrossed with the highest interests of the community.† There was a rare abnegation in all their procedure of selfish ends. They were not courtly; they were plain-spoken. In their view, sin wore the aspect of sin, by whomsoever committed; and the fact that so many of them chose dungeons, and poverty, and exile, rather than the high preferment which was offered to them, on condition of acceding to the king's views, shows that they were men of most exalted soul and unimpeachable integrity. Andrew Melvil had only to say the word, and he would have been Archbishop of St. Andrew's, or primate of all Scotland; but he rather chose to lie a prisoner in the Tower of London, oppressed by the infirmities of age, and the diseases incident to close confinement. James must have been "meanest of mankind" not to admire the grandeur of such conduct, and one of the blindest not to perceive that the man by whom it was displayed was a true friend of his country, and fitted to shed lustre even upon the throne of his sovereign.

* Calderwood, vol. vii. pp. 101, 169, 173.
† Spottiswood, p. 518; Cook's History, vol. ii. p. 248; Select Biographies of Wodrow Society, p. 82.

* *Supra*, vol. ii. p. 474.
† Aikman's Buchanan, vol. iii. p. 334.

In the decisions adopted at the assembly in Glasgow, it had been implied that the supreme council of the Church should meet annually; but as the sole power of calling such meetings was vested in the king as part of his royal prerogative, this was obviously a provision of no practical value; and, in fact, all reference to it was omitted from the enactment, as ratified by parliament in 1612.* The king was left to call meetings just as seldom or as frequently as he pleased; nor was it of the least importance whether he called them or not, for no free discussion was ever allowed to take place at them, nor were the presbyteries permitted to choose their own representatives. Indeed, the friends of the Church must rather have deprecated such General Assemblies as had been held in recent years; and the announcement that one was in contemplation, which formerly would have been hailed with universal delight, must now have been regarded with suspicion, as the signal for some new encroachment. The king, however, was satisfied for the present with the great progress which he had made in carrying out his designs, and therefore he did not consider it advisable to appoint any meeting till the year 1616.†

Feelings of the nation.

Procedure of the bishops.

During the interval the bishops consolidated their power, and effected such changes by their own authority as they conceived they might venture upon. But they made no progress in disarming the hostility which was cherished against their order, nor did they seem to care much for the good opinion of the nation, if they only succeeded in pleasing the king. Looking to the court as the only source of dignity and influence, they treated their inferiors with haughty disdain, and were at all times ready to defend the worst measures of the king, and to aid in carrying them into effect. They were observed, too, to be comparatively inattentive to religious ordinances; and it is reported of Spottiswood that his journeys to court were generally commenced on the Lord's-day, during the time of public worship, to the great disgust of all religious people.‡

Enforced observance of holidays.

Episcopal authority was now firmly established in Scotland, and presbyteries and synods were entirely under their control. Still the modes of worship followed in the churches were nearly the same as formerly, and the change therefore which had taken place, great as it was, did not continually obtrude itself upon the public view. The king, however, became desirous that the Scottish Church should be assimilated in all respects to the Church of England; and the bishops felt themselves bound to aid him in effecting this transmutation. Holidays had always been lightly valued by the Scottish Reformers, it being considered that the Lord's-day was the only portion of time which there was any warrant for regarding as sacred; and these views universally prevailed among the people. But what were the convictions of others to a king who conceived that his own will was entitled to absolute and universal submission? His majesty determined to trample under foot the feelings and scruples of his subjects. Upon the 4th of March, 1614, proclamation was made at the Cross of Edinburgh commanding the ministers to prepare the people for the observance of Easter; and all were enjoined to communicate on that day at their own parish churches. The same proclamation, too, was repeated the following year, with the addition that the communion was to be celebrated at Easter in all time coming. These mandates created extreme dissatisfaction in all quarters, both because they ran in direct opposition to the feelings of the nation, and also because the innovation was introduced by the arbitrary authority of the king, without any colour of law.*

The two courts of high commission united.

It was during the summer of this year that Spottiswood was translated to St. Andrew's, and inaugurated as archbishop of that see; and shortly after his installation the two courts of high commission were united into one, and placed under his authority as primate of Scotland, and that of the bishop of Glasgow, conjointly and severally. It had been found that the two courts interfered with each other's proceedings, and were not possessed of sufficient influence and authority. The one court now constituted consisted of a large number of individuals, any five of whom were empowered to act, provided an archbishop were present; and they were authorised to fine or imprison at their discretion for whatever seemed to them faulty in life or religion, it being at the peril of captains of castles, or keepers of jails, to disregard a warrant under their hand.†

Assembly at Aberdeen.

An interval of six years had now elapsed since any General Assembly was held. The ostensible reason for the one which was appointed to take place at Aberdeen on the 13th of August, 1616, was the great increase of popery, particularly in the northern parts of the kingdom; but the real object of the meeting was, that some additional changes which the king was desirous of effecting might receive an ecclesiastical sanction. The reference to popery afforded a good reason for fixing upon Aberdeen as the place of meeting; and Aberdeen was the most suitable of all places for mustering those ministers who were likely to support the schemes of his majesty.‡ The bishops were now the supreme rulers in the Church, presbyteries and synods possessing no real or independent power; but there were still many features, and those, too, more patent to the eye than the constitution of the church courts, which distinguished the Scottish establishment from that of England. James, however, was determined that all such distinctions should be

* Calderwood, vol. vii. p. 166.
† Ibid., p. 220.
‡ Cook's History, vol. ii. p. 194.

* Calderwood, vol. vii. pp. 191, 196.
† Ibid., pp. 200, 201, 206, 210.
‡ Ibid., p. 220; Scott's Apologetical Narration, p. 241.

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swept away,* and for this purpose it was requisite that a liturgy should be introduced into Scotland, that holidays should be observed, that confirmation and other religious rites should be practised. A small trial had already been made with regard to Easter, but the impatience of his majesty was not satisfied with isolated triumphs. He wished the whole Church at once to adopt a variety of new regulations; and a meeting of the General Assembly, if its members were properly selected, seemed the most expeditious method of securing this result.†

Measures adopted at Aberdeen.

When the assembly met the Archbishop of St. Andrew's took the chair without election, as a dignity pertaining to his high office. Four days were occupied in devising measures for the suppression of popery; and, at length, the instructions of his majesty with regard to the discipline and policy of the Church were brought under consideration. Nothing like freedom of debate was allowed.‡ The moderator asked the opinions of such persons as he chose, and others were prevented from delivering their sentiments. "How can we either vote or speak here freely, having the king's guard standing behind our backs?"§ was whispered to one another by those who were dissatisfied with the proceedings. A new Confession of Faith was adopted, embodying the same doctrinal principles as the two former confessions, but omitting the peculiar features of the presbyterian polity. It was ordained that a liturgy and form of divine service should be prepared, to be read in all the churches every Sabbath-day, that the common people might learn it, and by custom serve God rightly. For the purpose of securing a uniformity of discipline, it was also agreed that a book of canons should be composed, gathered from the decisions of former assemblies, and where these were defective, from the canons of councils and ecclesiastical conventions of former ages. This important and delicate task was confided to a committee, who were to present the result of their labours to the commissioners of the General Assembly; and they were authorised, if they were satisfied with the document, to transmit it to his majesty for his sanction. The celebration of the communion at Easter was made imperative, and regulations were adopted with regard to the examination of children by archbishops and bishops in their visitations, with the view of preparing the way for the English rite of confirmation.‖

His majesty's view of the proceedings.

When the proceedings of the assembly were reported to his majesty by the Archbishop of Glasgow, and the Bishop of Ross, he expressed his satisfaction with everything that had been done, excepting the act with regard to children, which he characterised as a "hotch-potch," that was altogether deficient in transparency.* At the same time he sent down to Scotland some additional regulations, having reference to holidays, kneeling at the communion, private dispensation of the two sacraments, and the confirmation of children, which he ordered to be inserted among the canons of the Church.† A representation, however, being made to him by the Archbishop of St. Andrew's of the difficulty of admitting his articles, as they had never at any period been proposed to the Church, he consented to their withdrawment for the present; but signified his purpose of taking measures at the time of his approaching visit to Scotland to satisfy scrupulous consciences, and to obtain the Church's consent to his proposals.‡ Thus the bishops were solicitous that the forms at least of liberty should be preserved; they knew that the course proposed by his majesty would excite to extreme dissatisfaction; they recognised the principle that nothing should be made a law of the Church, to which her own consent had not at some period or other been accorded. But what was the value to the Church of the privilege of being consulted, when the presbyteries were not allowed freely to choose their own representatives; when the members of assembly were frowned upon if they ventured to utter one word in opposition to the views of the king; and when they could not meet unless they were summoned together by his majesty? The king's present plan of forcing laws upon the Church without asking her consent, and the bishops' plan of obliging her to give her consent by threats and intimidation, by the invasion of her meetings, and the exclusion of all independent men from them, were not very materially different. They resemble two robbers, of whom the one boldly rifles the person of his victim without uttering a word, while the other, with bludgeon in hand, asks him to be so good as to empty his own pockets.

Proposals made by his majesty.

During his majesty's visit to Scotland, in the summer of 1617, a meeting of parliament took place. Before leaving England he had written to the council, commanding them, because he knew that evil-disposed persons would spread unfavourable rumours, to issue a proclamation that it was not his purpose to make any changes in the civil or ecclesiastical state of the kingdom. Yet, even after this public announcement, he wished parliament to enact that whatsoever project was adopted by his majesty, with the advice of the archbishops and bishops, in matters of external polity, should have the power and strength of an ecclesiastical law:§ so little was James in the habit of considering that adherence to the truth, or fidelity to promises, formed any part of the duty of a king!

* Cook's History, vol. ii. p. 260.
† Rapin's History, vol. ii. p. 193; Burnet's Memoirs of the Duke of Hamilton, p. 29.
‡ Scott's Apologetical Narration, p. 244.
§ Calderwood, vol. vii. p. 227.
‖ Cook's History, vol. ii. p. 262.

* Spottiswood p. 528; Cook's History, vol. ii. p. 266.
† Aikman's Buchanan, vol. iii. p. 345.
‡ Spottiswood, p. 529; Crawford's Lives of Officers of State, p. 172.
§ Spottiswood, p. 531; Calderwood, vol. vii. p. 251; Cook's History, vol. ii. p. 272.

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This proposal excited universal alarm, as it was considered that such an act would sweep away the last fragment of the liberties of the Church. The very bishops themselves were averse to it; and through their persuasion James consented that mention should be made, not only of archbishops and bishops, but also of a competent number of the ministry.* But this addition afforded nothing like an effective safeguard, for it remained with the king to determine what a competent number of the ministry was, and also to select the individuals whom he should invite to his counsels. It was therefore determined by a number of ministers, who were desirous of preventing the Church from being reduced to abject and hopeless bondage, to present a protestation to his majesty; and they persisted in their purpose, although the bishops endeavoured to dissuade them by assuring them that no advantage would be taken of the act, to introduce anything without their consent.† This protestation, which was expressed in firm yet respectful language, and signed by more than fifty ministers, had the effect of preventing the proposed measure from being passed into a law; for the king himself threw aside the bill, when it was presented along with a number of others for final ratification, not out of deference to the wishes of his people, but because he considered it prejudicial to his prerogative to be obliged to take advice from any quarter.‡

Although the protestation of the ministers was successful in preventing the obnoxious measure, against which it was directed, from being passed into a law, and thus saved for a time the liberties of the Church, yet it brought much trouble upon some of the persons connected with it. The king was enraged against them. Simpson, who had acted as clerk, was imprisoned in the Castle of Edinburgh.§ David Calderwood, to whom the paper containing the names of those who approved of the protestation had been confided, was also summoned before the court of high commission at St. Andrew's. Sentence of suspension having been pronounced against him, he denied the competency of the court, on the ground that it had received no authority from the Church, and therefore he declared that he would not submit to its decision. The king suggested that if he would not submit to be suspended spiritually, he should be suspended corporally; and the Archbishop of St. Andrew's declared that he deserved to be hanged as well as Ogilvie the Jesuit. But as all these threats failed to induce him to withdraw his declinature of the ecclesiastical authority of the high commission, he was at length banished from the realm, and thus the country was deprived of the services of a very distinguished and excellent man.‖

* Aikman's Buchanan, vol. iii. p. 350.
† Calderwood, vol. vii. p. 253; Scott's Apologetical Narration, p. 247.
‡ Spottiswood, p. 533; Calderwood, vol. vii. p. 253.
§ Scott's Apologetical Narration, p. 249; Row's History of the Kirk, p. 312.
‖ Spottiswood, p. 534. Calderwood gives a very minute and interesting account of the proceedings against himself, vol. vii. pp. 253—278.

Meetings at St. Andrew's.

Shortly after the dissolution of parliament a meeting took place at St. Andrew's between the king and the bishops, with a number of the ministers. His majesty spoke with great severity of the opposition which had been given to the articles inserted by him among the canons of the Church, and stated that he had summoned them together for the purpose of hearing what their objections to these articles were. "I mean not to do anything against reason; and on the other part, my demands being just and religious, you must not think that I will be refused or resisted. It is an innate power and prerogative of Christian kings to order and dispose external things in the polity of the Church as we, by the advice of our bishops, shall think most fitting; and for your approving or disapproving, deceive not yourselves, I will never regard it, unless you bring me a reason I cannot answer."* These words produced an appalling effect upon the whole meeting. Falling down upon their knees, they besought his majesty to allow them to confer with one another before they returned an answer to his demand; and after having met by themselves for two hours, they petitioned him to call a General Assembly, and expressed the persuasion that his articles would be adopted in it, and thus become ecclesiastical law by common consent. A General Assembly accordingly was appointed to meet at St. Andrew's in November. Meanwhile, no pains were spared by the bishops to prepare for this meeting; they used every means of securing the attendance of individuals disposed to comply with the king's views; but all their efforts were unavailing. The assembly could not be brought to agree to the proposals of James; instead of rejecting them, however, they modified some of them, and delayed the consideration of the rest till another assembly.†

Despotic conduct of the king.

This issue of a meeting, which the king had been led to believe would ratify all he desired, filled him with indignation. He wrote in great wrath to the archbishop; he scornfully rejected the modifications of two of the points to which the assembly had agreed; he commanded them to take measures for securing the observance of Christmas on pain of incurring his highest displeasure; and he ordered the council to withhold stipend from every minister who refused to conform to the articles which he had desired the assembly to adopt. A proclamation too was issued, ordering that all men should observe not only Christmas, but also Good Friday, Easter, Ascension-day, and Whitsunday, under pain of being denounced as rebels and despisers of his majesty's authority.‡

These demonstrations made it plain that the king was determined to carry his purpose; and they shook the resolution of many who had refused to concur with his articles at the late assembly.

* Spottiswood, pp. 533, 534; Rapin's History, vol. ii. p. 194.
† Spottiswood, p. 535; Calderwood, vol. vii. pp. 271, 284.
‡ Spottiswood, p. 535; Calderwood, vol. vii. pp. 288—290.

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Meanwhile the bishops used every means in their power to prevail upon the ministers to relinquish their opposition; and when the success of their efforts became apparent in the quietness with which the meetings of the several synods took place, they ventured to propose to his majesty that an assembly should be appointed to meet at Perth in August, at which they fully anticipated that all his articles would be adopted.*

General Assembly at Perth.

Accordingly the royal sanction was procured for a meeting, which took place on the twenty-fifth day of August. It was numerously attended by noblemen and barons in the king's interest, who were all allowed to vote, although they had no regular commission from the Church.† The Archbishop of St. Andrew's, of his own accord, stepped into the moderator's chair; and when George Crier, minister of Haddington, ventured to suggest that it should be filled by election, according to the law and practice of the Church, he was interrupted by the archbishop, who declared that, as they were met within the bounds of his charge, it was his undoubted privilege to preside, and he would allow no one to displace him. The noblemen, barons, bishops, burgesses, and doctors, were seated at a long table; his majesty's commissioners and the moderator at a short table, set across the end of the long one; and the ministers were allowed to stand behind, as if they had been merely spectators. His majesty's letter was read twice. It was a most insulting communication. It arrogated to the king the innate power from God of arranging all external matters connected with the Church, in whatever way he judged most convenient and profitable; it demanded from the assembly a simple and direct acceptation of his articles just as they stood; and it declared that he would be satisfied with no excuses, delays, or mitigations. He had received many provocations from them already, and therefore he cautioned them against provoking him further. He expected an humble submission to the just demands which he was now making. The reading of this letter was followed by a speech from the archbishop, in which he set forth the dreadful consequences which must ensue from the wrath of the king, if they refused to enrol his articles among the canons of the Church. The whole estate and order of the Kirk would be overthrown; some ministers would be banished, others deprived of stipend and office, and all would be exposed to the royal displeasure. "Oh! I know when some of you are banished, and others deprived, you will blame us, and call us persecutors; but we will lay all the burden upon the king, and if you call him a persecutor all the world will stand up against you."‡

When the archbishop sat down, he called upon the Dean of Winchester, whom his majesty had commissioned to attend the assembly, for the purpose of bringing him a particular account of all that was done. The dean delivered a long speech, full of flattering laudations of James—the matchless mirror of all kings, the nursing father of God's Church; and he laboured hard to prove that duty to God, loyalty to the king, and a regard to their own wellbeing, temporal and spiritual, alike required them heartily to adopt the articles which his majesty wished inserted among the canons of their Church.*

His majesty's articles adopted.

Some feeble efforts were made by those who were opposed to the articles to introduce a full and free discussion of their merits; but the archbishop was determined to apply a tight bridle to all liberty of speech. The merits of the articles, it was said, were to be canvassed in a "privy conference;" and the moderator himself at once proceeded, without asking the assembly's advice, to nominate the individuals who should take part in this consultation. As was to be expected, the articles were sanctioned at this meeting as proper to be adopted by the assembly. When the court resumed its sitting, those who were opposed to what the privy conference had done made an effort to state their sentiments, but they were so vexatiously interrupted, that they found it impossible to proceed; and when they presented a written document explanatory of their views, only a few sentences of it were read, and then it was thrown aside. In vain they besought the moderator that the decision might be delayed till their reasons were transmitted to his majesty, and an answer came back from him. They were assured that out of the house they should not go till the business was concluded. The articles were not proposed for adoption singly, but as a whole, and the refusal of one of them was declared equivalent to the refusal of them all. When the vote was about to be taken, the question was thrown into this shape, Will you consent to these articles, or disobey the king? and the moderator did not blush to say, that whoever voted against the articles should have his name reported to his majesty. And accordingly he stood with the roll in his hand marking the votes; and ever and anon he exclaimed, when any voter seemed in doubt, "Have the king in your mind! Look to the king!"† A voting so conducted proved nothing but the tyranny and shamelessness of those who could condescend to such mean arts. The decision might be exhibited as the judgment of the Church; but it remained as alien from her mind, as if nothing in the name of an assembly had ever adopted it. The articles of the king were carried by a considerable majority; but there were forty-five ministers who had the courage to vote against them, in spite of all the arts of seduction and intimidation which were employed. And the names of William Scott, John Carmichael, John Weems, and Alexander Henrison, are worthy

* Spottiswood, p. 537; Cook's History, vol. ii. p. 286.
† Calderwood, vol. vii. p. 316.
‡ Ibid., pp. 307, 309, 311, 312.

* Cook's History, vol. ii. p. 284; Scott's Apologetical Narration, p. 257.
† Spottiswood, pp. 537, 539; Calderwood, vol. vii. pp. 317—332; Scott's Apologetical Narration, pp. 260, 261; Wodrow's Life of Spottiswood, p. 75

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of being held in honour on account of the lead which they took, in opposing enactments that were forced upon the Church with such total disregard of the views at once of her ministers and members.

Effects of the enforcement of the Perth articles.

The articles thus adopted at Perth, and therefore commonly designated the five articles of Perth, occupy a conspicuous place in Scottish ecclesiastical history. They enjoined kneeling at the communion, the observance of five holidays, and episcopal confirmation; and they also authorised the private dispensation both of baptism and of the Lord's Supper.* After being adopted by the assembly, they were ratified by the secret council; and proclamation was made, not only at the market cross of Edinburgh, but in all the leading boroughs, that all men were to yield implicit obedience to them. Those who violated them in any respect were to be considered despisers of the royal authority, and punished in their persons and goods with all rigour and extremity. They were introduced under the pretext of honouring God, and adding solemnity to religious ordinances; but they became an engine of grievous oppression, and gave rise to many scenes which were a disgrace to religion. The powers of the court of high commission were actively brought into play to enforce them. Many ministers were deprived of their offices; some were thrown into prison; and some were banished. But these proceedings only augmented the intense dissatisfaction with which the Perth articles were regarded by the whole country. The ministers of Edinburgh were for the most part under the influence of the bishops, and therefore wished to celebrate the communion agreeably to the king's wishes; but the bulk of the people were determined against compliance, and multitudes of them absented themselves from their own churches, and attended others where the services were conducted according to the old form. Great contention thus arose in the churches of the metropolis. The ministers, the elders, and the people, were divided into factions, and many disgraceful scenes were exhibited.† Similar contentions prevailed in other parts of the country, and everywhere many were punished for neglecting the new regulations. Prisons were filled with men chargeable with no crime, but that of refusing to kneel at the Lord's table, which they considered as countenancing the Romish doctrine of the real presence.‡ A greater prostitution of the magistrate's office it is hardly possible to imagine.

Yet the strife and tumult and confusion with which the kingdom was thus filled, in consequence of the attempt to enforce the Perth articles, never once suggested to James a doubt as to the policy of the course which he was pursuing. In his view the source of all the mischief, so destructive to his own peace, and so ruinous to the country, was the wilful stubbornness of the people, who would not obey the commands of their lawful sovereign. And the only remedy which he could think of, was augmented severity in punishing the violations of his own bigoted and unchristian impositions. It cannot be pleaded in his defence that he was urged on by sincere, though mistaken religious zeal. His ruling principle was, that his subjects were bound to believe and obey whatever he, as prince, was pleased to command. It was not the idea that he was upholding God's authority which made him a persecutor, but it was the determination to enforce his own will. He was not misled by religious fanaticism, but by the extravagant and insane notions which he entertained of the extent of the royal prerogative. He viewed the ceremonies which he enforced so rigidly as indifferent in themselves, and therefore he considered that others were bound to observe them at his command, although they might conscientiously believe them to be altogether opposed to God's will.*

Perth articles sanctioned by parliament.

After the lapse of three years, during which many individuals suffered severely for their refusal to comply with the Perth articles, they were brought before parliament for ratification, that they might be armed with all the authority of the Estates of the realm. Most disgraceful methods were employed to influence the decision of the legislature. Individuals who were known to be opposed to the king's views were tampered with in private, and all kinds of arguments were used to remove their hostility. Sir John Hamilton, Laird of Preston, having at the meeting of the lords of articles expressed disapprobation of the new ritual, the Bishop of Dunblane and Lord Scone were successively sent to him; but he declared to them that he would not, for any consideration, deliberately offend God, and thus make to himself a hell in his own conscience. The secretary next requested that at least he would absent himself; but he refused, declaring that he would stay and bear witness to the truth, though his life should be the forfeit. These words drew forth the threatening reply, "We shall make both you and your minister repent this." A number of ministers, deeply interested in the present posture of affairs, having come to Edinburgh, in order to consult what steps should be taken, they were charged with neglecting their own flocks, and commanded, by proclamation at the Cross, instantly to leave the town. They had prepared a protestation to be presented to parliament; but sentinels were stationed at the doors with strict orders to prevent all ministers from entering, excepting such as could exhibit a written permission from a bishop. David Barclay, minister of St. Andrew's, who was entrusted with the protestation, by some means or other eluded observation, and reached "the uttermost bar,"† where he waited

* Spottiswood, pp. 538, 539; Aikman's Buchanan, vol. iii. pp. 360—363.

† Row's History, p. 331.

‡ Calderwood, vol. vii. pp. 338, 348, 352, 356, 364; Scott's Apologetical Narration, p. 268.

* Cook's History of the Church of Scotland, vol. ii. p. 297.

† Scott's Apologetical Narration, p. 295.

half an hour, in the hope that he might be able to overcome this last obstacle too; but he was noticed in the end, and expelled into the street. In these circumstances he did all that was possible, affixing one copy of the document upon the door of the parliament-house, and another upon the Cross.*

The business was introduced by the grand commissioner, the Marquis of Hamilton, who earnestly urged parliament to ratify the five articles of Perth, assuring them that nothing under heaven could be so acceptable to his majesty, and promising that no additional ceremonies should be imposed during the king's life. He declared that the five articles were things indifferent in themselves, and that therefore his majesty might enforce them by his royal authority. He also expressed his confidence in the good affection of the members of the house, and mentioned that he would let his majesty know every man's part in the proceedings. The chancellor followed in a similar strain, and then the question was hurried on to a vote. All reasoning was discouraged. The delay of twenty-four hours, which was requested by some of the nobility, that they might be enabled to give their votes after due consideration, was refused. The disputed articles were proposed, not separately, but as one measure, although they were of very different characters, and some of them were far more exceptionable than others. Yet, in spite of all these influences, it was only by a small majority that the measure, upon which the king had so unreasonably set his heart, was carried. The bishops all voted without exception in accordance with the royal will; the noblemen were divided in the proportion of thirty-five to fifteen; the representatives of sheriffdoms were divided equally; and there was a majority of the commissioners of boroughs opposed to the ratification of the obnoxious articles.†

Character of the measure.

The measure thus passed by parliament was entirely opposed to the convictions of the nation. Neither did it express the mind of the parliament itself. It was agreed to merely to please the king, and through fear of his displeasure. Even the bishops themselves would have preferred that the Perth articles had never been proposed. The Bishop of Aberdeen plainly declared that he considered the Kirk of Scotland in a better case without these articles than with them; but as the king was determined upon their introduction, those who opposed them must be viewed as troublers of the peace, and deserving of punishment.‡ This vexatious business was brought to a close upon Saturday, the 4th of August—a day long known under the designation of Black Saturday. Two reasons conspired to suggest this title. It was considered by the zealous presbyterians a black day, when ceremonies which they all looked upon as superstitious and popish, were sanctioned and authorised by the legislature of the country. And it so happened that just at the moment when the grand commissioner rose to ratify the acts, by touching them with the royal sceptre, the clouds, which had been gathering for some hours in dense and gloomy array above the city, darted forth three most vivid flashes of lightning, which were instantly followed by peals of thunder of extraordinary loudness. The darkness was appalling. Hailstones of prodigious size fell; torrents deluged the streets. The coincidence attracted universal attention, and it did not fail to be interpreted as a proof of the Divine displeasure against the proceedings of parliament.*

Rigid enforcement of the articles.

The king had so often promised during the last twenty years that he would make no farther changes in the state of ecclesiastical affairs, that not the slightest credit could be given to his assurances. Whether the similar promise made by the grand commissioner in his majesty's name, at the late parliament, was more sincerely meant than its predecessors, it is impossible to say, but certain it is that no additional innovations were introduced into the Scotch Church during the reign of James. The main reason of this, it is probable, was that his majesty found himself sufficiently occupied with the dissatisfactions which began to break out in the English parliament.† No relaxation, however, took place in the efforts which were made to enforce compliance with all those changes which had already been effected in Scotland. The bishops, armed now with the authority of parliament, and urged on by letters from the king, were indefatigable in citing before them those who scrupled about conforming to the late enactments. The king's words were, "The sword is now put into your hands; go on therefore to use it, and let it rust no longer till ye have completed the service entrusted to you, or otherwise we must use it both against you and them. If any or all of you be fainthearted, we are able enough (thanks be to God) to put others in your places who both can and will make things possible which you think so difficult." ‡

Evils resulting from the Perth articles.

But in spite of all the efforts of the bishops, opposition to the requirements of the Perth articles continued unabated. Multitudes absolutely refused to kneel at the communion, or to observe any of the holidays. All the most faithful and pious ministers joined with their people in disregarding what they conceived to be unscriptural and superstitious forms. In some cases the ministers, either belonging to the prelatical party or swayed by fear, expressed their readiness to conform, but they could not prevail upon their people to follow their example. Not unfrequently some of the communicants kneeled, while others stood; and there were instances of most indecorous disputes between the minister and individual members in

* Calderwood, vol. vii. pp. 474, 493.
† Ibid., pp. 446, 499, 501.
‡ Ibid., p. 491; Aikman's Buchanan, vol. iii. p. 370.

* Calderwood, vol. vii. p. 505; Row's History, p. 330.
† Cook's History, vol. ii. p. 300; Burnet's History of his Own Times, vol. i. pp. 9, 10.
‡ Calderwood, vol. vi. p. 508; Scott's Apologetical Narration, p. 298.

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the very midst of the service.* Many ministers were summoned before the court of high commission, separated from their churches, and banished to other parts of the country. Professors, too, were ejected from their chairs on the same ground, as in the case of Robert Boyd of Trochrig, and Robert Blair. And members of churches, in some instances, were thrown into prison and subjected to heavy fines, which were sufficient to involve them in ruin.†

Stern severity of the king.

The difficulty which the king had found, first in procuring the ecclesiastical, and secondly the civil sanction, for his favourite articles, seems to have quite chafed his temper, and he acted towards the recusants in the most vindictive spirit. Robert Bruce, having been allowed to return from Inverness, had been living for some time in retirement in his own house at Kinnaird, but having ventured to appear in Edinburgh on urgent private business, he was apprehended, immured in the castle, and then banished once more to Inverness. Bruce's residence had become the resort of many pious people, and the motive for his banishment appears from the sneering language which accompanied his sentence—"We will have no more popish pilgrimages to Kinnaird." Welsh had now been an exile for fourteen years, and as his health was sinking under the severe trials to which he had been exposed, application was made to the king for permission to him to return to his native country, as a means of promoting his recovery, but it was refused, unless he would agree to conform to episcopacy. His wife, impelled by conjugal affection, made her way into his majesty's presence, and besought his favourable consideration of her husband's case; James meanly endeavoured to employ her as the instrument of inducing him to renounce his long-cherished principles. He promised that if she would persuade him to submit to the bishops, he would allow him to return to Scotland; but she, with the heroic spirit of her father,‡ lifted up her apron and said, "Please your majesty, I would rather kep§ his head there."‖

The leniency which the king showed to the Romanists presented a striking contrast to the severity with which he treated the puritans in England, and the presbyterians in Scotland. The difference had been evinced on many occasions; and it was very prominently exhibited during the protracted negotiations with reference to the Spanish marriage. Many priests and recusants who had violated the laws were released from prison; and the lord-keeper was enjoined to write to the judges "not to make any niceness or difficulty in extending the royal favour to all such as they should find prisoners in the jails of their circuits for any church recusancy, or refusing the oath of supremacy, or dispersing popish books, or for any other point of recusancy that concerned religion only, and not matters of State."* So far as the terms of this injunction are concerned, it might have been considered as designed for the relief of all who were suffering on account of religion; but no benefit accrued from it, either to the puritans in England, or to the presbyterians in Scotland. Persecution was directed against them with unabated rigour.† This partiality of the king naturally excited many suspicions among the people. And these were aggravated by the proceedings of the bishops, who discussed the question at one of their meetings at St. Andrew's,‡ whether the differences between the Church of Rome and themselves were so great and radical, that no kind of accommodation could be contemplated. Forbes, too, a minister whom they had translated from the north country to Edinburgh, brought this very delicate question into the pulpit; and maintained, to the extreme dissatisfaction of the people, that a reconciliation between the Church of Rome and the Protestants might easily be effected.§

Nor did the king's sentiments undergo any change to the very last. Towards the close of 1624 a proclamation was issued, commanding that Christmas should be observed with all possible solemnity. The plague, however, broke out, and thus the royal mandate was set aside by a higher authority than man's. Disappointed of securing a universal compliance with his will on the occasion of the winter festival, James was determined that no effort should be spared to insure the observance of Easter through the whole of Scotland: but before that time arrived he was divested of his kingly sceptre by a monarch more powerful than himself. Seized with an intermitting fever, which no medical appliances proved adequate to overcome, he expired on the 23rd of March, 1625.‖

* Calderwood, vol. vii. pp. 547, 609.
† Cook's History, vol. ii. p. 309.
‡ John Knox.
§ Receive.
‖ Life of John Welsh, p. 42; Hetherington's History, p. 74.

* Spottiswood, p. 543; Rushworth's Collections, vol. i. p. 63.
† Aikman's Buchanan, vol. iii. p. 378.
‡ Calderwood, vol. vii. p. 571.
§ Ibid., p. 596.
‖ Cook's History, vol. ii. p. 310; Calderwood, vol. vii. p. 621; *supra*, vol. ii. p. 416.

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CHAPTER XLV.

STATE OF THE BORDERS.

THE tract of country known by the designation of the Borders extends from the German Ocean, near Berwick on Tweed, to the Solway Firth—seventy or eighty miles in length, and from ten to thirty or forty miles in breadth. A considerable portion of the district was formerly in the condition of a forest, and now consists of extensive sheep walks. It was divided into east, west, and middle marches, which were placed under the charge of officers of high rank holding special commissions from the crown, and entitled wardens or guardians of the marches. The persons who filled this important office were usually noblemen or chiefs possessed of great personal influence in the districts committed to their jurisdiction. The duties entrusted to their charge were of a very extensive nature, comprehending the maintenance of law and good order among the inhabitants of their own districts, the control and administration of all the crown manors within their jurisdiction, and the power of apprehending and inflicting summary punishment on those who had been guilty of march treason and felony, or of violating any of the ancient rules and customs of the marches. In time of war the warden was captain-general within his district, with full power to call out all "the fencible men," for the purpose either of defending their own territory, or of invading that of the enemy. In time of peace he had the difficult duty committed to him of maintaining the amicable relations between the two countries, and of redressing the various grievances arising out of the continual incursions of the moss-troopers on both sides.

Border wardens.

The weakness of the Scottish monarchs usually compelled them to confer the office of warden on some of the chiefs of the great Border clans, who appear, without any scruple, to have employed their authority to crush their private enemies rather than to preserve the public peace, or to secure the impartial administration of justice. The extensive power of these turbulent chieftains made it almost equally dangerous to withhold or to grant whatever boons they chose to exact. Their numerous and devoted clansmen and allies were ever ready to obey their commands, even in opposition to the royal authority; and a combination of these formidable barons, on more than one occasion, proved too strong for the reigning sovereign.

The system of clanship existed at a very early period on the Borders, and continued to flourish there until the union of the crowns. The frontier provinces of England and Scotland were inhabited in ancient times by several tribes of Britons or Celts; and the patriarchal form of government remained on the Borders long after the abrogation of the other peculiar usages of the ancient inhabitants, and in despite of the feudal system with which it was often at variance. According to this simple mode of government, which was universal among the Celtic nations, the chief of the clan was supposed to be the immediate representative of the common ancestor whose name they usually bore, and from whom, it was alleged, they were all descended. He was their counsellor in peace, and their leader in war. His authority over them was absolute, and they paid the most unlimited obedience to his commands. Indeed, they respected no other authority; and so completely were they devoted to the service of their chief, that they were at all times ready to follow him against the king himself. In return for this devoted attachment to his person and interest, the clansmen looked up to their chief for advice, subsistence, protection, and revenge. He was expected to display the most profuse hospitality, and to expend his means of subsistence in the service of his clan. He seems to have had little that he could properly call his own, except his horses and his arms. However extensive his domains, he derived no advantage from them—save only from such parts as he could himself cultivate or occupy. The rest of his territories were distributed among his friends and principal followers, who repaid him by their personal service in battle, their assistance in labouring the land retained in his own possession, the payment of the various feudal casualties, and probably by a share of their plunder. Payment of rent was unknown on the Borders till after the union of the crowns. The revenues of the chieftains were, therefore, almost exclusively derived from their extensive flocks and herds, and from the *black-mail* which they exacted from their neighbours, in payment of the protection afforded them from plunder.

Border clans and feuds.

As the clansmen were expected to exhibit the deepest devotion to the interests of their chief, so, in return, he was expected to extend to them his protection under all circumstances, and by all means, legal or illegal. The authority of the feudal superior was greatly inferior to that of the chief; for in the act regulating the Borders we find repeated mention of "clannes having captaines and chieftaines on whom they depend, oft-times against the willes of their landeslordes." Consequently, these laws looked to the chieftain, rather than to the feudal superior, for the restraint of the disorderly tribes; and it is repeatedly enacted, that the head of the clan should be first called upon to deliver those of his sept who should commit any trespass, and that on his failure to do so, he should be liable to the injured party in full redress. Hence, in accordance with the ancient Celtic usage, the chief not unfrequently made atonement for the murders or acts of aggression committed by his clan, by the payment of such a fine or "assythement," as it was called, as might make up the feud. Oftener, however, the chieftains not only connived at the misconduct of their clansmen and allies, but protected them in all their deeds of

Authority of the chief over his clan.

rapine and bloodshed; and as the offended clan considered it a sacred duty to avenge the death of any of their number, not only upon the homicide, but, in the phrase of the time, upon "all his name, kindred, maintainers, and upholders," deadly feuds were of frequent occurrence, and the most savage acts of cruelty were remorselessly committed. Speaking of this custom of blood-revenge, which it justly terms most heathenish and barbarous, the statute (1594) expressly declares that the "murders, ravage, and daily oppression of the subjects, to the displeasure of God, dishonour of the prince, and devastation of the country," was occasioned partly by the negligence of the landlords and territorial magistrates within whose jurisdiction the malefactors dwelt, but chiefly by the chieftains and principal leaders of the clans and their branches, who bore deadly quarrel, and sought revenge for the hurt or slaughter of any of their "unhappy race," although done in form of justice, or in recovery of stolen goods. "So that the said chieftains, principals of branches, and householders, worthily may be esteemed the very authors, fosterers, and maintainers of the wicked deeds of the vagabonds of their clans or surnames."

Custom of blood-revenge.

Of the inveterate determination of the Borderers to act vengefully, we have a striking example in the case of Sir Robert Ker, warden of the middle marches in the year 1511, who was slain at a border meeting by three Englishmen—Heron, Starhead, and Lilburn. The English monarch delivered up Lilburn to justice in Scotland; but the other two escaped. Starhead fled for refuge to the very centre of England, and there lived in secrecy and upon his guard. Two dependents of the murdered warden were deputed by Andrew Ker of Cessford to revenge his father's death. They travelled through England in various disguises till they discovered the place of Starhead's retreat, murdered him in his bed, and brought his head to their master, by whom, in memorial of their vengeance, it was exposed at the Cross of Edinburgh. Heron would have shared the same fate, had he not spread abroad a report of his having died of the plague, and caused his funeral obsequies to be performed.

Murder of Sir Robert Ker.

A deadly feud of this kind, attended with all the circumstances of horror peculiar to a barbarous age, raged between the powerful families of Johnstone and Maxwell about the close of the sixteenth century. In the year 1593, Lord Maxwell, who was then warden of the west marches, armed with the royal authority, assembled all the barons of Nithsdale, and displaying his banner as the king's lieutenant, invaded Annandale at the head of two thousand men, with the purpose of crushing the ancient rival and enemy of his house. The Johnstones, however, assisted by the Scotts, Elliots, and other clans, boldly stood their ground, and in a desperate conflict, which took place at the Dryffe Sands not far from Lockerby, gained a decisive victory. Lord Maxwell was struck from his horse, mutilated of his right hand, and then cruelly slain under a tree, still called "Maxwell's Thorn." His followers suffered grievously in the retreat; many of them were slashed in the face by the pursuers—a kind of blow which to this day is called in that district "a Lockerby lick."

Feud between the Maxwells and Johnstones.

So feeble was the royal authority, that the king not only found himself unable to exact any vengeance for this outrage, but was even constrained to bestow on Johnstone the wardency of the middle marches. The feud between the Maxwells and Johnstones was carried on with every circumstance of ferocity which could add horror to civil war. The son of the slain Lord Maxwell vowed the deepest revenge for his father's death. With this view he invited Sir James Johnstone to a friendly conference, under the pretence of a desire to terminate the feud between the clans. They met, each with a single attendant, at a place called Auchmanhill, on the 6th of August, 1608 (fifteen years after the battle of Dryffe Sands), when Lord Maxwell, availing himself of a favourable opportunity, treacherously shot Sir James Johnstone through the back with a brace of bullets. The gallant old chief died on the spot, after having for some time bravely defended himself against the traitorous assassin, who endeavoured to strike him with his sword while he lay dying on the ground. "A fact," says Spottiswood, "detested by all honest men, and the gentleman's misfortune severely lamented, for he was a man full of wisdom and courage." The murderer, finding no refuge in the Borders, made his escape to France; but, having ventured to return to Scotland after the union of the crowns, he was apprehended through the treachery of his kinsman, George, fifth Earl of Caithness, and brought to trial at Edinburgh; and the royal authority being now much strengthened, the king caused him to be publicly executed, 21st May, 1613.* "Thus," says Sir Walter Scott, "was finally ended by a solitary example of severity, the 'foul debate' betwixt the Maxwells and Johnstones, in the course of which each family lost two chieftains—one dying of a broken heart, one in the field of battle, one by assassination, and one by the sword of the executioner."

In cases of deadly feud, vengeance was sought not only against the offender, but against all who were in any way connected with him. The exaction of blood for blood to the uttermost drachm was indeed handed down from father to son as a sacred duty, which no lapse of time could set aside.

"At the sacred font, the priest
Through ages left the masterhand unblest,
To urge with keener aim the blood-incrusted spear."

The deadly feud between the clans of Scott and Ker, which arose out of the slaughter of the Laird of Cessford, at the battle of Melrose, in the year 1526, raged during the greater part of a century, in spite of all the efforts made to bring

Feud between the Scotts and Kers.

* Pitcairn's Criminal Trials, vol. iii. pp. 28—53.

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about an agreement. Among other expedients resorted to for this purpose, there was a bond executed in 1529 between the heads of each clan, binding themselves to perform reciprocally the four principal pilgrimages of Scotland, for the benefit of those of the opposite name who had fallen in the quarrel. All was in vain. Sir Walter Scott of Buccleuch was slain by the Kers in the streets of Edinburgh, in revenge for the death of Cessford, twenty-six years after that event had taken place; and half a century later, the animosity between the families continued to rage as fiercely as ever. A story, which has been handed down by tradition, respecting a quarrel between the Murrays and Scotts, would seem to indicate that these family feuds had sometimes a more amicable termination. During the reign of James VI., William (afterwards Sir William) Scott, eldest son of Scott of Harden, made an incursion upon the lands of Sir Gideon Murray of Elibank, subsequently deputy-treasurer of Scotland, and a great favourite of the king. But the Laird of Elibank was upon his guard, and having collected his retainers, attacked the marauders when they were encumbered with their plunder, defeated them, and made young Harden prisoner. Sir Gideon conducted his captive to Elibank Tower, where his lady received him with congratulations on his victory, and inquired what he intended to do with his prisoner. "I intend," said the victorious laird, "to consign him instantly to the gallows, as a man taken red-hand in the act of robbery and violence." —"Hoot na, Sir Gideon," answered his more considerate lady, "that is not like your wisdom. Would you hang the winsome young laird of Harden when ye have three ill-favoured daughters to marry?"—"Right," answered the baron, who joyfully caught at the idea; "he shall either marry our daughter, Meikle-mouthed* Meg, or strap for it." When this alternative was proposed to the prisoner, he for some time stoutly preferred the gibbet to "Meikle-mouthed Meg," and persevered in this ungallant resolution till he was literally led forth to execution, when, seeing no other chance of escape, he consented to save his life at the expense of marrying the young lady. The marriage contracted under such singular circumstances proved eminently happy, and it appears to have completely terminated the feud between the Murrays and the Scotts. The contract of marriage, executed instantly on the parchment of a drum, is still in the charter-chest of Laird Polwarth, the representative of the Harden family.

Quarrel between the Murrays and Scotts.

According to a vague tradition, the number of Scottish Border clans was eighteen. The most powerful of these were—the Douglases, Homes, Kers, and Scotts, on the east and middle marches; and the Maxwells, Johnstones, and Jardines on the west. The power of these mighty families was greatly increased by the bonds of alliance (or man-rent, as they were termed), which they were in the habit of forming with the chiefs of the smaller clans, who, in return for maintenance and protection, engaged to become their followers and liegemen. In this way several of the Border barons became possessed of such exorbitant power, as to be enabled to set the royal authority at defiance. The formidable house of Douglas, in particular, on various occasions contended with the sovereign on equal terms, and had at one period nearly gained possession of the Scottish throne.

Power of the chiefs.

Each of these mighty chiefs, surrounded by his own officers, and supported on all occasions by a train of knights, squires, and inferior chiefs, was almost a king in miniature. Every chieftain, too, was the supreme criminal judge in his own territories, possessed the power of life and death over his own retainers, and even of reclaiming from the supreme court any vassal who lived upon his lands. Can we wonder that privileges so extensive were often abused, and that the excesses of these petty tyrants should have frequently proved altogether intolerable?

The tradition of the country has preserved many instances of the cruel and oppressive actions perpetrated by these Border chiefs; and though it may sometimes be difficult to separate facts from fables, yet, making every allowance for popular exaggeration, enough remains behind to show the fearful miseries which the exorbitant power of these nobles produced. The crimes of the last Lord Soulis—a great feudal oppressor, who held extensive sway in the Borders about the beginning of the fourteenth century—have left an indelible impression on the popular mind. The scene of his cruelties is said to have been the strong Castle of Hermitage, in Liddisdale, the ruins of which are still regarded by the peasantry with peculiar aversion and terror. Local tradition represents him as a cruel tyrant and sorcerer, combining prodigious bodily strength with cruelty, avarice, dissimulation, and treachery; as constantly employed in oppressing his vassals, harassing his neighbours, and employing all means, human and infernal, to fortify his castle against the royal authority; invoking the fiends by his incantations; and forcing his vassals to drag materials like beasts of burden. Tradition proceeds to relate that the neighbouring Borderers, having irritated the king by reiterated complaints against this oppressor, he at length hastily exclaimed, "Fient nor he were sodden, and suppit in broo [broth]!" The petitioners, satisfied with this answer, which they chose to understand literally, proceeded with the utmost haste to execute the commission, and actually, it is said, boiled Soulis upon the Nine Stane Rig—a declivity that derived its name from an old Druidical circle of upright stones, nine of which remained till a late period. Five of these stones are still visible, and two are particularly

Their tyranny and oppression.

* Large-mouthed. It is commonly said that all Meg's descendants have inherited something of her characteristic feature; and Sir Walter Scott, who was one of them, and used often to relate this anecdote, was no exception to the rule.

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pointed out as those that supported the iron bar upon which the fatal caldron was suspended. Shortly after the fall of the family of Soulis, Hermitage Castle passed into the possession of the Douglases, and became the principal stronghold of the "Black Knight of Liddisdale," a natural son of the good Lord James Douglas, the companion of Bruce. In 1342 it was the scene of the following terrible story:—

Murder of Sir Alexander Ramsay.

Sir Alexander Ramsay of Dalhousie was one of the bravest of the Scottish barons, and had distinguished himself by his gallant and patriotic exploits in the wars with England. Having taken by storm the Castle of Roxburgh, a fortress of great strength and importance, King David bestowed upon him the government of the place, together with the sheriffdom of Teviotdale. Douglas, who had previously held the office of sheriff, was enraged at this act, and vowed revenge against Ramsay, his old companion in arms. He came suddenly upon him with a strong party of his vassals while he was holding his court in the open church at Hawick. Ramsay, having no suspicion of injury from his old comrade, invited him to take his place beside him; but the ferocious warrior, drawing his sword, rushed upon his victim, wounded him in a vain attempt at resistance, threw him across a horse, and carried him off to the remote and inaccessible Castle of Hermitage. Here he was thrown into a dungeon, and left to perish of hunger. He is said to have prolonged his existence for seventeen days by some particles of corn which fell from a granary above his prison. "It is a melancholy reflection," says Mr. Tytler, "that a fate so horrid befell one of the bravest and most popular leaders of the Scottish nation, and that the deed did not only pass unrevenged, but that its perpetrator received a speedy pardon, and was rewarded by the office which had led to the murder."

We are not to imagine that this was a solitary case. Deeds of equal atrocity were of frequent occurrence on the Border. The Douglases, in particular, seem to have had no law but their own will, and inflicted vengeance for their real or imaginary wrongs entirely by their own authority, and according to their own arbitrary pleasure. In the year 1451, Herries of Terrigles, a gentleman of ancient family and considerable influence in Dumfriesshire, having attempted to defend himself against the attacks of some of the followers of the Earl of Douglas, who were ravaging his lands, and to recover from them their plunder, was defeated and dragged before the earl, who caused him to be hanged, although the king sent him a positive order by a herald, enjoining him to forbear any injury to the person of his prisoner.

Cruelties of the Douglases.

But a still more flagrant breach of law, and insult to the royal authority, occurred in the following year. Maclellan, the guardian of the young Lord of Bomby, ancestor of the Earls of Kirkcudbright, having refused to join Douglas in a treasonable league, was seized by him and imprisoned in his strong fortress of Thrieve, in Galloway. As Maclellan was much esteemed by the king, and the nephew of Sir Patrick Gray, captain of the royal guard, the king sent "a sweet letter of supplication," praying the earl to deliver his prisoner into the hands of his kinsman. When Sir Patrick arrived at the Castle of Thrieve, Douglas, who had just risen from dinner, received him with great apparent courtesy, but declined entering upon the business which had led to the visit until Gray also had dined. "It was ill talking," he said, "between a fou [full] man and a fasting." But suspecting the object of Sir Patrick's visit, and determined to defeat it, he gave private orders that Maclellan should be immediately led forth and beheaded in the courtyard of the castle. After dinner Sir Patrick presented the king's letter to the earl, who received and read it with great affectation of reverence. "Sorry am I," said he, with a look of much concern, "that it is not in my power to give obedience to the commands of my sovereign, much as I am beholden to him for so gracious a letter to me, whom he has been pleased of late to regard with somewhat altered favour; but such redress as I can afford thou shalt have speedily." He then took his visitor by the hand, and led him to the castle green, where the bleeding trunk of Maclellan was still lying. "Yonder, Sir Patrick," said he, "is your sister's son, but, unfortunately, he wants the head. Take his body, however, and do with it what you will." —"My lord," said Gray, suppressing his grief and indignation, "if you have taken his head, you may dispose of the body as you will." But when he had mounted his horse, which he instantly called for, his resentment broke out in spite of the dangerous situation in which he was placed. "My lord," said he, "if I live you shall be rewarded for this deed according to your demerits." This expression of natural indignation, however, had nearly cost him his life; for the earl was highly offended, and gave orders for an instant pursuit; and if Gray had not been well mounted, he would in all probability have shared the fate of his nephew. The chase was continued almost to Edinburgh, a distance of fifty or sixty miles. It is not uninstructive to mention, that when Douglas was shortly afterwards stabbed by the king in Stirling Castle, Sir Patrick Gray, who was present, at one blow felled him with his battle-axe.

The overthrow of this great family followed soon after; but the Earl of Angus, whose share in the ruin of his kinsmen led to the saying that "the red Douglas had put down the black," obtained a large portion of the forfeited domains of this mighty house, including the strong castles of Douglas, Hermitage, and Tantallon, and appears to have very soon enjoyed almost the same extensive supremacy on the Borders. The same system of rapine and bloodshed was consequently pursued. Archibald, sixth Earl of Angus, called Bell-the-Cat, who was

Archibald Bell-the-Cat.

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at once warden of the east and middle marches, and Lord of Liddisdale and Jedwood Forest, seems to have had as little respect for law or royal authority as his kinsmen and rivals, the Earls of Douglas. His share in the murder of the favourites of James III., at Lauder, and of the overthrow and death of the unfortunate monarch in the battle of Sauchieburn, is well known. A quarrel which he fastened on Spens of Kilspindie, a favourite of James IV., cost him his lordship of Liddisdale and Castle of Hermitage. Spens, who was a renowned cavalier, had been present when Angus was highly praised for strength and valour. "It may be," answered Spens, "if all be good that is upcome." Shortly after Angus, while hawking near Bothwell, with a single attendant, met Kilspindie. "What reason had ye," said the earl, "for making question of my manhood? Thou art a tall fellow, and so am I, and by St. Bride of Douglas one of us shall pay for it."—"Since it may be no better," answered Kilspindie, "I will defend myself against the best earl in Scotland." With these words they encountered fiercely, till Angus, with one blow, severed the thigh of his antagonist, who died on the spot. The earl then addressed the attendant of Kilspindie, "Go thy way: tell my gossip, the king, that here was nothing but fair play. I know my gossip will be offended; but I will get me into Liddisdale, and remain in my castle of the Hermitage till his anger be abated." James, however, took advantage of the opportunity to compel Angus, as the price of his pardon, to exchange the remote and almost inaccessible stronghold of Hermitage for Bothwell Castle, in Lanarkshire, which was a considerable diminution to the family power and greatness.

The grandson of Bell-the-Cat married the widowed queen of James IV., and obtained the supreme authority in Scotland during the minority of James V. In the words of an old historian, "He ruled all which he liked, and no man durst say the contrary. There dared no man strive at law with a Douglas, or yet with the adherents of a Douglas; for if he did, he was sure to get the worst of his lawsuit." And he adds, "Although Angus travelled through the country under the pretence of punishing thieves, robbers, and murderers, there were no malefactors so great as those which rode in his own company."

Battle of Melrose between the Douglases and Scotts, 25th July, 1526.

The high spirit of the young king, who was now fourteen years old, was galled by the ignominious restraint in which he was held; and in a progress to the Borders, for the purpose of repressing some excesses of the Armstrongs, intimation was secretly given to Sir Walter Scott of Buccleuch that he should raise his clan, and rescue the king out of the hands of the Douglases. Buccleuch immediately levied his retainers and friends, comprehending a large body of Elliots, Armstrongs, and other broken clans, over whom he exercised great authority. Angus had passed the night at Melrose, and the Kers and Homes, who had accompanied him in his expedition, had taken their leave of the king, when Buccleuch and his followers suddenly appeared on an eminence called Halidon Hill, and interposed between Angus and the bridge over the Tweed. "Sir," said the earl to the king, "yonder is Buccleuch, and the thieves of Annandale with him, to interrupt your passage. I vow to God they shall either fight or flee; and ye shall tarry here on this know [knoll], and I shall pass and put yon thieves off the ground, and rid the gate unto your grace, or else die for it." The earl with these words alighted, and hastened to the charge; and the Borderers, shouting their war-cry, immediately joined battle and fought stoutly. The encounter was fierce and obstinate, but the Homes and Kers returning at the noise of the conflict, set upon the wing and rear of Buccleuch's men, and decided the fate of the day. The death of the Laird of Cessford, who was killed in the pursuit by a retainer of Buccleuch, occasioned the deadly feud between the Scotts and Kers, of which we have already spoken.

Border castles, monasteries, &c.

The residences of the Border chieftains by no means corresponded to the extent of their power and the number of their retainers, and presented a striking contrast to the magnificent fortresses of the great English nobles. This, however, was not always the case. During the interval of more than a century, which elapsed between the reign of William the Lion and the death of Alexander III., there was profound peace between England and Scotland, and the Borders appeared to have been in a state of progressive improvement. At this period were erected several monastic edifices within the Scottish Borders, which formed the refuge of learning, and whose inmates must have contributed, in ordinary times, to allay the fierce passions of the neighbouring inhabitants. Among the structures of this kind may be named the abbeys of Melrose, Dryburgh, Jedburgh, and Kelso, on the eastern marches, and Lincluden on the west. These, with some other monasteries, formed seats of refinement and peaceful contemplation, while all around was little better than a mental wilderness. Usually these sanctuaries were respected by the hand of rapine, but in the case of national wars, they suffered in common with other buildings, and were laid waste with fire and sword. In all cases, however, the piety of the age restored them, until they finally sunk under the violence of the Iconoclasts in the sixteenth century.

In some instances, adjoining these religious houses, towns arose, and numerous strong and extensive royal and baronial castles graced and defended the frontier. There is little reason to doubt that if the peace with England and Scotland had not been broken by the unjustifiable pretensions of Edward I., the Borders would have gradually been improved in character with the rest of Scotland, and centuries of misery would have been avoided. The war of Scottish independence, which raged through nearly the whole of the fourteenth century, at once stopped all advancement, and

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NEWARK CASTLE.

On the Yarrow

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threw the Borders back into a state of disorganisation. Monasteries were destroyed, towns sacked, castles stormed, and thousands of the inhabitants killed. Perceiving that the only means of preserving the liberties of their country consisted in laying waste the district, the Scotts burned and erased many dwellings, and pulled down all the strongholds of importance likely to fall into the hands of the enemy. When the good Lord James Douglas three several times recovered possession of his ancestral castle, upon each occasion he laid waste and demolished it, and took refuge with his followers in the hills and forests. "He loved better," he said, "to hear the lark sing than the mouse squeak." The same devastating but uncompromising and effectual system of warfare was carried on during the whole of the struggle which the Scots maintained for their independence, and was delivered by Robert Bruce as a legacy to his successors, in what is affectionately called the "Good King Robert's testament." On his death-bed he enjoined his followers in their wars always to fight on foot; to trust for protection to their mountains, morasses, and woods, rather than to walls and garrisons; to employ for arms the bow, the spear, and the battle-axe; to drive their herds into the narrow glens, and to fortify them there whilst they laid waste the plain country by fire, and compelled the enemy to evacuate it. "Let your scouts and watches," he concluded, "be vociferating through the night, keeping the enemy in perpetual alarm, and worn out with famine, fatigue, and apprehension, they will retreat as certain as if routed in battle." These judicious counsels were followed by the Scots in all their wars with the English down to the days of Cromwell. Hence the great baronial and royal castles which existed on the Borders were, with very few exceptions, levelled to the ground during the wars of Bruce and Baliol. The Castle of Jedburgh, one of the strongest of these fortresses, remained for a long time in the hands of the English, and was a source of annoyance to the adjacent country. On its reduction by the Scots, in 1408, it was immediately ordered to be destroyed; but so strongly was it constructed, and so unskilful were the Scots in the work of destruction, that it was proposed to impose a tax of two pennies on every hearth in Scotland to defray the expense of razing and levelling the fortifications. But the regent ordered the sum required to be paid out of the royal revenues.

Warlike tactics of the Borderers.

The lesser strengths, consisting of single towers or *peels*, as they were called, each forming the lodgment of a petty chief, do not seem to have suffered the same devastation at the hands of their proprietors, who probably reckoned on defending them from all casual assaults. These towers, whose remains are now the most remarkable features in the Border landscape, were for the most part built in some situation of great natural strength—on a precipice, or on the banks of a torrent, or surrounded by woods and morasses, which rendered them almost inaccessible. The position of these Border houses, in short, so plainly indicated the pursuits and apprehensions of their inhabitants, that James V., on approaching the Castle of Lochwood, the ancient seat of the Johnstones, is said to have exclaimed "that he who built it must have been a knave in his heart." The principal part of these fortresses consisted of a large square tower, called a keep, having walls of immense thickness, which could easily be defended against any sudden or desultory assault. The residences of the inferior chiefs, called peels or bastle-houses, were usually built upon a still smaller scale, and consisted merely of a high square tower, surrounded by an outer wall, which served as a protection for the cattle at night. The apartments were placed one above another, and communicated only by a narrow stair, which could be easily blocked up or defended—so that the garrison could hold out for a considerable time, even after the lower story was in the possession of the enemy. In such circumstances the assailants usually heaped together quantities of wetted straw in the lower apartments, and setting it on fire, drove the defenders from story to story by means of the smoke, and sometimes compelled them to surrender. Around these fortresses were placed the habitations of the vassals and retainers of the chief, who were ready upon the first summons either to take arms for the defence of the castle, or to follow their lord to the field; and as much ground in the vicinity was cleared and cultivated as was necessary for their support.

Border towers or peels.

The Border towns, before and after the war of independence, were usually furnished with a number of towers, like the peels of the inferior gentry, and were the abodes either of the wealthier burghers, or of the neighbouring proprietors, who occasionally dwelt within the town. "In each village or town," says Sir Walter Scott, "were several small towers, having battlements projecting over the side walls, and usually an advanced angle or two, with shot-holes for flanking the doorway, which was always defended by a strong door of oak, studded with nails, and often by an exterior grated door of iron. These small peel-houses were ordinarily inhabited by the principal feuars and their families. Upon the alarm of approaching danger, the whole inhabitants thronged from their own miserable cottages, which were situated around to garrison these points of defence. It was then no easy matter for an hostile party to penetrate into the village, for the men were habituated to the use of bow and fire-arms; and the towers being generally so placed that the discharge from one crossed that of another, it was impossible to assault any of them individually." In the village of Lessudden, when burned by Sir Ralph Evers, in 1544, there were as many as sixteen of these strongholds, which afforded excellent posts for resisting the assaults of an enemy, even after the town was taken. On the approach of a superior army, the chieftain and

Border towns and villages.

their retainers usually took to the woods and mountains, leaving their habitations to the fate of war. There is scarcely a single instance known of a distinguished baron having been made prisoner in his own house. In these dismal times all the ordinary class of houses in the Border towns were thatched, and as it was almost certain that these would be set on fire by the enemy, it was customary for the inhabitants, at the approach of invaders, to clear off all the thatch from their dwellings, and, if possible, flee with their cattle and other property to the mountains. Still further to guard against fire, as well as rapine, the lower stories of the houses were vaulted, and accessible only by a low doorway. Domestic strongholds of this kind may still be seen in all the Border and some other of the old towns of Scotland. To guard against sudden attack, it was usual for Scottish Borderers to give telegraphic warning of the approach of an enemy by means of beacons or bale-fires lighted on the tops of the hills or loftiest battlements of the principal castles. Thus signals from Berwick up the vale of Tweed to Lanarkshire, and from the Tweed to the Forth, made the whole country aware of the coming danger.

Beacon or bale-fires.

The precautions taken by the English against the inroads of their northern neighbours were of a somewhat different kind, and suited to their superior wealth and civilisation. They paid great attention to defence, as they had something of value to defend. All along the English frontiers arose baronial castles of magnificent structure, great extent, and fortified with all the art of the age. Their great strength afforded a secure asylum to their inhabitants, and enabled them to set at defiance the attacks of the Scottish Borderers. Newcastle, Hexham, Carlisle, and other towns along the English Border, were in like manner much more strongly and skilfully fortified than those of the opposite frontier, and afforded, therefore, a much better protection from invasion. A line of communication was established along the whole Border, from Berwick to Carlisle, with setters and searchers, sleuth-hounds and watchers, by day and night. The fords over the rivers were either strictly guarded or stopped and destroyed; and narrow defiles through the mountains were blocked up or rendered impassable. But although these precautions served to a considerable extent to protect the English frontier from extensive invasions, they were wholly insufficient to prevent the desultory incursions of the Scottish marauders, who, making sudden and rapid inroads into particular districts, laid all waste, and returned loaded with spoil before a sufficient force could be collected to present an obstacle to their return. These unceasing raids were scarcely less destructive than the more extensive invasions of the English armies.

Precautions taken by the English Borderers.

Sleuth-hounds and watchers.

Beside the chiefs who carried on a predatory warfare for the sake of spoil, or the wantonness of aggression, there were many marauders who knew no measure of law, had no mighty chieftain to whom they owed allegiance, or who would be bound for their good behaviour. These men, with their petty trains of dependents, were viewed as broken clans, and were only countenanced by the great barons when they stood in need of assistance. Living in small towers about the Border valleys, they were in the habit of sallying out at night to pillage the flocks and herds of some unsuspicious neighbour—for they were by no means particular whether their prey belonged to the Scots or English. The principal marauders of this class within the Scottish borders were the Elliots, Armstrongs, Turnbulls, Rutherfords, and Scotts. When hard pressed in pursuit by the enraged wardens of the marches or others, they would flee for temporary refuge to mosses unapproachable by those not acquainted with the paths, and there hold the law at defiance. One of their most noted places of refuge was the Tarras Moss, in Liddisdale—a desolate and horrible morass, accessible by paths known only to themselves. Through this marsh a small river runs furiously among huge rocks. Upon its banks are found some dry spots, which were occupied by these outlaws and their families in cases of emergency. The morass is so deep that, according to an old historian, two spears tied together would not reach the bottom. Into this inaccessible retreat the Armstrongs fled when pursued, in 1588, by Archibald, ninth Earl of Angus, lieutenant on the Border. The earl used to declare that he had as much delight in hunting a thief as others in chasing a hare. But on this occasion he was completely foiled by the impracticability of the morass, and the cunning of the outlaws who harboured in it. From their frequenting morasses, these marauders came to be known by the name of *moss-troopers*. They were generally well mounted on horseback, with light armour or buff coats, and provided with a sword and short musket; some carried spears, which were exceedingly formidable to an enemy.

Border moss-troopers.

Camden gives the following account of the character of these moss-troopers, and of their strange and adventurous mode of life:—"What manner of cattle-stealers they are that inhabit these valleys in the marches of both kingdoms, John Lesley, a Scotchman himself, and Bishop of Ross, will inform you. They sally out of their own Borders in the night in troops, through unfrequented by-ways, and many intricate windings. All the daytime they refresh themselves and their horses in lurking-holes they had pitched upon before, till they arrive in the dark at those places they have a design upon. As soon as they have seized upon the booty, they in like manner return home in the night, through blind ways, and fetching many a compass. The more skilful any captain is to pass through those wild deserts, crooked turnings, and deep precipices, in the thickest mists

Camden's account of their character and habits.

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and darkness, his reputation is the greater, and he is looked upon as a man of an excellent head. And they are so very cunning, that they seldom have their booty taken from them, unless sometimes, when, by the help of bloodhounds following them exactly upon the track, they may chance to fall into the hands of their adversaries. When, being taken, they have so much persuasive eloquence, and so many smooth insinuating words at command, that if they do not move their judges, nay, and even their adversaries (notwithstanding the severity of their natures), to have mercy, yet they excite them to admiration and compassion." *

Freebooters as these men unquestionably were, we should form an incorrect estimate of their character were we to associate them in idea with the mean felons of modern days. Rapine at the time seems to have been a legalised principle; law and justice were at the lowest ebb, and many of the broken clans were men who had been ruined by national wars, and denied all form of reparation. Of the more "respectable" heads of these freebooting bands, Walter Scott of Harden, commonly called "Auld Wat of Harden," may be taken as a specimen. Tradition has preserved a great variety of anecdotes respecting this redoubted chief. His castle was situated on the very brink of a dark and precipitous dell on the Borthwick, about three miles from Hawick. The spoil which he carried off from his neighbours was concealed in the recess of this deep and impervious glen. From thence the cattle were brought out one by one, as they were wanted to supply the rude and plentiful table of the laird. When the last bullock was killed and devoured, it was the lady's custom to place on the table a dish which, on being uncovered, was found to contain a pair of clean spurs—a hint to the riders that they must shift for their next meal. A kindred saying is recorded of a mother to her son, which has now become proverbial—"Ride, Rowly (Rowland), hough's i' the pot," that is, the last piece of beef was in the pot, and therefore it was high time for him to go and fetch more. Upon one occasion, when the village herd was driving out the cattle to pasture, the old laird heard him call loudly to drive out Harden's cow. "Harden's cow!" echoed the affronted chief; "is it come to that pass? By my faith, they shall soon say Harden's kye [cows]." Accordingly, he sounded his bugle, mounted his horse, set out with his followers, and returned next day with "a bow of kye and a bassen'd [brindled] bull." On returning with his prey, he passed a very large haystack. It occurred to the provident laird that this would be extremely convenient to fodder his new stock of cattle; but as no means of transporting it were at hand, he was fain to take leave of it with this apostrophe, now proverbial: "Had ye but four feet, ye should not stand long there." † In short, nothing came amiss to him that was not too heavy or too hot. This renowned freebooter was married to Mary Scott, celebrated in song by the title of the "Flower of Yarrow." By their marriage contract, the father-in-law, Philip Scott of Dryhope, was to find Harden in horse-meat and man's-meat at his tower of Dryhope for a year and a day; but five barons pledged themselves that, at the expiry of that period, the son-in-law should remove without attempting to continue in possession by force—a caution strikingly illustrative of the times, and of the character of the contracting parties. By the Flower of Yarrow the Laird of Harden had six sons, five of whom survived him. The sixth son was slain at a fray in a hunting-match, by the Scotts of Gilmanscleugh. His brothers flew to arms, but the old laird secured them in the dungeon of his tower, hurried to Edinburgh, stated the crime, and obtained from the crown a gift of the lands of the offenders. He returned to Harden with equal speed, released his sons, and showed them the charter. "To horse, lads!" cried the savage warrior, "and let us take possession. The lands of Gilmanscleugh are well worth a dead son!"

Auld Wat of Harden.

The armorial bearings adopted by many of the Border tribes were remarkably appropriate to their character, and show how little they were ashamed of their trade of rapine. It was their vocation; and, with Falstaff, they reckoned it no sin for a man to labour in his vocation. Like this same worthy, they were "Diana's foresters—gentlemen of the shade—minions of the moon," under whose countenance they committed their depredations. Hence the emblematic moons and stars so often charged in the arms of Border families. Their mottoes, also, bear allusion to their profession:—"Reparabit cornua Phœbe" ("We'll have moonlight again"), is that of the family of Harden, now represented by Lord Polwarth. "Best riding by moonlight," was the ancient motto of the Buccleuch family. The crest of the Cranstouns is a crane holding a stone in his foot, with the emphatic motto, "Thou shalt want ere I want."

Armorial bearings of the Border tribes.

Various statutes and regulations were made for the purpose of repressing the depredations of these Border freebooters, but they remained for the most part a dead letter. It happened not unfrequently that, when the disorders caused by their marauding incursions reached a certain height, the Scottish kings or governors marched to the Borders, seized and imprisoned the chiefs, and executed without mercy the inferior captains and leaders. The most noted of these expeditions was the famous one undertaken by James V., in the year 1529. Before setting out on his journey, he very sagaciously took the precaution of securing in safe custody the most powerful Border chieftains—the Earl of Bothwell, Lords Home and Maxwell, and the lairds of Buccleuch, Fernyhirst, Polwarth, and Johnstone—who were the chief protectors of the marauders. The king

Expedition of James V. and of the Regent Moray.

* Camden's Britannia.

† Introduction to Scott's Border Minstrelsy, vol. i. p. 211.

having thus secured the principal offenders, placed himself at the head of an army of eight thousand men, and marched rapidly forward, visiting in succession the upper part of Peebleshire, Ettrick Forest, Teviotdale, and Eskdale, and inflicting punishment as he proceeded on Cockburn of Henderland, Adam Scott of Tushielaw, Johnnie Armstrong, and other marauders. This justiciary excursion was long remembered for the rigour, dispatch, and excessive severity of the royal vengeance, which struck such terror into the Border freebooters that for a season "the rush-bush kept the cow."* Various expeditions of a similar kind were undertaken on subsequent occasions, especially by the Regent Moray, who suppressed with a firm hand the outrages of the moss-troopers, whom he caused to be hanged or drowned by dozens. But these examples of sanguinary justice had no permanent effect in tranquillising the Border districts. Hence it was found necessary to intrust the wardens of the marches with the most extensive powers for the maintenance of peace and order. These officers seem to have imitated closely the royal example, in the summary execution of those marauders who fell into their hands: the next tree, or the deepest pool of the nearest stream, was indifferently used on such occasions. Great numbers of the moss-troopers are said to have been drowned in a deep eddy of the Jed, near Jedburgh. The ordinary proverb of "Jedburgh justice," where men were said to be hanged first and tried afterwards, appears to have taken its rise from these summary proceedings.

Days of truce held by the wardens.

One of the most important regulations, both for preventing and punishing the disorders committed by the lawless banditti on the Borders, was the holding days of truce by the wardens on either side, in which the offences complained of by the subjects of both kingdoms were, with great solemnity, inquired into and remedied. The wardens, on these occasions, took the field in great state, attended by the chief men within their districts, all in their best arms, and well mounted. After an assurance had been mutually given for keeping the peace from sunrise till sunset, the two wardens met in great form, embraced each other, and then proceeded to examine the "bills," or complaints tendered on either side. In doubtful cases, the matter was tried by a jury of twelve, chosen equally from the two nations, or was referred to an umpire mutually chosen, or in some cases to the oath of the party accused. The wardens were bound to have the offenders, against whom complaints were made, in custody, in order that they might be in readiness to answer the charges brought against them. But as this would have been often difficult, and sometimes impossible, the warden usually took security from the chief or kinsman of the accused party, that they should be forthcoming when called for. If the persons charged were found guilty, they were delivered up to the opposite warden, by whom they were imprisoned until they paid treble the value of the goods stolen. A kind of account-current was made up of the extent of mutual damage sustained by both kingdoms, and the complaints found proved on each side having been enumerated, the balance was struck against that country whose depredators had committed the greatest number of offences. While the wardens were engaged in these judicial investigations, their retainers intermixed fearlessly and peaceably with each other in mutual sports and familiar intercourse—"in merchandise and merriment." These peaceful meetings, however, were often converted into scenes of battle and bloodshed. Among the fiery spirits by whom each warden was respectively attended, there must often have been many betwixt whom deadly feud existed, and not a few whose interest it was to instigate any quarrel which might interrupt the course of justice, and prevent their depredations from being inquired into. Among such combustible materials the slightest spark served to kindle a flame. Hence, as the poet remarks—

> "'Twixt truce and war a sudden change
> Was not infrequent, nor held strange,
> In the old Border day."

Repeated instances occur of such casual affrays happening, in which the Border chiefs, and sometimes even the wardens themselves, were wounded or slain. One of these skirmishes is vividly portrayed in the old ballad of the "Raid of the Reidswire."

Raid of the Reidswire.

On the 7th of July, 1575, Sir John Carmichael, warden of the Scottish middle marches, and Sir John Foster, the English officer on the opposite frontier, held a meeting for the regulation of Border affairs, each being as usual attended by his retinue, and by the armed clans inhabiting his district. According to the old minstrel, the Borderers of Tynedale and Reedsdale, who attended the English warden, all well armed "with jack, and spear, and bended bows," were much more numerous than the Scottish clans. The meeting began in mirth and good fellowship. The wardens proceeded to the usual business of the day, and their attendants engaged in sports and gaming. The pedlars erected their temporary booths, and displayed their wares, and the whole had the appearance of a peaceful holiday or rural fair. During this mutual friendly intercourse, a dispute arose respecting one Farnsteen, a notorious English freebooter, against whom a bill, at the instance of a Scottish complainer, had been "fouled," that is, found a true bill. Foster alleged that he had fled from justice; Carmichael, considering this as a pretext to avoid making compensation for the felony, bade him "play fair;" to which the haughty English warden retorted, by contemptuously desiring Carmichael to match himself with his equals. The English Borderers, glad of any pretext for a quarrel, immediately raised their war-cry of "To it, Tynedale!" and discharged a flight of arrows among

* See *supra*, vol. i. p. 444.

the Scots. A warm conflict ensued, in which Carmichael was at first beaten down and taken prisoner, and the Scots, few in number, and surprised, were with difficulty able to keep their ground. But the Tynedale men, beginning greedily to rifle the "merchant packs," fell into disorder; and a band of the citizens of Jedburgh, armed with fire-arms, opportunely arriving at that instant, the skirmish terminated in a complete victory on the part of the Scots. Sir John Heron of Chipchase was slain on the spot, to the great regret of both parties; and Sir John Foster, with many other Englishmen of rank, were made prisoners. The Scots lost but one gentleman of name. This affray was remarkable as being the last skirmish of any consequence fought on the Borders. The field of battle was called the Reidswire, a spot on the ridge of the Carter-fells which divide England from Scotland. The prisoners were sent to the Earl of Morton, then regent, who detained them at Dalkeith, and then dismissed them with presents of choice falcons, and great expressions of regard. On this a saying arose amongst the Borderers, that for this once the regent had lost by his bargain—he had given live hawks for dead herons, alluding to the death of Sir John Heron. A few years later a singular incident arose out of one of these warden meetings, which had well-nigh occasioned a war between the kingdoms.

Rescue of Kinmont Willie.

In the year 1596 there was a meeting held on the borders of Liddisdale between the deputies of Lord Scrope of Bolton, the English warden of the west marches, and Sir Walter Scott of Buccleuch, the Scottish warden. The court was held at a place named the Dayholm of Kershope, where a small burn or rivulet divides the two countries. When the business of the day was over, and the meeting amicably broken up, the English Borderers happened to observe a notorious depredator called William Armstrong, but more commonly known by the name of Kinmont Willie, quietly riding home on the Scottish side of the Liddel, with three or four in company. Willie, who is said to have been a descendant of the famous Johnnie Armstrong, was a man of great personal strength and stature, and one of the most gallant freebooters in Liddisdale. He and his four sons, who were equally distinguished in their vocation, are said to have had more bills filed against them than any twenty men in the district. Although he was on Scottish ground, and protected by the truce, which lasted from the time of holding the court till next morning at sunrise, the temptation to seize an offender so obnoxious was too great to be resisted. A body of two hundred English horsemen crossed the river, chased him for some miles, and took him, and carried him in triumph to Carlisle Castle, where he was heavily ironed and cast into the common prison. Buccleuch, with whom Kinmont Willie was a special favourite, instantly complained of this outrageous violation of Border law, and demanded the release of his retainer. But the warden refused, or at least evaded this request. Buccleuch then swore that he would bring Kinmont Willie out of Carlisle Castle, alive or dead, with his own hand. Choosing a dark tempestuous night, he assembled two hundred horse at the tower of Morton, on the water of Sark, about ten miles from Carlisle. Among those selected for this hazardous enterprise were the Lairds of Harden, Bransholm, Goldielands, and Stow, the son of the Laird of Mangerton, chief of the Armstrongs, and Kinmont's four sons, all noted and daring men. With this company Buccleuch, favoured by the darkness of the night, passed the river Esk unperceived, rode rapidly through the "debateable land," forded the Eden, then swollen over its banks, and halted at a small burn named Caday, close by Carlisle. Here he caused eighty of his men to dismount, and carrying with them the scaling-ladders, crowbars, and other iron tools which they had prepared, silently led them to the foot of the castle-wall. The night was dark and rainy, and everything seemed to favour the attempt. But to their disappointment the ladders proved too short. In this extremity they undermined a postern gate in the wall, and soon made a breach sufficient to admit a single soldier. Those who entered first, disarmed and bound the watch, wrenched open the postern from the inside, and admitted their companions. Buccleuch kept the postern while a body of his men proceeded to the castle jail and released Kinmont, carrying him off in his irons, and sounding their trumpets as a signal that the enterprise was accomplished. On passing the window of Lord Scrope, Kinmont shouted a "good night" to his lordship, asking him at the same time if he had any news for Scotland. Meanwhile the alarm-bell of the castle rung, and was answered by those of the cathedral and the Moot-hall—drums beat to arms, and the beacon blazed upon the top of the great tower. But as the real strength of the enemy was unknown, all was terror and confusion both in the castle and town. Buccleuch having accomplished his purpose, rode off, the Borderers having strictly obeyed his orders in forbearing to injure the garrison, or to take any booty. Rejoining his men whom he had left on the Caday, he made an orderly retreat, carrying off his rescued prisoner in the midst of his band, and regained the Scottish border before sunrise.

This daring exploit, one of the last, and certainly most gallant achievements performed upon the Border, was loudly extolled at the time, and has been minutely recorded in the inimitable ballad of "Kinmont Willie." "There had never been a more gallant deed of vassalage done in Scotland," says an old chronicler, "no, not in Wallace's days." Queen Elizabeth was dreadfully enraged at this insult, and demanded with the most violent complaints and threats, that Buccleuch should be delivered up to the English. So deadly, indeed, was her resentment, that Buccleuch's life is said to have been aimed at, not, as was alleged, without

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Elizabeth's privity. James for a time resisted compliance with the demand of the English queen, and was zealously supported by the whole body of the nobles and people, and even by the clergy. The matter was at length arranged by the commissioners of both nations at Berwick, by whom it was agreed that the delinquents should be delivered up on both sides, and that the chiefs themselves should enter into ward in the opposite countries till this condition was complied with, and pledges granted for the future maintenance of the quiet of the Borders. Buccleuch was accordingly sent on parole to England, along with Ker of Cessford. According to ancient tradition, Queen Elizabeth sent for the intrepid chieftain, and demanded of him how he had dared to storm her castle—to which "bauld Buccleuch," nothing daunted, replied, "What is there that a man dares not do?" Pleased with the rejoinder, she turned to a lord in waiting, and said, "With a thousand such men, our brother of Scotland might shake the firmest throne in Europe."

Carey's Raid.

In the reign of Elizabeth, Sir Robert Carey, warden of the west marches, made an excursion into Liddisdale, with the view of quelling the Scottish freebooters in that district. In this, however, he was far from successful. It is related by tradition, that while he was besieging the moss-troopers in the Tarras, they contrived, by ways known only to themselves, to send a party into England, who plundered the warden's lands. On their return, they sent Carey one of his own cows, telling him that, fearing he might fall short of provision during his visit to Scotland, they had taken the precaution of sending him some English beef.

Suppression of the Border freebooters.

After the accession of James to the crown of England, when the jurisdictions on both sides acted more in unison, the most arbitrary measures were resorted to for the suppression of the Border banditti. Many of them were executed without even the formality of a trial. A band of the most desperate of these freebooters was formed by Buccleuch into a legion for the service of the estates of Holland; and the Graemes, a hardy and ferocious race, inhabiting chiefly the "debateable land," were transported to Ireland, and their return prohibited under pain of death.

But the predatory habits of the Borderers were too deeply rooted to be removed so speedily, and they broke forth again upon the slightest encouragement. During the great civil war, the moss-troopers, taking advantage of the unsettled state of the country, resumed their old profession; and frequent reference is made to their exploits in the diaries and military reports of the time. The labours of Richard Cameron, and other presbyterian ministers, are said to have been very successful in reclaiming them from their licentious habits. Colonel Cleland, the well-known Cameronian,* claims for the preachers of that sect the merit of—

"Prevailing more with words
Than dragoons do with guns or swords;
So that their bare preaching now
Makes the rush-bush keep the cow,
Better than Scots or English kings
Could do by kilting them with strings;*
Yea, those that were the greatest rogues,
Follow them over hills and bogs,
Crying for mercy and for preaching,
For they'll now hear no others' teaching." †

Incidents not unfrequently occurred, however, at a late date, which showed that the old spirit was not altogether extinguished.

Fidelity of the Borderers to their word.

Like the Arabs of the deserts, the Border marauders, with all their freebooting propensities, were faithful to their word. Having once pledged their faith, even to an enemy, they were very strict in observing it, and looked upon its violation as a most heinous crime. When an instance of this occurred, the injured person, at the first Border meeting, rode through the field displaying a glove (the pledge of faith) upon the point of his lance, and proclaiming the perfidy of the person who had broken his word. So great was the indignation of the assembly against the perjured criminal, that he was often slain by his own clan, to wipe out the disgrace he had brought on them. In the same spirit of confidence, it was not unusual to behold the victors, after an engagement, dismiss their prisoners upon parole, who never failed either to transmit the stipulated ransom, or to surrender themselves to captivity if unable to do so.‡ Thus, even among the rudest class of men, there often exist good points of character.

Border ballads.

The history of the Borders, their wars, feuds, and the daring exploits of which they were the fertile scene, has been embalmed in a variety of ballads of great antiquity, the wreck of the legendary lore once common throughout the district. According to all accounts, the old Borderers spent much of their leisure time in listening to the traditionary stories, the songs, and the inspiring strains of minstrels who visited their secluded mountain homes. Bishop Lesley states that the Marchmen were greatly delighted with music and ballad-poetry; and, as might have been expected in such a state of society, that their songs were warlike in their nature, and celebrated the exploits of their ancestors, and the valour and success of their own predatory expeditions. Of the mass of ballads and lays which used thus to cheer the Border hearths, and have come down to the present generation, comparatively few, it is observed, belong to the English side of the boundary; nearly all are Scotch,—whether from the greater prevalence of this species of anthology among our Scottish ancestors, or from the greater industry exercised by Scotchmen in gathering together the fragments of ballads, it would be difficult

* Macaulay's History of England, vol. iii.

* Hanging them with ropes.

† Cleland's Poems, p. 30; Scott's Border Minstrelsy, vol. i. p. 192.

‡ Ibid., p. 175.

to say. Unfortunately, many of the ballads once current on the Borders are now lost, and many of them have come down to us in an imperfect and mutilated state. It could scarcely have been otherwise, since they have been almost entirely preserved by oral tradition. Few of these compositions appear to have been committed to writing till within the present century. Till a very late period, the pipers, of whom there was one attached to each Border town of note, were the great depositaries of these poetical traditions. These minstrels were in the habit of itinerating through a particular district of the country, about spring-time, and after harvest; and in return for the music and the tale, were usually rewarded with their lodging and a donation of seed-corn. The ancient Scottish gaberlunzie, too, was often repaid by his night's quarters for his contributions in legendary lore. By means of these professed ballad-reciters, much traditional poetry was preserved, which must otherwise have perished. Many interesting ballads and tales have also been recovered from the recitations of shepherds and aged persons residing in the recesses of the Border mountains. From these various sources, nearly two hundred different ballads have been collected, several of which are believed to be compositions of the twelfth, thirteenth, fourteenth, and fifteenth centuries—as there is every reason to suppose that these ballads were, in almost every case, composed immediately after the occurrence of the incidents which they commemorated. It would be unreasonable to expect that compositions originating in such a state of society as we have described should exhibit either refined sentiment or elegant expression; but they abound in natural pathos and rude energy, and present a picture of the manners and feelings of the times which renders them highly valuable. Some of these ballads refer to public historical events, others commemorate real circumstances in private life, while a third class may be regarded as an embodiment of the popular superstitions of the district, a record of the fancied exploits of fairies, ghaists, brownies, and bogles—

> "Of airy elves by moonlight shadow seen,
> The silver token, and the circled green."

Superstition of the Borders.

No part of Scotland, indeed, abounded more with superstitious legends and observances than did the Borders. "The Dalesmen," says Bishop Lesley, "never count their beads with such earnestness as when they set out upon a predatory expedition." Penances, the composition between guilt and conscience, were also frequent amongst them. The belief in ghosts, brownies, bogles, fairies, and witches, and in the efficacy of spells, charms, and exorcisms, was universal. According to Bishop Nicolson, the Borderers of his day were much better acquainted with, and more firmly believed, their old legendary stories of fairies and witches than the articles of their creed.

Present state of the Borders.

The present state of this celebrated district exhibits a striking contrast to its former condition. With the introduction of law and order, and the progress of improvement, barren wastes, once the resort of freebooters, have become fruitful fields, towns, and hamlets; mansions, farmer-tendings, and cottages, now enliven those scenes which for ages had been marked by works of hostility; and in those defiles where the rude reivers found a refuge, rich and almost countless flocks have long wandered in perfect security; while the ruined towers of the Border chiefs, scattered throughout the district, present a striking memorial of times and manners that have long gone by.*

* Sir Walter Scott's Minstrelsy of the Scottish Borders, 4 vols.; Popular Ballads and Songs from Tradition, Manuscripts, and scarce Editions, by Robert Jamieson, 2 vols.; Reliques of Ancient English Poetry, consisting of old heroic Ballads, Songs, &c., by Dr. Thomas Percy, Bishop of Dromore, 3 vols.; Motherwell's Scottish Minstrelsy; Ridpath's Border History; Chambers' Miscellany of Useful and Entertaining Tracts, vol. xi. No. 102, by the Editor of the present work.

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CHAPTER XLVI.

CHARLES I.

A.D. 1625—1638.

Accession of Charles I., 1625.

JAMES was succeeded in the sovereignty of the three kingdoms by his only surviving son, Charles, then in the twenty-fifth year of his age. Immediately on his accession, Charles dispatched a messenger to the privy council of Scotland, with instructions to make no change in the officers of state, magistrates, and other public functionaries, until his pleasure should be farther signified. A general mourning for the late king was ordered by the council; and the chapel-royal, as well as the apartments of the palace, were hung with black drapery. On the 31st of March, the new sovereign was proclaimed at the Cross of Edinburgh with the customary formalities; and next day the principal officers of state took their departure for London, in order to be present at the funeral of their late sovereign, and to congratulate his son on his peaceable accession to the throne. Emboldened by their absence, the pirates of the Western Islands once more commenced their work of depredation; but their ravages were speedily checked by the vigorous measures of Lord Lorn, who raised a force of two thousand men for the protection of the country; while two ships of war, under the command of the Baron of Kilsyth, protected the navigation of the surrounding seas.

Policy of the new king.

Some hopes were entertained that the causes of discontent, which had arisen under the misrule of James, would be at least partially removed under the sway of the new sovereign; and, accordingly, the dissenters from the articles of Perth deputed Mr. Robert Scott, minister at Glasgow, to present a supplication to the king, craving redress of their grievances. Unfortunately, however, for Charles, as well as for the country, he had imbibed, as a part of his early education, all the tenets adopted by his father respecting the nature and extent of the royal prerogative, and inherited all his hostility against nonconformity; and his answer convinced the supplicants that they had no relief to expect at his hands. He was resolved to maintain prelacy, as established by his father in Scotland, in all its extent, and at all hazards; and immediately wrote to the primate, enjoining him, and the bishops under his authority, to diligence in the prosecution of the work assigned them by his father. He further issued a proclamation, commanding that all persons who should dare to disturb his government, by misleading the people into the belief that he intended to make any change in the government of the Church, should be visited with the severest penalties of the law. This rash and impolitic proclamation was succeeded by an imperative mandate to the town-council of Edinburgh to choose none of their number as magistrates of the city but such as yielded obedience to the articles of Perth.

The king's marriage.

This disclosure of his sentiments, at the very commencement of his reign, involved Charles in merited unpopularity, which was not a little augmented by his marriage with a Roman Catholic princess, Henrietta Maria of France—an accomplished and beautiful woman, but who, in consequence of her religion, ultimately became one great cause of the misfortunes of her husband, and of their posterity.

In the meantime, Charles had become involved in a contest with his English parliament, which, in the first session that had been held in his reign, manifested in a still more determined manner that spirit of independence which had embittered the latter years of his father, by disturbing his dream of unlimited and inviolable prerogative. This dispute so far engrossed the attention of the king, that he was for a time prevented from pursuing his designs with regard to the affairs of Scotland. That part of his dominions remained in consequence comparatively tranquil; and had a policy of timely concession been adopted, the spread of that spirit of resistance to arbitrary power which had begun to prevail among the people of England might have been long retarded. But the smouldering embers of discontent, which might have been so easily extinguished, were by an unwise and headstrong policy soon fanned into a flame. The revocation of tithes and benefices, which at the time of the Reformation had been usurped by the crown, but had afterwards passed by gift into the hands of the nobility, had been projected by James, and had merely been delayed in consequence of the unexpected check which he had received from the Scottish parliament. But this scheme had been bequeathed to his son, who now rashly resolved to carry it into execution.

Revocation of tithes and benefices.

The nobility, though they had tamely submitted to the overthrow of the Presbyterian Church, and were probably prepared to acquiesce in the introduction of the liturgy, and every other innovation in matters purely ecclesiastical, were not disposed without a struggle to give up the spoils of the Church, which they had so long enjoyed. In justice, however, the tithes ought never to have belonged either to them or to the king. They formed a peculiar species of property quite distinct from the lands out of which they were paid; and, accordingly, when at the Reformation they were no longer required for their original purpose, the clergy being otherwise provided for, they ought either to have reverted to the landed proprietors, on whom they had been originally imposed for the maintenance of the Romish priesthood, or to have been appropriated to national purposes. But whatever may be said of the policy or justice of the revocation, no doubt can be entertained of its legality. According to the law of Scotland, the patrimony of the crown was inalienable, without the previous intervention of the authority of parliament. A subsequent act ratifying a royal grant was not sufficient; and all such grants made during the reign of

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one sovereign, were liable to be summarily revoked by his successor, in the exercise of his prerogative alone. The same law was applicable to all grants made by the sovereign during his minority, which were in like manner liable to be resumed when he became of age; and though James had prudently deferred such an exercise of his prerogative, he had encouraged the prelates to expect that it would, at a more convenient time, be exercised on their behalf.

Convention of Estates. Opposition of the nobles.

The Earl of Nithsdale, as royal commissioner, was now sent down to hold a convention of the Estates, and to demand an unconditional surrender of all the tithes and other church property, which had reverted to the late sovereign at the time of the Reformation, and which had by his gift passed into their possession. But this demand the nobles were prepared to resist to the last extremity. To be stript of such valuable possessions, to which they believed they had an indisputable right, for the sake of aggrandising a body of men whose inordinate ambition and growing influence had already excited their jealousy, was beyond endurance; and so fierce and determined was their opposition, that a combination was formed among the nobility to resort to the argument of the sword, according to the ancient Scottish fashion; and in case of the persistence of the commissioner in his demand, to put to death, on the spot, both him and his adherents. Lord Belhaven, one of the conspirators, though then old and blind, resolved to have his share in the work of blood, and to make sure of at least one victim. At his own desire he was placed next to the Earl of Dumfries, whom he laid hold of with one hand, as if for support, while in the other he secretly held a dagger—in readiness, on the least disturbance arising, to plunge it into the heart of that nobleman. Fortunately, the premeditated tragedy was averted by the caution of Nithsdale, who, either forewarned of his danger, or alarmed by the hostility of his opponents, withheld the most obnoxious part of his instructions, and returned to court without being able to fulfil the object of his mission.*

Publication of the Act of Revocation.

The king was so enraged at this opposition that, without farther ceremony, he ordered the act, which had been already prepared, to be published—when, to the dismay of the nobles, it was found to extend beyond the Reformation to the distance of eighty-three years, and to include every grant made within the two preceding reigns. Even the privy council, and many of the ministers themselves, were secretly adverse to so sweeping a measure, by which they considered that their own interest would be seriously compromised. A partial change, however, was effected among the officers of state; and the privy council and courts of law were reconstructed in such a manner as to admit the dignified clergy to form part of these bodies. A new court, under the name of a "commission to try grievances," was at the same time established, after the model of the Star Chamber; but so strong was the opposition of the nobility to this arbitrary tribunal, that, though not formally abolished, it was silently permitted to become inoperative, and at last ceased to exist.*

Valuation of the impropriated teinds.

An ecclesiastical convention was now held, and, eager for the recovery of what they considered the legal patrimony of the Church, they presented an urgent application to the king for some regular legal provision for the sustentation of the clergy. Their expectation, which they scarcely attempted to disguise, was to recover the tithes through the king's assistance; and so impatient were they to seize on this valuable reversion, that they even began to declaim from the pulpits against the detention of their "inheritance." In the meantime, a step was made in this direction. They were directed to prepare a statement of the tithes which had been impropriated in their respective parishes—a task which they no doubt executed *con amore*, and with no disposition to frame an estimate that should fall short of the truth. The nobles, on the other hand, were naturally desirous of estimating at the lowest possible value the property which they had surreptitiously acquired, and which they were now called on to relinquish. In the midst of these competitions, another order of men, whose interest in this matter, though great, had been hitherto overlooked, unexpectedly threw the weight of their influence into the scale of the clergy. These were the proprietors of the land, who had long suffered grievously from the arbitrary and oppressive manner in which the tithes were frequently collected by the nobility. According to the law of Scotland, the crops were not permitted to be removed from the fields until the tenth part had been collected by the *titulars*, or proprietors of the teinds; and this operation was often, through neglect or wanton tyranny, so long delayed that the products of the soil were damaged, or entirely destroyed, before they could be garnered by the husbandman. This grievance had attracted the attention of parliament, by whom it was partly alleviated, but was still far from being entirely removed. The landholders, accordingly, who naturally expected relief from any change that should free them from the vexatious interference of the nobility, concurred with the clergy in their application to the king for the resumption, and a more equitable distribution of the tithes.† The influence of this numerous body of men contributed not a little to strengthen the hands of the king, and to confirm him in his resolution. A commission was issued to certain noblemen and gentlemen to receive the surrender of impropriated tithes and benefices, with power to decide on any doubtful or disputed points; and proscen-

Surrender of the teinds.

* Burnet's History, vol. i. p. 24; Row's History, p. 265.

* Row's History, MS., p. 265.

† King's Large Declaration concerning the late Tumult, in Scotland, written by Dr. Balcanqual; Treatise of Tithes, MS., Advocates' Library.

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tions were at the same time instituted against such as had refused compliance with the king's demand. The nobles thus subjected to separate prosecutions, and no longer acting in combination, found themselves individually unable to cope with the power of the crown. The weakest or least refractory being first selected, had no alternative but submission; and the rest, intimidated by their example, and weakened by disunion, were incapable of resistance, and reluctantly yielded.* They surrendered the teinds at a valuation fixed by the commissioners; and, in the meantime, they were to receive the annual rents until these should be redeemed by the crown. The proprietors of the soil were also empowered to sue for a valuation, or *modus*, and to purchase such of the tithes of their own estates as had not been appropriated by churchmen. Few of them, however, were possessed of means sufficient to make such purchases, and they had, therefore, small reason to exult in a privilege which they soon found to be more nominal than real. It was not to be expected that, in a country where money was so scarce as it was in Scotland at this period, nine years' valuation, which was the rate fixed, and which was then almost equal to the price of the land, could in many instances be afforded for the purchase of tithes.† Such, indeed, was the poverty even of the crown itself, that it was unable to redeem the feu duties of the church lands, so that a small proportion of the tithes still remained unpurchased.‡ It has been well remarked, that, "if the tithes had been gratuitously restored to the landholders, their attachment would have been secured by a benefit exceeding their most sanguine expectations; and the nobles, when counterbalanced by a numerous and powerful body, must have acquiesced in the sudden loss of a recent and invidious revenue out of the estates of their neighbours."§ As it was, with the exception of the prelates, these proceedings were satisfactory to no party in the State. To the nobles they were a source of general and permanent discontent, which was aggravated by every purchase of tithes that took place, and every national grievance that happened to arise.

Discontent of the nobility.

In the northern districts of the island the disorganised state of society, which had caused so much uneasiness to the government during the last reign, still continued. Deadly feuds between tribes, families, and even single individuals, were of constant occurrence, and were often attended by the most shocking barbarities, perpetrated in open defiance of the law, and with perfect impunity. While the strength of the government was exhausted in a contest with the people on the subject of ecclesiastical forms, discipline, and government, a large portion of the kingdom, in a great measure left to itself, was fast relapsing into a state of primitive barbarism and anarchy. An accidental misunderstanding, which had arisen between the Barons of Frendraught and Rothiemay, led to several atrocious murders, which were allowed to pass without any legal investigation.* Many of the friends of both parties, including the old Marquis of Huntley, subsequently became involved in the quarrel; and the vassals of that nobleman, uniting with those of Rothiemay, ravaged the lands of Frendraught, hanged one of his tenants, and carried off a large booty, which they disposed of by public sale. Frendraught having fled to Edinburgh, complained of these outrages to the privy council, who issued an order for Huntley to appear before them. He attempted to excuse himself on the plea of old age and infirmity; but the council were inexorable. He was outlawed for contumacy; and some of his friends, who appeared on his behalf, were thrown into prison. Having, however, afterwards made his appearance, his sentence was reversed, and he was about to be set at liberty on his entering into a bond to keep the peace, when he was accused by Captain Adam Gordon, who was himself deeply implicated in these lawless proceedings, of being the prime mover in all the disorders by which the peace of the north had been disturbed. On this charge he was arrested, and placed in close confinement in the castle; and though released shortly afterwards by an order from the king, his health seems to have sunk under his rigorous treatment. He expired at Dundee, on his way home, in the seventy-fourth year of his age, professing a steadfast attachment to the Roman Catholic faith.†

State of the Highlands.

About this time, the restless valour of the northern population found an outlet by a new channel. Mackay, Lord Reay, had levied a regiment in the north to be employed in the service of the King of Denmark, and this band, disciplined by experienced officers, after two campaigns against the emperor, which lasted for three years, received an honourable discharge. Instead, however, of disbanding and returning home, they enlisted under the banners of Gustavus Adolphus, King of Sweden, who had already in his army several Scottish officers. Great numbers of their countrymen soon entered into the same service, and the whole were subsequently incorporated into a national brigade consisting of four regiments, and numbering upwards of ten thousand men.‡ When about to embark in the invasion of Germany, Gustavus was anxious to obtain the assistance of the British monarch, and Charles agreed to support him with a force of six thousand men, on condition of his making an affort to procure the restitution of the Palatinate. As Charles, however, was at that time engaged in a negotiation with the emperor for the same object, he considered it necessary to

Scottish troops in foreign service.

* Large Declaration, p. 7; Heylin's Life of Laud, p. 238.

† Aikman, vol. iii. p. 388; Large Declaration, pp. 9, 10; Burnet, vol. i. pp. 23, 24; Memoirs of the Duke of Hamilton, p. 30; Guthrie, vol. ix. pp. 149, 181; Cook's History, vol. ii. p. 385; Laing, vol. iii. p. 103.

‡ Laing, vol. iii. p. 104.

§ Ibid.

* See Appendix, G.

† Aikman, vol. iii. p. 392.

‡ Monro's Expedition under Gustavus.

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preserve an apparent neutrality. Instead, therefore, of openly assisting Gustavus, he made a private arrangement with the Marquis of Hamilton, then a young man, directing him to conclude, in his own name, a treaty with the King of Sweden, and to furnish him with the stipulated number of troops. The embarkation of the expedition was retarded by an accusation of treason brought against Hamilton by Lord Ochiltree, son of the infamous Captain James Stuart, who, during the minority of the late sovereign, had usurped the titles and estates of the house of Hamilton.* The story, which appears to have been a malicious fabrication, was that Colonel Ramsay, the agent employed in the negotiation with Gustavus, had told Lord Reay that the troops about to be levied, instead of being destined for Germany, were to be employed in raising Hamilton to the throne of Scotland. The king heard this absurd story with scornful incredulity, and, with many expressions of affectionate regard, refused Hamilton's urgent request to be put upon his trial, as a proceeding altogether unnecessary. Ochiltree, however, was brought to task, when all he could allege in support of his accusation was a vague rumour, the truth of which Ramsay unhesitatingly denied. Ochiltree was now sent down to Scotland to be tried for *leasing making*, which at that time was a capital offence. He was convicted, but his punishment was commuted into perpetual imprisonment in the Castle of Blackness. He was confined there for twenty years, but was ultimately set at liberty by Cromwell. Ramsay and Lord Reay, who had endeavoured to criminate each other, were, according to a barbarous and absurd custom, long since happily abolished, adjudged a trial by judicial combat. For this purpose a stage was erected in Tothill Fields, Westminster, and the two combatants, richly apparelled, having mounted it, were on the point of commencing the fight when an order arrived from the king prohibiting the combat.†

Treaty of the Marquis of Hamilton with the King of Sweden.

Hamilton falsely accused by Lord Ochiltree.

The causes of delay being now removed, the troops sailed from Yarmouth Roads on the 16th of July, and on the 4th of August arrived in safety on the banks of the Oder. Their numbers amounted to upwards of six thousand men; but an exaggerated report, representing them as twenty thousand strong, had a very material effect on the result of the campaign. That rumour having reached the Elector of Saxony, who was hesitating what course to pursue, he immediately declared in favour of the invaders, joined them with all his forces, and encouraged all the Protestant princes of Germany to follow his example. This unexpected movement constrained Tilly, the imperial general, to draw off large detachments for the reinforcement of his garrisons; and his army being thus weakened, was signally defeated by the Swedes and their auxiliaries at the battle of Leipzic. The Scottish brigade distinguished themselves in this engagement, and contributed largely to the victory by which it was crowned. On this occasion the Scots first employed the method of platoon firing, which spread terror and amazement through the ranks of the Austrians.* By this decisive victory, the whole German empire was laid open to the invaders, from the shores of the Baltic to the Rhine, and from the mouth of the Oder to the sources of the Danube. At a conference which, a short time previous to this battle, was held between Gustavus and Hamilton at Werben, on the Elbe, a plan of co-operation was arranged by which, in order to secure a retreat in the event of a reverse, British troops were stationed at Custrin, Frankfort, and Lansberg.

Good services of the Scottish brigade in the campaign against the imperialists.

Hamilton now marched with his victorious forces towards Silesia, and after taking the frontier town of Guben, advanced upon Glogau, which, as it was not in a condition to offer any effectual resistance, would in all probability have been speedily reduced. But at this crisis he was suddenly recalled by Gustavus to Custrin, and thence dispatched to assist in the reduction of Magdeburgh, which had been previously sacked by the imperialists under Tilly, when upwards of thirty thousand of the peaceable inhabitants were cruelly put to the sword. When on the point of encountering a force which was advancing to the relief of the place, he was superseded by Bannier, who arrived bringing with him an order from Gustavus to assume the command of the Dutch and German forces, but not to hazard a battle. On this Hamilton returned to Saltza, and having taken up an advantageous position, refused to abandon it. In the meantime Pappenheim, the imperial general, obtained possession of Magdeburgh, but, despairing of being able to retain it, he had the dexterity to evacuate the place, and in the face of a force far outnumbering his own, to carry off unmolested a valuable booty.† Hamilton afterwards took possession of the town; but his force, wasted by pestilence, privation, and the sword, was now reduced to two regiments, which it was judged expedient ultimately to incorporate with the Swedish army. Charles now pressed for the restoration of the Elector Palatine; but Gustavus, whose ambition had expanded with his conquests, and who had begun to entertain the vast idea of subjugating all Germany to his sway, refused his concurrence except on conditions which would reduce the Elector to the rank of a vassal, and the Palatinate to a mere province of the Swedish monarchy.‡ Hamilton was in consequence recalled with disgust, and the compact with Sweden was annulled. Gustavus, a few weeks afterwards, fell in the battle of Lutzen, just as his troops were achieving their greatest and most memorable vic-

Recall of Hamilton.

* Burnet's Memoirs, p. 5.
† Laing, vol. iii. p. 107; Aikman, vol. iii. p. 393.

* Hart's History of Gustavus, vol. i. p. 407.
† Burnet's Memoirs, p. 20; Laing, vol. iii. p. 108.
‡ Balfour's MSS., quoted by Guthrie, vol. ix. p. 206.

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tory. After the death of Gustavus, the veteran Scots continued to follow the fortunes of his generals, and were from time to time joined by fresh bands of their countrymen, eager to participate in their life of perilous adventure, and to pursue, like them, the path of military renown.

Charles, who had now reached the tenth year of his reign, had long felt a desire to revisit Scotland, the land of his nativity, and the ancient kingdom of a long line of his royal ancestors. His visit had hitherto been delayed by the unsettled state of public affairs in his southern dominions; but a temporary calm had now ensued, of which he resolved to take advantage for the gratification of his long-cherished wish. He left London on the 17th of May, accompanied by a numerous and splendid retinue. Besides the officers of the royal household, who formed a body of no inconsiderable magnitude, he was attended by about five hundred English noblemen, gentlemen, and ecclesiastics, including the bigoted and intolerant Laud, afterwards Archbishop of Canterbury, who came to regulate the forms of devotion in the Scottish Church. The king's progress through England was in the style of magnificence customary at this period. On his arrival at Berwick he remained four days, and his subsequent journey to the capital of Scotland was performed with undiminished pomp and display. At Seton he became the guest of the Earl of Winton, and at Dalkeith he was entertained by the Earl of Morton; and both these noblemen emulated the English nobility in the costly grandeur of the reception which they accorded to their royal visitor. Such, indeed, was the extravagant and senseless profusion of many of the Scottish nobility on this occasion, that the embarrassment and even ruin in which some of them were thereby involved, became subsequently a partial cause of disquiet.* Charles left Dalkeith on the 15th of June, and, according to the old custom, made his public entry into the capital by the West Port. Ere he had reached this barrier, however, he was met by Drummond of Hawthornden, who welcomed him in a long congratulatory address, abounding in fulsome adulation, which did no honour to his fine poetical genius. The pageantry on this occasion exceeded in magnificence and costliness anything of that description that had ever been exhibited in Scotland. The reception which Charles met with from all ranks of his northern subjects evinced a depth and fervour of loyalty which it had been well for him, and for the country, if he had wisely laboured to conserve. On his entering the gates he was received by the magistrates and other members of the municipal council in their robes of office—those of the magistrates consisting of red velvet trimmed with fur, while the council were arrayed in black gowns faced with velvet. The provost, after a short address, presented the king with a basin of pure gold, valued at five thousand merks, and into this costly receptacle were poured from a purse, richly embroidered, a thousand double golden angels. This valuable gift, however, was claimed by the Marquis of Hamilton, master of the king's horse, as one of the perquisites of his office. The royal procession now moved onward amid the acclamations of the assembled citizens, and after a series of ceremonious interruptions at different points on the route, Charles, who rode on horseback, the better to be seen by his affectionate subjects, at length reached

Charles resolves to visit Scotland—

—his progress—

—arrival at Edinburgh—his reception.

"That noble, stately dome
Where Scotia's kings of other years,
Famed heroes, had their royal home."

Such was the anxiety of the Scots to efface the impression of that poverty with which they had been taunted by their English fellow-subjects, that they expended on this reception, including the present, forty-one thousand four hundred and eighty-nine pounds Scottish money.*

Next day being Sunday, the king attended the chapel-royal, where a sermon was preached by the Bishop of Dunblane. The interior of the edifice had been newly fitted up in anticipation of the royal visit, and embellished with many curious and costly ornaments.

The ceremony of the coronation took place on the Tuesday following. Charles's popularity had reached its height. We are now to witness its decline and utter extinction. Many circumstances which were intended to render the celebration imposing and impressive, excited in the minds of the people profound abhorrence, as well as anxiety and alarm. An altar was erected, covered with tapestry, and behind it was hung a piece of gorgeous tapestry, embroidered with a crucifix, before which the bishops, as they passed, were observed to bow the knee.† On the altar were placed two books, or something meant to resemble books, with clasps, two chandeliers, two wax tapers unlighted, and an empty silver basin.‡ The prelates were arrayed in blue silk embroidered robes reaching to the feet; and above these were worn white rochets, with lawn sleeves and loops of gold. These innovations, which were regarded as harbingers of popery, and were scarcely less offensive to the people than the mass itself, were imputed to Laud, who, by his furious zeal in the cause of episcopacy, in its most exaggerated form, had acquired an ascendancy over the mind of the king, and rendered himself odious to the great body of the Scottish people. Even the more moderate among the prelates were scandalised by the semi-Romish practices which he laboured to introduce. On this occasion, the Archbishop of Glasgow refused to officiate in the garish apparel that had been provided for him—on which Laud became so exasperated, that, laying violent hands on the recusant prelate, he dragged him from his seat by the king's side, in the presence of the

Coronation of Charles.

* Clarendon, vol. i. p. 79.

* Row's MSS., Maitland's History of Edinburgh.
† Spalding's Troubles in Scotland, vol. i. p. 26.
‡ Ibid.

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whole august assembly.* The crown was placed on the king's head by Spottiswood, Archbishop of St. Andrew's; and the Bishop of Moray, who had been appointed to the office of lord-almoner, exercised his new functions in scattering among the spectators within the chapel handfuls of silver medals commemorative of the coronation of Charles as king of Scotland. The coronation sermon was preached by Laud, and consisted, for the most part, of an intemperate and declamatory harangue in favour of conformity.†

Meeting of parliament.

On the day after the coronation, a parliament was held in the Tolbooth of Edinburgh, whither the king proceeded in great state, surrounded by his English footguard, and attended by the high officers of the crown and the whole Estates. He was mounted on a chestnut-coloured horse, and was arrayed in a purple velvet robe, which had been worn on solemn occasions by his ancestor, James IV., and which was of such ample dimensions that it flowed over the tail of his charger, and was only prevented from sweeping the ground by being borne up by five grooms of honour who walked behind; on his head was a hat surmounted by a bunch of white feathers. The cavalcade proceeded from the abbey up the Canongate, Netherbow, and High Street, in the centre of which a pathway was railed in, while thousands of the assembled citizens thronged the space on each side. The sword of state was carried by the Earl of Buchan, the sceptre by the Earl of Rothes, and the crown by the Marquis of Douglas, who had on his right hand the Duke of Lennox, and on his left the Marquis of Hamilton.‡

This parliament sat only two days. The first was devoted to the election of the lords of the articles; and, to secure their subserviency to the court, a new artifice was employed. The prelates were named by the chancellor; they, in turn, nominated the temporal peers, and both conjointly selected the burgesses and lesser barons from the third estate. On the second day a subsidy was granted, the largest that had ever been voted to any king of Scotland. A land tax of thirty shillings, to subsist for six years, was agreed to, amounting in the aggregate to four hundred thousand pounds Scotch, besides the sixteenth penny of all annual rents or interest of money. In addition to this, the rate of interest, which was then at ten per cent., was reduced to eight, and the two per cent. thus kept back from the creditor were granted for three years to the government.

The Scottish parliament, shortly after the accession of James to the throne of England, had servilely passed an act extending the royal prerogative as far as the despotic tendencies of that monarch inclined him to assume; and three years afterwards they conceded to him the power of prescribing the robes to be worn by judges, lawyers, and magistrates, and of regulating the apparel of ecclesiastics. The latter, which was intended merely as a piece of courtly adulation, flattering to James's vanity and weakness, was conferred as a personal favour, but was never meant to establish a precedent. These two acts the lords of the articles now artfully combined with an act confirming all the statutes respecting religion as then established. The parliament, however, though sufficiently obsequious to have confirmed the royal prerogative to the most unlimited extent, had the sagacity to perceive the designs of the apparently harmless claim of the king to regulate ecclesiastical vestments. Judging from the gaudy trappings worn by the prelates at the coronation, they saw reason to expect the introduction of the cope and the white surplice, which were so intimately associated with the superstition and idolatry of Rome; while a confirmation of religion, as then established, would be lending the whole authority of the state to the perpetuation of all the recent changes, and, through the undefined extent of the royal prerogative, perhaps opening a door for farther innovations still more abhorrent to the people. On the reading of the act, Lord Melville, an aged nobleman, exclaimed, "I have sworn with your father and the whole kingdom to the Confession of Faith, in which the innovations intended by these articles were solemnly abjured."* The unanswerable argument contained in this brief but forcible address took the king wholly by surprise. He attempted no reply, but, evidently much discomposed, after a few moments' hesitation retired to an adjoining chamber. On his return, the members were proceeding to resume their deliberations, when the king, in contemptuous violation of the privileges of parliament, authoritatively commanded them not to debate, but to vote. The Earl of Rothes, who led the opposition, proposed that, as so much difference of opinion existed respecting the clerical habits, the acts should be considered separately. This, however, would be to traverse the subtle policy of the court. The king peremptorily refused to accept of the act confirming the prerogative apart from that for the regulation of ecclesiastical costume, and insisted that both should be passed or both rejected; and, at the same time, producing a list of the members, he exclaimed, "Your names are here, I shall know to-day who will do me service."† This undisguised attempt to overawe the members of the legislature by the threatened displeasure of the sovereign, was succeeded by an act of criminal baseness without a parallel in parliamentary history. On the vote being taken, it was found that the articles were rejected by a majority—fifteen peers and forty-five commoners having voted against them; and, amongst the minority, it was

Violation of the privileges of parliament by the king.

* Crawford, sect. ix. p. 12; Row, p. 278; Rushworth, vol. ii. p. 152; Spalding, vol. i. p. 23.
† Aikman, vol. iii. p. 397.
‡ Spalding, vol. i. pp. 23, 24.

* Laing, vol. iii. p. 111; Row, p. 218.
† Ibid.; Burnet's History; History of Church and State, MS.

even asserted that there were several peers who had voted twice—first in their capacity as officers of state, and afterwards as members of the legislature.* Notwithstanding this, the lord-register, Sir John Hay of Landes, had the effrontery to report that the articles were carried in the affirmative. There cannot be a doubt that this outrageous and shameless violation of truth and honesty was perpetrated with the connivance of the king and the court, who had reserved it as a last resource in case of defeat. It is not to be supposed that Hay would have placed himself in such a perilous position without express authority, as a falsification of the parliamentary record was a capital crime. Hay, indeed, was a fit instrument to be employed in such a nefarious transaction. He is characterised as "a sworn enemy to religion, and a slave to the bishops." On the announcement of the register, the Earl of Rothes immediately rose and contradicted it, affirming that the votes had been either falsely reported or wrongly collected, and that the negatives were the majority. The conduct of the king, if it did not betray his complicity, fully identified him with this vile fraud. Although he had before him the list which he had previously produced, and on which he had marked the votes with his own hand, he interposed his authority to prevent a scrutiny, and declared the report of the register to be conclusive, unless Rothes should choose to appear at the bar of the house and accuse him of having falsified the parliamentary record. He at the same time warned the pertinacious earl, that as this would be tantamount to a charge of treason, he would, if he failed to prove it, expose himself to a capital punishment. With the example of Lord Ochiltree before him, Rothes prudently declined to exercise this dangerous privilege; and the acts which had just been negatived by the legislature, received the royal assent, and, being touched by the sceptre, became law.†

Falsification of the parliamentary record.

This infamous conduct was fatal to Charles's popularity in Scotland. The loyal and affectionate sentiments which had pervaded the public mind on his first arrival were exchanged for feelings of disappointment, suspicion, and disgust. The parliament, though in general meanly subservient to the court, was regarded by the people as their only legal protection against the encroachments of arbitrary power; but if its members were thus to be overawed, its deliberations repressed, and its records vitiated, it was plain that even the semblance of public liberty was at an end, and that the most wanton acts of oppression might now be perpetrated, unchallenged, by the king and his council. These sentiments, which were generally entertained, and openly expressed by the people, were participated in by the nobility, including even those who had voted for the obnoxious articles. They saw that a blow had been aimed at their independence, that their voice in the legislature was about to be reduced to a mere empty form, and that their personal influence as peers of parliament, in the management of public affairs, was on the point of being extinguished. The nobles, whose opposition had been marked by the king, now dreaded the effect of his resentment. The least they had to expect was exclusion from his favour, and from all share in the titles of honour which he was now scattering with a profusion that diminished their value. During his brief residence in Scotland, he conferred the honour of knighthood on not fewer than fifty-four individuals; and at his coronation alone he created eight lords, two viscounts, ten earls, and one marquis. The king's wrath against the lords of the opposition was studiously inflamed by the bishops, who represented them as the personal enemies of the sovereign, and as the authors or abettors of schism and sedition. As they had anticipated, they were shut out from every ray of royal favour; the king took every opportunity of mortifying them by his neglect or open contempt; and, when they appeared at court, he either received them in sullen silence, or assailed them with bitter and insolent reproaches, by which he at once lowered his own dignity, and excited, as he afterwards experienced, the very enmity with which they were then falsely charged. In a tour which he made through a portion of the country, he publicly insulted them by his haughty and scornful treatment. He had visited Linlithgow, Stirling, and other places of interest; and when proceeding to Dunfermline, the place of his birth, the Earl of Rothes, then sheriff of Fife, and Lord Lindsay, acting as baillie of the regality of St. Andrew's, desirous of testifying their loyalty to their sovereign, assembled the gentlemen of the county and other friends, to the number of two thousand horsemen, to welcome the king on his entrance into the shire. Similar honours had been paid by the gentlemen of other counties, and had been graciously accepted by Charles; but on this occasion his majesty testified his contempt by changing his route, and proceeding by a private and unfrequented path, and the loyal cavalcade, after impatiently awaiting his approach for several hours, at last became aware of the insult with which they had been treated, and indignantly dispersed. Contempt is less easily forgotten or forgiven than positive injury, and not even kings can indulge it with impunity. The conduct of Charles on this occasion contributed not a little to alienate the affections of the people of Scotland. He himself was among the first to observe the alteration in their demeanour, though it was evident from the surprise he expressed that he was blind to its cause. He had been addressing himself to Lesley, the Bishop of the Isles, in terms of astonishment at his sudden loss of popular favour, when that prelate made the remarkable and well-known reply, that "the behaviour of the Scots was like that of the Jews,

Unpopularity of Charles.

Displeasure of the king with the opposition lords.

* Crawford, sect. ix. p. 24.

† Burnet's History, vol. i. p. 29; Rutherford's Letters, part iii., letter 40.

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who one day saluted the Lord's Anointed with hosannahs, and the next cried out, Crucify him."*

Narrow escape of the king from drowning.

On his majesty's return from Fife, he narrowly escaped being drowned in the Frith of Forth. When about half way across, a sudden squall arose, which upset the boat containing his plate, and he himself with much difficulty and danger got on board a ship of war which happened to be near, and which conveyed him in safety to Leith.†

Arminian controversy.

In the midst of the dissensions regarding ecclesiastical discipline and rites, the nation was still farther agitated by a new element of contention affecting some of the fundamental doctrines of the Christian religion. The peculiar tenets of Arminius had found their way into the Church, and were zealously advocated by no less an authority than that of Laud, who at this time, on the demise of Abbot, Archbishop of Canterbury, had been promoted to the primacy. As these doctrines were generally believed to be the harbingers of popery, the excitement of the clergy still attached to presbyterianism, as well as of their adherents, who formed the great mass of the nation, was raised to the highest pitch.

Charles now began to think of terminating a visit which had lost him the confidence and affections of his Scottish subjects, without apparently producing to himself any solid or compensating advantage; but before his departure he was guilty of a piece of superstitious folly, which was regarded by every rational and well-informed person with supreme contempt. This was no other than the solemn farce of pretending to cure scrofula by the royal touch. On the 4th of June, the day dedicated to St. John the Baptist, he repaired in state to the chapel-royal, where one hundred diseased persons were assembled, awaiting the performance of the ceremony. After presenting an offering upon the altar, he condescended to touch them all individually; and in commemoration of such a remarkable event, to suspend by a white silken ribbon from the neck of each patient a gold medal coined expressly for the occasion.‡

Pretended cure of scrofula by the royal touch.

Departure of the king. Birth of Prince James.

Charles quitted the Scottish capital on the 18th of July, and proceeded directly to Berwick. Here he left his retinue, with the exception of forty individuals, attended by whom he posted precipitately to Greenwich, to visit the queen, who had recently given birth to her second son, afterwards James VII. of Scotland and Second of England.

Shortly before the departure of the king, the peers who had incurred his displeasure by their opposition in parliament, and who had been stigmatised by the prelates as enemies to the government, anxious to vindicate their characters from this unmerited reproach, prepared an humble petition to his majesty, in which they requested him, in the most respectful terms, to consider that in the deliberations of parliament on matters of public importance differences of opinion had always existed, but no prince had hitherto visited with his displeasure those peers who had voted in the minority. While they admitted the royal prerogative in its most unlimited form, they were desirous of explaining to his majesty that they had been constrained to dissent from the articles of which it formed a part, through an apprehension, which was generally entertained, that some important innovations in ecclesiastical matters were about to be introduced. They were confirmed in these apprehensions by the circumstance that divers papists had been admitted into parliament, and even chosen as lords of the articles, in contravention of the laws by which they were declared incapable of forming a part of any judicial tribunal; and they modestly complained that by the conjunction of the act of 1609 respecting ecclesiastical habits, with that of 1606 regarding the prerogative, they had been compelled either to appear to act undutifully towards his majesty by voting against the prerogative, of which they approved, or to violate their consciences by assenting to a measure which they had reason to believe was the harbinger of farther innovations in the Church. They noticed, as an evidence of their loyalty, the readiness with which they had concurred in voting the supplies; and they implored his majesty to re-consider the articles from which they had dissented, and which they conscientiously believed would in their operation be followed by most pernicious consequences, both to the government of his majesty and to the common-weal. Before formally presenting this supplication, it was prudently resolved to give intimation of it to the king. This office was devolved upon Lord Rothes, by whom the scroll was submitted to the royal inspection. While perusing it, Charles manifested strong symptoms of anger and impatience, and on returning it to Rothes, he said sternly, "No more of this, my lord, I command you." This ungracious reception, accompanied with such a peremptory order from the despotic monarch, induced the petitioners to abandon their design.

Supplication of the opposition lords.

Lord Balmerino had, in consequence of his father's disgrace, long lived in retirement, and abstained from all interference in public affairs; but, on the king's visit to Scotland, he had appeared at court, and attended in his place in parliament; and being one of those who had voted against the obnoxious articles, he had been noted by the king, and excluded from royal favour. He had concurred in the petition, and it happened that after all intention of presenting it had been given up, a copy of it still remained in his possession. After the return of Charles to England, finding the public dissatisfaction daily increasing, it occurred to Balmerino, that if the terms of the petition were so softened as to render it acceptable to the king, its presentation might yet be of service to the state.

* Crawford, MS., sect. ix. p. 24; Clarendon, vol. i. p. 80; Rushworth, vol. ii. p. 183.
† Aikman, vol. iii. p. 403.
‡ Ibid.

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Under this impression he submitted the scroll to one Dunmoor, a notary, for his advice and assistance and allowed him to carry it home, under strict injunctions that he should not permit it to be transcribed, or even show it to any one. Notwithstanding this, Dunmoor, under a promise of secrecy, exhibited it to Hay of Naughton, Balmerino's private enemy, who surreptitiously obtained a copy, and, in violation of his promise, communicated it to the Archbishop of St. Andrew's. The crafty prelate immediately repaired to court, and laid the document before the king. He characterised it as a paper of most mischievous tendency, falsely affirmed that it was circulated throughout Scotland in order to obtain subscriptions, and urged the king to make a severe example of some of the refractory nobles as a warning to the rest, declaring that nothing but their opposition had rendered so many of the clergy averse to the surplice. Acting on this suggestion, the king issued a commission to inquire into the supposed offence. By a vague and general law, capable of being extended in the hands of the crown lawyers, so as to bring within its toils almost any individual obnoxious to the court, *leasing*, as it was termed, or the uttering, by speech or writing, anything tending to excite sedition, or to sow dissension between the king and his subjects, was declared to be a capital crime; and all to whose knowledge such reports should come were held to be guilty of the same offence, and liable to the same punishment, if they did not inform against the authors or propagators of the seditious libel, or cause them to be apprehended and delivered up to the public authorities. On this absurd and oppressive law it was determined that proceedings should be instituted against Balmerino, and on a warrant obtained by Spottiswood, the unfortunate nobleman was arrested and confined in the Castle of Edinburgh. The real author of the offensive petition, Haig, an advocate, having been apprised of these proceedings, escaped from the country, and took refuge in Holland.

Arrest and imprisonment of Balmerino—

In the meantime, diligent preparation was made for the trial of Balmerino, or perhaps, to speak more precisely, for securing his condemnation. It is not easy to see in what Balmerino's alleged crime consisted. The petition was in itself inoffensive, loyal, and respectful; it had already been shown to the king, though not formally presented, and it could not, therefore, on any principle of common sense, be held criminal in one of the petitioners to communicate a copy of it under the seal of secrecy to a confidential friend. But Balmerino had offended the king and the prelates by his opposition in parliament, and, moreover, the greater part of his estates consisted of church lands; and his enemies, led on by the Archbishop of St. Andrew's, backed by the influence of the court, and instigated at once by cupidity and revenge, had recourse to the meanest and most unworthy artifices in order to crush their unfortunate victim. He was arraigned on a charge of leasing-making, as the author and abettor of a seditious petition, which was described in the indictment as a mischievous libel, "that depraved the laws, and misconstrued the proceedings of the king in the late parliament; so seditious, that its thoughts infected the very air—a cockatrice which a good subject should have crushed in the egg."* The charge of authorship, which was known to be untenable, and which is even contradicted by a subsequent part of the indictment, was founded on the slight circumstance that certain interlineations in the handwriting of the accused were discovered in the copy in his possession; while the charge of abetting proceeded on the allegation that he had concealed the petition, and suffered the author to escape. In order if possible to insure a conviction, the management of the trial, and the task of looking out for a jury adapted to the purpose, were confided to the Earl of Traquair, the lord-treasurer, a man of high ability, and of great powers of persuasion, who, as the event showed, was in league with the venal judges and officers of state for the perversion of justice. Three assessors, all known to be hostile to the accused, were appointed to the justice-general by the lords of session. These were Learmont, one of their own number; Hay, lord-register; and Spottiswood, their president, second son of the Archbishop of St. Andrew's, the active and zealous instigator of the prosecution.† Balmerino, who pleaded for himself, reminded the court that the act relating to the concealment of a seditious libel, or neglecting to secure its author, had never in a single instance been enforced, and must therefore, from its manifest severity and injustice, have been considered unfit for execution, and allowed to pass into abeyance. He represented that, even were this otherwise, the act could not apply to cases like the present, in which the sedition, if there was any, was so occult, that it was impossible to discover it without the decision of the court. On the contrary, he never viewed the petition in any other light than as a dutiful and respectful address to his majesty, with a view to conciliate his favour, and to exculpate the petitioners from the charge of disloyalty, by explaining the motives of their public conduct. He remarked, that while he approved of the petition in general, he was dissatisfied with some expressions, which his interlineations were intended to soften, but that such alterations could not reasonably be held to constitute the very offence they were meant to obviate. In conclusion, the matter had been communicated by Lord Rothes to the king, and his majesty having signified his displeasure, all intention of presenting the petition had been abandoned. This statement was corroborated by the Earl of Rothes; but the assessors, nevertheless, sustained the indictment, and referred it to a jury, to be selected from a list furnished mainly or entirely by the Earl of Traquair. At that time the juries in Scotland were nominated by the presiding judge from a return

—his trial.

* State Trials, vol. i.
† Laing, vol. iii. p. 118.

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made by the clerk of court, and peremptory challenges were unknown to the law. On this occasion, out of fifteen jurymen who had been nominated, nine were challenged either as the personal enemies of the accused, or as having prejudged the matter they were appointed to investigate. One only of these challenges was sustained. This was in the case of the Earl of Dumfries, who had been heard to say, that if the panel were as innocent as St. Paul, he would find him guilty. The exclusion, however, of the earl was not due to the justice of the court, but to the objection of the lord-advocate. The Earl of Traquair was nominated in his stead; and it now became evident to Balmerino that his condemnation was predetermined by his judges, and that the jury had been selected either from their known subserviency to the crown, or their personal hostility to himself. But notwithstanding all the care that had been bestowed on the selection, the case for the prosecution was on the very point of breaking down from a most unexpected circumstance. Among the persons who had been chosen to serve on the jury was Gordon of Buckie, who had been concerned, about half a century before, in conjunction with the Earl of Huntley, in the murder of the Earl of Moray, and who, on that account, was regarded as one of the most unscrupulous of the number. No sooner, however, had the jury retired to deliberate, than he rose and addressed them, and, with tears streaming down his aged cheeks, and in a voice half choked with emotion, implored them to consider that the life of an innocent man was at stake, whose blood, if they should unjustly condemn him, would lie heavy on their souls to the last hour of their lives. He declared that he had, at an early period of his life, imbrued his hands in innocent blood—a crime for which, indeed, he had obtained a pardon from his sovereign, but that he had passed many sorrowful days and nights before he had obtained peace of conscience from a belief that he had received forgiveness from God. This pathetic appeal produced a visible impression on the jury; but Traquair, who acted as their foreman, remarked, that the point they were called on to determine was neither the severity of the law, which the court had no power to alter, nor the nature of the petition, which the court had already declared to be seditious, but simply whether the prisoner had known of it, and concealed the author. It was contended, on the other hand, by the Earl of Lauderdale, that the jury were judges both of the law and the fact; that a severe law, which, after subsisting for many years, had never been acted on, must be held to be annulled; and that although after the petition had been declared by the court to be seditious, it would be criminal to conceal it, yet as this could not be known until that declaration had been made, it could not be deemed necessary to make the petition known. Various other members of the jury joined in this discussion, which was warmly maintained for several hours, and at its conclusion, on the votes being taken, the jury was found to be equally divided. A verdict of guilty was, however, obtained by the casting vote of Traquair, their foreman, and sentence of death was immediately pronounced on the unfortunate nobleman; but its execution, to the great dissatisfaction of the bishops, the most active agents in the prosecution, was delayed during the pleasure of the king.*

—his condemnation.

The proceedings against Balmerino excited an extraordinary ferment in the public mind. Notwithstanding the utmost efforts of the magistrates to prevent any popular demonstration, crowds assembled tumultuously in the streets during the trial. Some prayed aloud for the preservation of Balmerino, and publicly applauded the efforts of his friends in his defence, while others imprecated vengeance on the heads of his enemies. When the result became known, the indignation of the populace knew no bounds, and a most alarming crisis seemed to be at hand. Men assembled in secret to deliberate what course to pursue, and a resolution was adopted either to break open the doors of the prison and set Balmerino at liberty, or, if that attempt should fail, to avenge his death on the judges by whom he had been condemned, and the jurors who had concurred in his conviction. Nor was this determination a mere empty ebullition of impotent passion. The actors in the contemplated tragedy had their parts actually assigned to them. One party undertook to burn the houses of the obnoxious individuals, and another to put them to death. Traquair, on learning his danger, hastened to court, and represented to his majesty that although Balmerino had justly forfeited his life, it would not be advisable in the present state of Scotland to carry the sentence passed against him into execution. After a tedious imprisonment, a warrant was granted for his liberation; but it was not until some months afterwards that the doom which still hung over him was cancelled by a reluctant pardon. The forgiveness thus extended to a man who had been guilty of no crime has been by some historians ascribed, though with great improbability, to the intercession of Laud, while others have absurdly imputed it to the royal clemency.† But, in point of fact, it was a concession extorted from Charles by public opinion—an element in the social system which has been subsequently more fully developed, and which no government, however strong, can now safely disregard.

Popular commotion.

Liberation and pardon of Balmerino.

The persecution of Balmerino, as impolitic as it was unjust, was fatal to the interests of Charles in Scotland. The great body of the people had long beheld, with sullen though helpless discontent, the perversion of the course of justice, the gradual extinction of public liberty, the invasion of the independence of parliament, and the encroachments of arbitrary power.

Popular discontent.

* State Trials; Burnet's History; Balfour's Annals, MS.; Row's History, p. 293.

† State Trials, p. 291; Burnet's History, vol. i. p. 31.

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The nobility, who had hitherto regarded these discontents with indifference, were now constrained to make common cause with the people. They began to see that their hereditary rank, wealth, and influence, afforded them no protection from the tyranny of the crown, or the still more intolerable tyranny of the prelates. The fate of Balmerino, whose only offence was his opposition to the court in his legitimate capacity as a member of the legislature, convinced them that innocence could no longer shield them from punishment, if they should happen to incur the suspicion of the monarch or the resentment of the bishops; and that all freedom of speech or writing, in any matter of public interest, was only to be exercised at the hazard of liberty or life. An expression casually dropped in a moment of disappointment or irritation, or still worse, if merely overheard, and concealed through motives of honour, friendship, or humanity, might involve an innocent man in ruin. Even the last refuge of the oppressed, complaint and petition, were now held as crimes of the first magnitude: complaint was sedition, remonstrance and petition were treasonable offences. Were the ancient and haughty nobility of Scotland tamely to bend the neck to the double yoke of royal and ecclesiastical oppression? Were all patriotic aspirations to be stifled within their own bosoms, that a bigoted and tyrannical prince, and a body of vulgar, servile, and intolerant ecclesiastics might be left free to work their will, to trample down the liberties of the nation, and to lay its most venerated institutions prostrate in the dust? It was believed that popular indignation alone had saved Balmerino; and it was recollected that a union between the nobles and the people had in former times proved more than a match for a despotical monarch and an intolerant priesthood. Already had the nobles begun to contemplate a return to this policy of their ancestors, and to look for safety to themselves, and deliverance for the nation, to a general confederacy of all ranks of the community.

In the meantime the ambition and rapacity of the clergy became every day more offensive. They aimed at nothing less than seizing on the whole temporal as well as ecclesiastical power in the State. Not a secular office of political influence, and especially of any considerable emolument, became vacant that was not eagerly, and, in general, successfully grasped at by some aspiring churchman. None of that order had ever since the Reformation been permitted to hold the office of chancellor, but at this time, on the death of Kinnoul, who held the great seal, his office was conferred on Archbishop Spottiswood, who, though now far advanced in life, was ambitious to occupy the first position under the crown, as well as to fill the highest office in the Church. The second office in the State, that of lord-treasurer, which had been held by Traquair, was next solicited by Maxwell, Bishop of Ross; and such was the worldly ambition of ecclesiastical dignitaries, and the ready acquiescence of the king in their insatiable demands, that, of fourteen prelates, not fewer than nine had found their way into the privy council. Their influence in the management of public affairs thus became irresistible, and their presumption and arrogance, which were commensurate with their power, gave deep offence to the nobility,* and contributed, in the end, to hasten their downfall. They now proposed a revival of the order of mitred abbots, to supersede the lords of erection in parliament, and to be endowed with their impropriated tithes and revenues. They also procured a warrant from the king authorising them to establish, in the various dioceses into which the country was divided, subordinate courts, invested with all the unconstitutional and inquisitorial powers of the court of high commission. Armed with an authority almost unlimited and irresponsible, and mistaking the gloomy silence of the nation for submission or apathy, they proceeded to the most arbitrary and wanton acts of oppression. Among other instances of high-handed tyranny with which the records of that period abound, one may be cited as a specimen. The aged minister of Kirkcudbright, Robert Glendinning, then in his eightieth year, having refused either to conform, or to admit into his pulpit any of the conforming clergy, was deprived by the Bishop of Galloway in the commission court of his diocese; and because the magistrates of Kirkcudbright persisted in attending the ministrations of their pastor, and his son, who was one of their number, refused to imprison his venerable parent, the whole of them were, by an order of the bishop, consigned to the jail at Wigton.†

Spottiswood appointed chancellor. Worldly ambition of ecclesiastics.

Tyranny of the Bishop of Galloway.

A crisis was now rapidly approaching, and it was not long before that point was reached beyond which endurance ceases. By a royal mandate alone, without the intervention of a General Assembly, and contrary to the advice and remonstrances of the privy council, and even many of the prelates themselves, the whole system of presbyterian polity and worship was abrogated, and the book of canons and the liturgy violently thrust upon the people of Scotland; while the impugning of these compilations in any point, opposition to the authority of the bishops, or a refusal to conform to the new ritual, was followed by excommunication, which subjected the contumacious to the highest civil penalties. Even the rights of private citizenship were abridged, and the liberty of the press destroyed, by ecclesiastical authority, with a view to its own consolidation. No one was allowed to exercise the profession of a secular teacher, either privately or in public schools, without a licence from the archbishop of the district; and no book was allowed to be printed, unless it had been previously perused and approved of by functionaries appointed, for that purpose, to whose discretion was left the

Abrogation of presbyterianism by royal edict.

* Hist. Motuum, Clarendon, vol. i. p. 87.
† Aikman, vol. iii. p. 411.

penalty of disobedience.* The universal alarm and indignation of all ranks at this crisis were aggravated by the belief or suspicion that the ecclesiastical changes now sought to be effected were preparatory to the introduction of popery itself. Nor do these fears appear to have been altogether groundless, for it was held as a maxim by Laud, and many of the Scottish prelates, that the Church of Rome, though greatly corrupted, was still to be revered as the original or mother Church, to which, by mutual concessions, Protestants might eventually be reconciled.†

The great point aimed at in the meantime was, complete conformity between the two sections of the kingdom in ecclesiastical matters. This was an object which Laud had so much at heart, and to accomplish which he made such strenuous efforts, that he has been by some historians held responsible for all the fatal consequences that followed the attempt to enforce it. "His zeal for an uniformity between the two nations in point of liturgy," says Dr. Welwood, "proved the fatal torch which put the two kingdoms into a flame." During the visit of Charles to Scotland, when this important matter was under consideration, it was proposed to introduce the English Prayer-book, with a view to insure complete uniformity. This, however, was a point which the Scottish prelates, notwithstanding all their pliancy, were unwilling to concede. They were jealous of the least appearance of dependence on the Church of England, and desired a liturgy of their own. Laud endeavoured to overcome their reluctance by representing to them that uniformity was not only desirable in itself, but was necessary in order to stop the mouths of the papists, whose creed admitted of no diversity, and who, glorying in its fixed and unchangeable character, which they regarded as a consequence, if not an evidence of infallibility, taunted Protestants for admitting different liturgies.‡ The Scottish bishops, however, for once were inflexible, and the king and Laud felt constrained to acquiesce, without even obtaining any assurance of conformity. The utmost they could extort from the obstinate prelates was, a promise that the prayers should contain nothing either heretical or seditious.§ The task of compiling a national liturgy was devolved on the Bishops of Ross and Dunblane; but, when completed, it was found to differ from that of the English Church chiefly in the title. The substance, with the exception of a few slight variations, omissions, and additions, was identical. In proportion, however, as it had receded from the English service-book, it was found to have approached the Romish missal; and, on its being sent to London for revisal, some alterations were made by Laud, which rendered the approximation still closer. The instructions which accompanied the new liturgy rendered it still more unacceptable to the people of Scotland. The alms of the congregation were appointed to be presented as an offering on the communion-table, which was decorated with a sumptuous covering, and placed in the east; and the deacon, when presenting the offerings to be placed on the altar, was to offer a memorial or prayer of oblation. In the celebration of the eucharist, the officiating clergyman was directed to pass from the north side to the front of the altar, and to stand with his back to the congregation while he consecrated the elements. The form of prayer prescribed for this occasion seems to have been purposely framed so as to express, though in a manner somewhat ambiguous, the detested doctrine of transubstantiation. "Hear us, merciful Father," so the invocation runs, "and out of thy omnipotent goodness grant that Thou mayest so bless and sanctify, by thy word and Holy Spirit, these thy gifts, these thy creatures of bread and wine, that they may be to us the body and blood of thy beloved Son." In apparent imitation of the elevation of the host, the minister was directed by a note on the margin, while pronouncing the words "This is my body," to lift up the plate containing the bread in his hands, and in like manner to elevate the cup while repeating the words, "This is the blood of the New Testament." The baptismal water poured into the font was directed to be consecrated by prayer, and the sign of the cross to be made with it in baptism. It was further enjoined that the water should be changed and consecrated twice a month, and reserved in the font for future administration. The ring was appointed to be employed in marriage, which was regarded as a religious ceremony rather than a civil contract. Finally, thanks were ordered to be offered for departed saints, in imitation of the Romish practice of praying for the dead; and several new names were, at the same time, added to the calendar. These deviations from the English ritual, instead of rendering the new liturgy more acceptable, only increased the suspicion and intensified the aversion of the people. It was reported and believed that Laud and the bishops had conspired surreptitiously to introduce the mass, of which, it was alleged, the new liturgy was a translation. The alarm thus occasioned, far from being confined to the populace, affected all ranks of the community, including nearly the whole of the nobility.

Compilation of a liturgy for Scotland.

When the liturgy was in course of formation, it was impossible to expect that its observance could be enforced without some fresh show of royal authority. Accordingly a book of canons was compiled, and confirmed by the royal supremacy, which was in turn absurdly confirmed by the same code of ecclesiastical law, and extended to "whatever the kings of Israel or the emperors of the primitive Church had assumed."*

Compilation of the book of canons. Opposition of the presbyterians.

* Aikman, vol. iii. p. 411.
† Laing, vol. iii. p. 127.
‡ Collier's Ecclesiastical History, vol. ii. p. 767.
§ Clarendon, vol. i. p. 82; Guthrie's Memoirs, p. 18; Laud's Troubles and Trials, p. 103.

* Laing, vol. iii. p. 125.

On the publication of the canons, the whole body of the presbyterians manifested unmistakeable symptoms of determined and uncompromising opposition. Their objections were twofold, and applied both to the matter enjoined and to the manner in which it was imposed. It may be proper to specify at length some of the articles chiefly objected to, as they will serve to throw light on the popular commotions by which the country was shortly afterwards convulsed, and of which, in fact, they were the primary cause.

1. "That whosoever should affirm the king's majesty had not the same authority in causes ecclesiastical that the godly kings had among the Jews, or the Christian emperors in the primitive Church, or impugn in any part his royal supremacy in causes ecclesiastical, was to incur the censure of excommunication.

2. "The like censure was to pass upon those who should affirm the worship contained in the book of common prayer and administration of the sacraments, or that the government of the Church by archbishops and bishops, &c., contained anything repugnant to the Scriptures, or was corrupt, superstitious, or unlawful in the service and worship of God."

In estimating the severity of this penalty, it should be kept in mind that it involved, as its civil effects, the terrible punishment of confiscation and outlawry.

3. "That ordinations were restrained in four terms of the year, that is, the first weeks of March, June, September, and December.

4. "That every ecclesiastical person, at his admission, should take the oath of supremacy according to the form required by parliament; and the like oath for avoiding simony, required in the book of consecration.

5. "That every presbyter shall, either by himself or by another person lawfully called, read or cause divine service to be done, according to the form of the book of the Scottish common prayer, before all sermons; and that he should officiate by the said book of common prayer in all the offices, parts, and rubrics of it."

Absurd as it may seem, this canon, as well as the second and fifteenth, refer to the new liturgy, which had not only never been seen by the parties on whom it was enjoined, but which, as it was not then completed, could not have been seen even by the king himself, on whose authority it was sought to be enforced.

6. "That no preacher should impugn the doctrine delivered by another in the same church, or any adjacent one, without leave from the bishop.

7. "That no presbyter should hereafter be cautioner or surety for any person whatsoever, in civil bonds or contracts, under the penalty of suspension.

8. "That the remainder of the bread and wine prepared for the communion should be given to the poorer sort of those who received that day, and which was to be eat and drank by them before they went out of the church."

This canon gave special offence, as it was supposed tacitly to imply that the elements had been actually transubstantiated.

9. "Presbyters are enjoined to administer the sacrament of baptism without distinction of days in case of sickness and danger, and the people are required to receive the sacrament of the Lord's supper in a kneeling position.

10. "That in all sentences of separation, *a thoro et mensa*, there shall be a condition inserted, and security given, that the persons divorced shall live regularly and unlicentiously, and not marry again during each other's life.

11. "That no private meeting be held by presbyters, or any other persons whatsoever, for expounding Scripture or debating matters ecclesiastical; things of this nature being only to be discussed in synods of bishops.

12. "That, under the penalty of excommunication, no presbyter or layman, jointly or severally, shall be allowed to make rules, orders, or constitutions, in causes ecclesiastical, or to add or take away from any rubrics, articles, or other things now established, without the authority of the king or his successors.

13. "That national or general assemblies are to be called only by the king's authority, and that the decrees of such assemblies, in matters ecclesiastical, should bind the absent; and that it should not be lawful for the bishops themselves, in such assemblies or elsewhere, to alter any article, rubric, canon, doctrinal or disciplinary, without his majesty's leave first had and obtained.

14. "That no man should be covered in time of divine service, unless with a cap or night-coif in case of ill health; and that all persons shall reverently kneel at the reading the confession, and other prayers, and stand up at the creed.

15. "That no presbyter or reader shall be permitted to pray *ex tempore*, or use any other form in the public service than that prescribed, under the penalty of deprivation.

16. "That all presbyters and preachers shall exhort the people to join with them in prayer, using some few and suitable expressions, and always concluding with the Lord's Prayer.

17. "That no person should teach, either in public schools or private houses, unless licensed by the archbishop of the province, or by the bishop of the diocese, under their hand and seal; and that none are thus to be licensed, unless men of orthodox belief and conformity to the orders of the Church.

18. "That none should be admitted to read in any college without qualifying themselves by taking the oaths of allegiance and supremacy.

19. "That nothing shall be printed unless first perused and allowed by the *visitors* appointed for that purpose, the penalty of contravention being left (as in all other cases where no penalty is expressed) to the discretion of the bishops.

20. "That no public fasts shall be appointed upon *Sundays* (as has been customary), and that the

appointment of such humiliations be made by none but his majesty.

21. "That for administering the sacrament of baptism a font shall be prepared, and fixed near the church-porch, according to ancient usage; that a fine linen cloth should likewise be provided for this purpose, and all decently kept.

22. "That a decent table for celebrating the holy communion should be provided, and set at the upper end of the chancel or church. That, at the time of divine service, the table shall be covered with a handsome stuff carpet, and when the holy eucharist is administered, with a white linen cloth; and that basins, cups, and chalices, of some fine metal, shall be provided to furnish the communion-table, and used only for that purpose.

23. "That such bishops and presbyters as shall happen to be without issue, shall leave their effects, or a great part of them, to pious uses; and in case they had issue, they should bestow some legacies, as a mark of their affection, upon the Church, and for promoting the interest of religion.

24. "That no sentence of excommunication should be pronounced, or absolution given, by any presbyter without the leave and approbation of the bishop; and that no presbyter should discover anything told him in confession to any person whatsoever, excepting the crime is such that by the laws of the realm his own life may be in danger by concealing it.

25. "And, lastly, that no person shall be admitted to holy orders, nor suffered to preach, catechise, administer the sacraments, or perform any other ecclesiastical function without first subscribing the canons."*

The publication of these canons excited a profound sensation throughout Scotland. Even the most moderate objected to the almost absolute authority and unlimited jurisdiction which they conferred on the bishops, and saw in them either the revival, or a prelude to the revival, of popish idolatry and superstition. The authority by which they were imposed, so contrary to the usage of the Church, at once shocked and alarmed the presbyterian party. They had never been discussed, much less passed by their assemblies, which were thus virtually ignored; while the simple authority of the sovereign had usurped their place, and handed over the Church to the control of a junto of ambitious and intolerant ecclesiastics, whose tendency towards popery was painfully evident. The whole structure of ecclesiastical polity which had been established at the Reformation, and which had then and subsequently been solemnly and repeatedly ratified by the Estates in parliament, was now overturned at one blow. The convening of general assemblies now depended solely on the royal will and pleasure; while the subordinate church courts were proscribed as unlawful conventicles, and all ecclesiastical causes made cognisable by a tribunal composed of bishops alone. Even men who cared little about church government or modes of worship were now arrayed in hostility against the obnoxious canons, by which they perceived that their civil liberties were undermined, and freedom of speech and writing restrained by the dread of an ecclesiastical sentence followed by most disastrous civil penalties.

* Collier's History, vol. ii. p. 763.

Proclamation enjoining conformity.

In the meantime, a proclamation had been issued, announcing the completion of the liturgy, and enjoining universal conformity at the approaching Easter term, to the ritual therein prescribed. All archbishops, bishops, and subordinate church functionaries were ordered, under the penalty of escheat, to provide themselves before that time with two copies of the work, and diligently to enforce conformity by bringing all recusants to condign punishment.

When the publication made its appearance, no threats could protect it from animadversion. It was keenly criticised both in public and private. Its manifest approach in various particulars to the Romish missal was openly and unsparingly condemned; and many of its clauses were boldly denounced from the pulpit, where it formed a constant theme of exciting discourse. The jealousy of the presbyterian party being now roused to the utmost, they imagined they saw, even in words and actions in themselves innocent or indifferent, some indications of that idolatry which was to them an object of unmitigated abhorrence. A general panic seized upon the nation; alarm and suspicion became epidemic and contagious. Exaggerated statements were industriously circulated and greedily believed, and writings were dispersed throughout the country calculated to awaken and perpetuate the vigilance of the presbyterians, and to prepare their minds for a struggle, of the precise nature and full extent of which the most far-seeing had as yet formed only indistinct conceptions. Meanwhile the bishops, with most impolitic zeal, fanned the flame of popular indignation by demanding unreserved obedience to the new ritual in baptism, communion, marriage, burial, prayers, ordination, and preaching, and threatening the contumacious with the ecclesiastical censures inferring deprivation, confiscation, and outlawry.* The presbyterians were thus placed between two fires. To obey would have been not only to do violence to their consciences, but to expose themselves to the reproaches of their brethren, who would not fail to fasten on them the odious charge of idolatry; while to refuse compliance was to incur the risk of ruinous civil penalties, and the imputation at once of hostility to the Church and disaffection to the sovereign. The mutual antipathies of the two parties grew stronger every day; the breach was widened by misapprehensions and misconstructions; and a religious schism, at least, if not a social and political convulsion, seemed to thoughtful and discerning men to be at hand. Meantime the govern-

Excited state of the public mind.

* Baillie.

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ment appeared to exhibit symptoms of irresolution. The day appointed for the introduction of the liturgy had been allowed to pass by without any further attempt to enforce obedience. This delay has been variously accounted for, but there can scarcely be a doubt that it was mainly extorted from the fears not only of the government, but of many of the more moderate among the prelates, who were anxious that the minds of men should be gradually prepared for a change, which, if suddenly and violently thrust upon them, might arouse an opposition too strong to be resisted. The chancellor, and some of the king's faithful friends, apprehensive of the coming storm, ventured to counsel the suspension of his mandate. As far back as the time of Mary, they observed, a fire had been kindled in Scotland which was not yet quenched, and which now, by precipitate measures, might be fanned into a flame which his majesty should never see extinguished.* Others strongly advised a delay of some months, in order that in the interval measures might be concerted for crushing the recusants, and thus rendering the failure of their attempts conducive to the king's design.† Hope, the king's advocate, who was favourable to the presbyterian party, and even the Bishop of Edinburgh, threw their influence into the same scale, and laboured earnestly to obstruct the publication of the new ritual. In the meantime, the presbyterians were not idle. Attributing the delay that had taken place to the timidity and weakness of the government, they called on the nobles and all other friends to their cause, to unite in the formation of a firm league in defence of their civil and religious privileges; and many of their leaders repaired to the capital to concert measures to meet the crisis which was now evidently impending.

That crisis was unexpectedly precipitated through the cupidity of Spottiswood, who had previously manifested so strong a desire to avert it. That prelate, desirous of increasing his already ample revenues by obtaining possession of the tithes of the Abbey of St. Andrew's, which had hitherto been appropriated to the clergy of his diocese, now proposed to fix the salaries of these subordinate ecclesiastical functionaries, and to render them payable by their respective parishes. But the tithes of many of these parishes had already been sold or exhausted; and the Duke of Lennox, the titular from whom they had been purchased, having received money in advance from the tacksmen, was naturally averse to a project which would inevitably bring discredit on his own reputation and that of his family. He accordingly made application to Traquair, the treasurer, and that nobleman, who had not yet forgiven the prelates for attempting to seize upon his office, procured a warrant for the dissolution of the commission of tithes. Enraged at the frustration of his scheme, the archbishop prepared for a visit to court to lay his complaint before the sovereign; and the Archbishop of Glasgow, who had been engaged in a similar design, and had, of course, been similarly disappointed, determined to accompany him. Before setting out, however, they were anxious to do something to conciliate the favour of the king, and of the English primate, in order to obtain a more favourable reception, and a more attentive hearing to their complaint against the treasurer. Though the two Scottish prelates had hitherto, probably from caution, been averse to the precipitate introduction of the liturgy, they now rashly procured an order from the king for its immediate observance; and on the 16th of July intimation was made in all the churches in Edinburgh, that, by the express command of his majesty, the Scottish liturgy should be publicly read on the next Lord's-day. One clergyman alone, Mr. Andrew Ramsay, refused to publish this mandate—an act of disobedience for which he was immediately suspended from his office.

The king orders the immediate observance of the liturgy.

During the interval the greatest agitation prevailed throughout the city. Murmurs and complaints were heard in all quarters; meetings were held, discourses delivered, and pamphlets published, tending to inflame the public mind against the bishops, who were denounced as the authors of these innovations. Notwithstanding all these symptoms of an approaching storm, the haughty prelates, confident in their own strength, backed by the royal authority, made no effort to allay the popular ferment—no attempt, by argument or explanation, to ensure a favourable reception of the new ritual, and no provision against a popular outbreak, if such should occur. On Sunday, the 23rd of July, the Bishop of Argyle, according to appointment, officiated in the forenoon in the Greyfriars' Church. No violent commotion took place, but the voice of the prelate was frequently drowned in the audible weeping, groans, and lamentations of a great part of the audience. At the same time the Dean of Edinburgh prepared to officiate in what was then called the *Great Church*, now known by the name of St. Giles's Cathedral. He was attended by the chancellor, several of the lords of the privy council, many of the prelates, the judges of the supreme courts, and the magistrates of the city; whilst the vast edifice was crowded by citizens of all ranks, most of whom had probably been attracted by the novelty of the procedure. Quiet prevailed until the dean made his appearance in the pulpit arrayed in his surplice, and began to read the service, when an old woman named Janet Geddes suddenly started up, and exclaiming, "Villain, dost thou say mass at my lug!" hurled at the dean's head the stool on which she had been sitting.* In an instant the service was interrupted, and a scene of uproar and confusion ensued such as was probably never before witnessed in such a place. Many of those by whom Janet

Disturbance in the High Church of Edinburgh.

* Crawford, sect. ix. p. 35.
† Rapin, vol. ii. p. 261.

* Memoirs of the Church of Scotland, by Defoe, p. 179; Gordon of Straloch's History, MS. Advocates' Library.

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was surrounded followed her example, a promiscuous crowd, consisting chiefly of women, invaded the desk with loud execrations and menaces, and the dean, afraid of being torn in pieces, threw off his surplice and fled. The Bishop of Edinburgh then ascended the pulpit, and endeavoured to restore order, but in vain. His attempts to address the people seemed to add fresh fuel to the conflagration. Stones, sticks, and other missiles were thrown at him from every quarter, and, but for the timely interference of the magistrates, the bishop might have fallen a sacrifice to the popular fury. The most outrageous of the rioters were at length, though not without much difficulty, expelled, and the doors having been securely bolted to prevent their return, the dean, emerging from his hiding-place, resumed the service, which however was speedily interrupted or rendered inaudible by the multitude without. The doors were violently assaulted, and the windows broken, amidst deafening shouts of "A pope! a pope! Antichrist! Pull him down! Stone him!" After the conclusion of the service, the dean had the prudence and dexterity to steal away privately, and conceal himself from the infuriated multitude; but the Bishop of Edinburgh, who was an object of intense popular dislike, was either possessed of more personal courage or underrated his danger. He accordingly ventured to show himself in the public street, where he was immediately assailed by the populace, and was compelled to seek for shelter in the first staircase he could reach. Thither he was eagerly followed by some of the more daring and forward of his persecutors, who were proceeding to drag him from his lurking-place, when fortunately the Earl of Roxburgh, who happened to be passing in his coach, seeing the imminent peril to which the prelate was exposed, drove impetuously through the crowd, and succeeded, with the assistance of his servants, in pulling the hapless bishop into the carriage. But his danger was not yet over. Volleys of stones and other missiles were discharged at the vehicle, and, had it not been for the earl's attendants, who with drawn swords drove back the multitude, the introduction of the liturgy would most probably have been sealed with the blood of the unfortunate prelate.

Assault on the Bishop of Edinburgh.

Ridiculous attempts were made at the time, and have been subsequently repeated, to represent this tumult—which undoubtedly had no parallel since the Reformation*—as the result of a regularly organised conspiracy. It has been even asserted that it originated in a consultation held in the month of April preceding, by Messrs. Alexander Henderson and David Dickson, with Lord Balmerino and Sir Thomas Hope of Craighall, the king's advocate.† There is reason to believe that this statement is purely fabulous. The consternation of the bishops, and the humiliating circumstance of their having been driven from their posts by a commotion originating in the fiery zeal of an obscure old woman, naturally led them to exaggerate the whole affair. The chancellor, whose pride was deeply mortified, wrote in this strain to the king; and, at the same time, took the opportunity of aiming a blow at the credit of his old enemy, the treasurer, by partly ascribing the disturbance to his absence. On the strictest investigation, however, there was found no reason to believe that it had resulted from any preconcerted plan. The rioters, it appeared, belonged exclusively to the lowest class of the populace, and of these a large proportion consisted of women. The privy council, and the town-council of Edinburgh, in their representation of the matter to the king, assured his majesty "that, after all inquiry made, it did not at all appear that any above the meaner sort were accessory to that tumult."*

On the following day, the popular ferment continued unabated, business was in a great measure suspended, and tumultuous assemblages crowded the public streets, and held the whole city in a state of feverish excitement. Alarmed by these manifestations, the privy council assembled and issued a proclamation forbidding all disorderly meetings under pain of death, and commanding the magistrates to use the utmost diligence in apprehending such as had been concerned in the uproar of the preceding day. There is no reason to believe that the magistrates yielded a lax or reluctant obedience, but the result clearly showed the spontaneous nature of the disturbance, and the class of persons mainly concerned in it. Some half-a-dozen servant girls were apprehended and committed to prison. The magistrates, who of course were responsible for the peace of the city, felt that, like the town-clerk of Ephesus, they were "in danger to be called in question for this day's uproar." They were especially anxious to deprecate the resentment of Laud, which they dreaded more than even that of the king. They accordingly wrote in abject terms to the imperious and haughty primate, expressing deep concern for what had occurred, protesting their own loyal intentions as evinced by their previous dutiful behaviour, entreating him to intercede with his majesty in their behalf, and promising active and implicit obedience for the time to come. They further offered to give additional stipends to such of the clergy as should conform to the new ecclesiastical arrangements, and to employ every means in their power to secure to them the peaceable exercise of their functions.

In the meantime the city was placed under an ecclesiastical interdict. From an act of the privy council, dated the 29th of July, it appears that the chancellor, in his own name and the names of the other bishops, ordered the reading of the service book to be suspended until his majesty's pleasure regarding the late riots should be farther signified. And as these dignitaries would not tolerate any other than the prescribed form of worship, the week-day meetings which it had been customary

Public worship suspended.

* Baillie.

† Guthrie's Memoirs, p. 23.

* Burnet's Memoirs, p. 32; Rapin, vol. i. p. 301.

to hold for prayer and preaching were prohibited; and, as if the mode of conducting religious exercises was of more importance than the exercises themselves, all public worship was suspended, even on the Sabbath, for the space of a whole month.*

The indignation which such an unusual circumstance could not fail to excite was still further inflamed by the frantic zeal of the prelatical clergy, who chose at this critical juncture to attempt to put in force the former order for the purchase of two copies of the liturgy for each parish. At the instance of the chancellor, letters of horning to that effect were raised against Mr. Alexander Henderson, minister of Leuchars, Mr. George Hamilton, minister of Newburn, and Mr. James Bruce, minister of Kingsbarns;† and similar proceedings were instituted by the Archbishop of Glasgow against every presbytery within his diocese.‡ In these trying circumstances one man of equal talent and intrepidity stood forward in defence of the liberties of the Church. This was Alexander Henderson, who had been formerly an episcopalian, but whom a sermon of Bruce's had some time before been the means of gaining over to presbyterianism.§ When the time allowed had nearly expired, he presented for himself and his brethren a supplication to the privy council praying that the charge might be suspended, because the new ritual had neither been decreed by a General Assembly, nor authorised by parliament, whereas the presbyterian discipline and form of worship had been settled by the Church as the only competent authority, and confirmed by repeated statutes.‖ Similar petitions were presented by the presbyteries of Irvine, Glasgow, and Ayr, and were recommended by letters from several of the principal nobility, and seconded by the personal application of many influential gentlemen to their friends in the council. To the great mortification of the bishops, these applications were favourably received, and the council decided that the purchase only, not the observance of the liturgy, was required by the charge. The order for reading the liturgy was suspended until further instructions from the king; but, in order to defray the expense of printing the books, they were ordered to be purchased.

The fears of the privy council lest a further persistence in the attempt to force the liturgy on the Church of Scotland might be productive of a dangerous disaffection to the government, were manifested by a representation which they now addressed to the king, in which they informed his majesty that the aversion of the people to the liturgy was daily increasing, and was rapidly spreading among all ranks; that the murmuring and discontent were greater than had ever before been known in Scotland; that they should be guilty of dereliction of duty were they any longer to conceal from their sovereign the alarming condition of the country; and that they durst neither investigate its causes, nor propose a remedy without his permission. They therefore prayed that his majesty would be pleased to call before him some of their number by whom he might be more fully informed on this momentous subject.

All further procedure in the matter was postponed until the 20th of September, and the council intimated to the supplicant ministers that, by that time, an answer should be returned to their petitions.* The petitioners warmly expressed their gratitude to the privy council for this welcome respite, as well as for the favourable representation which had been made to his majesty; and, in the short interval allowed them, resolved to stir up themselves and their brethren to earnest prayer for the prosperity of their cause, and the most strenuous exertions to meet the approaching crisis. The numbers of those openly opposed to the liturgy, and resolved to make a stand in defence of civil and religious liberty daily increased, and they began to exhibit a degree of zeal, activity, and boldness, that at length roused their adversaries from their dream of security. The bishops began to make some exertion to counteract the influence of the popular leaders. They now condescended to attempt a defence of the service-book, and some explanation of its more unpopular passages, in their public discourses from the pulpit. These efforts came all too late. The dignified prelates could not even obtain a patient hearing. Their lectures were interrupted by the indignant outcries of the people, and their persons exposed to insult and menace. By desire of the archbishop, Mr. William Annan, minister of Ayr, preached at the opening of the diocesan assembly of Glasgow, and attempted in his discourse to set up an apology for the liturgy, and to enter on a general defence of set forms of prayer. He was listened to with silent displeasure by the more prudent members of the synod, who judged that, as the matter was then in suspense between the king and the nation, the time chosen for such a disquisition was at least unseasonable. But the great body of the citizens, who held the liturgy in utter abhorrence,† were exasperated to the highest degree; and, when the assembly broke up, the unfortunate preacher was assailed by an infuriated mob, to whose rage he well-nigh fell a victim. He was pursued throughout the day with hootings and execrations, and, on venturing out at night, he was assailed by a multitude of women, chiefly the wives and other near relatives of respectable burgesses, and, in the very presence of the magistrates, was grossly insulted and dangerously maltreated. They beat him with their fists and with stones, and pelted him with peats and other missiles, and after tearing to pieces his hat, coat, and ruff, dismissed him in this woebegone condition to his home. A guard was placed by the magistrates for his protection during the night; and in the morning, when about to take his departure, he was accompanied to his

Disturbances in Glasgow—assault on Mr. William Annan, minister of Ayr.

* Baillie.
† Row's History, p. 326.
‡ Baillie.
§ Aikman, vol. iii. p. 421.
‖ Rushworth, vol. ii. p. 395.

* Baillie.
† Ibid.

horse by the magistrates, and several of the most popular ministers of the town, whose presence, it was hoped, would be sufficient to prevent any fresh outrage. The people collected in great numbers, and although they offered no molestation to the obnoxious clergyman, his horse, startled by their appearance, unhappily fell almost as soon as he had mounted, and rolling over him "in very foule myre," he was so besmeared with mud that the colour of his clothes could not be distinguished. This sad accident called forth a burst of most mortifying exultation and merriment among the crowd, and the hero of so many mishaps, in most undignified plight, at length made his escape out of the town, amid the unrestrained ridicule, noisy mirth, and derision of the populace.*

Increasing strength of the opposition to the liturgy.

The determined opposition of the nation to the designs of the king and the bishops, though at first manifested in a disorderly and tumultuous manner by the lower orders, was speedily joined by the higher classes. In a short time its ranks were swelled by not fewer than twenty noblemen, a great number of barons, and many gentlemen of the first rank. Sixty-eight new supplications were addressed to the council, and among the petitioners, in addition to these noblemen and gentlemen, were nearly a hundred ministers, the provosts of Glasgow, Stirling, Ayr, Irvine, Dunbarton, Dunfermline, Culross, Kirkaldy, Dysart, Cupar, Lanark, Inverkeithing, Burntisland, and Anstruther;† together with commissioners from sixty-eight parishes, chiefly gentlemen of influence and distinction in the counties of Ayr, Fife, Lothian, Clydesdale, and Stirling. These, without any previous concert, flocked to Edinburgh, and many of them first became aware of their common errand by meeting at the door of the council-house.‡

Rash policy of Charles.

The king's answer to the representation of the privy council was now expected with the utmost impatience and anxiety, and had that answer been even moderately conciliatory, prelacy might still have been maintained under some modification, and the public peace might have been soon restored. Charles was now in the very crisis of his fate. To retreat would have been no derogation from his dignity, for the history of the world might have taught him the utter hopelessness of attempting to coerce the will of a resolute and almost unanimous people. To proceed was, therefore, not only contrary to every dictate of sound policy, it was little less than insanity. Charles's evil genius prevailed, and he recklessly sacrificed to his pride or his bigotry his last opportunity of conciliating the affections of his Scottish subjects. His answer to the council was haughty and reproachful. He censured them severely for their lenity, upbraided them with pusillanimity, and peremptorily refused to listen to their prudent suggestion, that some of their number might be called into his majesty's presence, the better to inform him of the alarming state of the public mind. He intimated his dissatisfaction with the intermission of the service, and the remissness both of the council and the municipal authorities in regard to the punishment of those who had been concerned in the late commotions; and issued a proclamation commanding that the new ritual should be immediately resumed. He enjoined strict obedience to the canons, condemned the proceedings of the supplicants, and prohibited them, under pain of treason, from holding public meetings.

* Baillie. † Ibid., p. 129. ‡ Ibid., p. 22.

Union of the opposition.

This rash and injudicious mandate, which was brought down by the Duke of Lennox, did not find the supplicants unprepared. They had been secretly apprised of its purport, and had already resolved to refuse obedience. They embodied their numerous petitions into one general supplication, in which they entreated that the execution of the order for enforcing the service should be delayed until they had liberty to state their reasons of dissent and grounds of complaint. This petition, which was signed by not less than twenty peers, was presented to the council by the Earls of Sutherland and Wemyss in the name of the nobility, barons, ministers, and representatives of burghs. These in one united body, every instant augmented by vast accessions of numbers from all quarters, had arranged themselves for the reception of Lennox, who, struck with astonishment at so unexpected a scene, indirectly apologised for the king's offensive letter by declaring that his majesty had been misinformed. In the meantime, the council delayed answering the petitions until his majesty's pleasure concerning them should be further known; but, in order to allay the excitement which prevailed, they promised to acquaint the petitioners with the king's answer so soon as it should be signified to them, and committed the general supplication, together with certain particular petitions from places which had been hitherto esteemed favourable to the innovations, to the care of the Duke of Lennox, who agreed to transmit them to the king. He was, at the same time, earnestly requested by the council to endeavour to undeceive his majesty regarding the state of public feeling in Scotland on the subject of the new ritual; to report to him the extraordinary scene he had just witnessed; to endeavour to exculpate the council, by representing the overwhelming difficulties by which they were surrounded, and to beseech him to give further instructions for their guidance in this pressing emergency.

Besides this, the council wrote to the king informing him that they had given orders to the bishops immediately to introduce the new service within their different dioceses, and to the boroughs to make choice only of such individuals for magistrates, as were ready to co-operate with the bishops in enforcing the king's order with respect to the liturgy and canons, and they professed their profound sorrow at finding his majesty still dissatisfied with their sincere and loyal endeavours.*

* Baillie.

The magistrates of Edinburgh forced to join the supplicants.

At the same time the magistrates of Edinburgh, partly through the influence of their provost, Sir John Hay, and still more from the dread of incurring the royal displeasure, gave a feigned and reluctant support to the measures of the prelatical clergy. On the 22nd of September, a meeting of the town-council was held by order of the provost in the Tolbooth; but the people, suspicious of their intentions, assembled in great numbers, and bursting tumultuously into the chamber, extorted from the council, by open menace, a promise that they would join the supplicants in petitioning the council against the liturgy, and that the city of Edinburgh should be the last place in the kingdom on which that book should be thrust. Conformably to this promise, the bailies and town-council concurred in a petition, in which they represented their earnest desire to carry out his majesty's intentions to the utmost of their ability; but expressed deep regret that the great confluence of nobility, gentry, ministers, and others, to the town had so encouraged and fortified the great body of the inhabitants in their opposition to the book, that the local authorities could no longer be answerable for the conduct of the citizens, or the maintenance of the public peace; and they therefore earnestly entreated the council not to urge them to attempt more than was practised by the rest of the kingdom. These requests, however, were preferred with many fears and misgivings, lest by their apparent acquiescence in the popular clamour, they should in any degree forfeit the esteem of the king, or incur the displeasure of Laud, whose very name was to them a word of terror. They accordingly wrote to that bigoted and intolerant prelate an humble letter, deprecating his wrath, explaining the difficulties of their situation, the overwhelming opposition with which they had to contend, and the compulsion under which they acted in presuming to supplicate the council; and entreating him to intercede with his majesty in their behalf, that they might still be continued in the enjoyment of his royal favour.*

As the council was not expected to meet again before the 1st of November, the supplicants were eagerly employed during that interval of suspense in augmenting their numbers; and, by means of a regular correspondence between the different parts of the kingdom, preparing for a combined opposition to the encroachments of the court and the prelates.† About the middle of October, however, the chancellor advertised the citizens of Edinburgh that an answer to their supplication might be expected on the 18th of that month. This was regarded by the leaders of the provincial petitioners, many of whom were then in town, as a piece of court intrigue to divide their adherents from the supplicants of the capital; and, under this impression, they instantly dispatched expresses throughout the length and breadth of the country, calling on their friends to assemble in full force in Edinburgh, on the day when the council was expected to meet. This summons was obeyed with the most extraordinary zeal and alacrity, "and so generally," says Bishop Guthrie, "that, besides the increase of noblemen, who had not been formerly there, there were few or no shires on the south side of the Grampian Hills from which came not gentlemen, burghers, ministers, and commons."* Commissioners from not fewer than two hundred parishes besieged the council with their supplications; and as the council-clerk, Mr. James Primrose, received a dollar for each as his fee, his gains amounted, in the course of one or two days, to what was at that period esteemed no inconsiderable sum. While all was yet uncertainty as to the king's answer, the immense multitude—dividing themselves into four bodies, the noblemen, the gentlemen, the ministers, and the burgesses—assembled separately to deliberate as to what was proper to be done. Even at this moment of intense excitement, a promise to withdraw the service-book, or even a conciliatory answer might have allayed the ferment, and saved the prelacy from destruction; but while the several bodies of the supplicants were engaged in consultation they were startled by the intelligence that by order of council, proceeding on the authority and by the express command of the king, two proclamations had just been read at the Cross—the one enjoining the supplicants to quit the city within twenty-four hours, on pain of treason, and transferring the seat of government and the courts of law to Linlithgow, the other postponing indefinitely the further consideration of ecclesiastical affairs by the privy council.

Great resort of noblemen, gentlemen, and others to Edinburgh.

The courts of law removed to Linlithgow.

These proclamations, which were obviously intended by the king to divide and disperse the petitioners, served more closely to cement their union. When their first emotions of astonishment and indignation at the insane policy of Charles had subsided, they unanimously resolved, in open defiance of the king's mandate, not to separate until they had concerted measures for defeating the machinations of their enemies. They drew up a formal accusation against the bishops, as the authors of a liturgy containing the germs of idolatry and superstition, and of canons subversive of the constitution of the Church; while by their attempts to impose them, contrary to the laws of the Church and the realm, they had been the cause of all the troubles that had ensued, or were likely to follow. They therefore humbly craved, "that this matter may be put to trial, and they (the bishops) taken order with, according to the laws of the realm, and that they be not suffered to sit any more as

Accusation against the bishops.

* Baillie.

† Ibid., vol. i. pp. 9—15; Guthrie's Memoirs, p. 27; Historical Information, MS. p. 15

* Guthrie's Memoirs, p. 27.

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judges, until this cause be tried and decided according to justice."* The framing of this accusation was committed to Lord Balmerino and Mr. Alexander Henderson, on the one hand, and to the Earl of Loudoun and Mr. David Dickson, on the other; and the next day, the two forms being submitted to the consideration of the supplicants, the form prepared by the Earl of Loudoun and Mr. Dickson was unanimously adopted. This remarkable document, which was addressed as a memorial to the lords of the secret council, was immediately subscribed by twenty-four noblemen, several hundred gentlemen and ministers, and most of the representatives of boroughs;† and not having been received by the council at this diet, it was shortly after subscribed by fourteen additional noblemen, by a large number of gentlemen, the great body of the ministers, and ultimately by a vast multitude of all classes in every town of the kingdom, with the exception of Aberdeen,‡ where the power and influence of Huntley checked every ebullition of popular feeling, and the most slavish principles were maintained and inculcated by the doctors. They taught that the will of the sovereign was above all law; that his authority was supreme and beyond challenge in all matters, ecclesiastical as well as civil; that even if he should please to order a universal massacre of his subjects, or to command them, under pain of being deprived of liberty, goods, or life itself, to embrace Mahometanism, they had no alternative but absolute, unconditional submission.§

Renewed disturbances in Edinburgh.

While persons of all ranks were eagerly pressing forward to subscribe the accusation, a new and more formidable tumult arose in Edinburgh. The citizens, smarting under a sense of ecclesiastical tyranny, and already ripe for revolt, were still further exasperated by the intended removal of the seat of government and the courts of law. Foreseeing in this measure the degradation, if not the ruin of the capital, they assembled tumultuously, and surrounding the house where the town-council was then convened, demanded that the provost and council should appoint commissioners to unite with the rest of the country in their supplications and complaint; and afterwards reinstate their ministers, Rollock and Ramsay, together with Henderson, a reader, who had been suspended from their offices on account of their opposition to the liturgy. These demands were enforced by the threat—which in all probability would have been put in execution—that unless immediately complied with, not a member of the council should come out alive. The council having no power of resistance, and probably deeming expostulation equally vain and hazardous, quietly submitted to the dictation of the multitude, and appointed commissioners to join with the other supplicants; and passed an act which was subscribed by all the magistrates, restoring the suspended ministers and reader.

Flushed with success, and somewhat mollified by the concessions of the magistrates, the crowd were about to disperse, when their attention was attracted by Sydserf, Bishop of Galloway, who was proceeding towards the Tolbooth; and, recollecting that he had been accused some years before by the Earl of Dumfries of wearing a golden crucifix under his coat, they instantly beset the unfortunate prelate, loaded him with execrations, interrogated him respecting the possession of the forbidden symbol, and tugged and pulled him about in a violent manner. At last the zeal and curiosity of the women proceeded to a personal search, and the bishop was in danger of being denuded of his upper garments, and perhaps even more roughly handled, when some gentlemen interfered, and by their entreaties and expostulations for a moment drew off the attention of his tormentors. In the midst of this parley the bishop stole out of the crowd, and sought shelter in the privy council; but no sooner did his assailants become aware of his escape, than, roused into tenfold fury, they rushed frantically to the council-chamber, and demanded that both he and the provost should be delivered up to them. The Earls of Traquair and Wigton, on learning the perilous situation of the bishop, hastened to his relief, attended by a number of their followers. They succeeded in making their way into the council-room, but, instead of being able to rescue the terrified prelate, they found themselves involved in the same peril. The infuriated multitude, whose numbers were increasing every moment, reiterated their demands with insolent menaces, and seemed ready to burst into the chamber and proceed to acts of the utmost violence. In these alarming circumstances the council applied to the magistrates for protection; but these functionaries, who were as unpopular as themselves, and exposed to similar dangers, could render them no assistance. Despairing of aid from this quarter, Traquair and Wigton at last had the resolution to venture out, and try to prevail on the crowd to disperse. They were listened to without interruption for a few moments, but finding all their efforts ineffectual, they prepared to return to the council. This was the signal for a fresh outburst of popular zeal. They were instantly surrounded, and amidst vehement exclamations of "God defend all those who will defend God's cause!" "God confound the service-book, and all maintainers thereof!" were so pressed on and jostled, that it was with the utmost difficulty they made their way back, and not until the treasurer had lost his hat, his cloak, and his white staff. In a short time the magistrates made their appearance before the council, and declared that, although they had used their utmost efforts to restore order, they found it was not in their power to reduce the people to obedience. Thus impri-

* Baillie.
† Ibid., p. 133.
‡ Ibid., p. 131.
§ Baillie's Letters; Duplyes of the Ministers and Professors of Divinitie in Aberdeen, 1638.

soned and surrounded by an enraged multitude, the council were constrained to submit to the deep humiliation of applying for protection to those very supplicants whom they had so recently ordered to quit the city. With the utmost promptitude the popular lords dispatched some of their number to the relief of the dismayed council. Their appearance instantly allayed the fury of the populace, who, in obedience to their entreaties, began immediately to disperse. Neither insult nor injury was offered to the most obnoxious individuals while under their protection; and, after a short delay, the members of the council were permitted to retire unmolested.

It was an ominous symptom that the principal actors in this tumult did not, as on a former occasion, consist of the lowest orders of the people, but of the principal citizens, their wives, sisters, and other connexions, and even some of the near relations of the magistrates themselves.*

In the afternoon of the same day the council again met, and issued a proclamation, in which, after denouncing in strong terms the tumult that had just occurred, they prohibited, under the highest penalties, any of the inhabitants from appearing in the streets, unless in the prosecution of their necessary affairs.† On the representation, however, of Lord Loudoun, they permitted the petitioners to remain twenty-four hours longer in Edinburgh, and agreed to grant a further dispensation to all who could produce satisfactory evidence that their private affairs required them to prolong their stay.

During the brief interval thus allowed them, an important meeting of the leaders of the supplicants was held in the lodgings of Lord Balmerino. On this occasion measures were, for the first time, concerted for a combined and regularly organised opposition to the encroachments of the king and the prelacy on the civil and ecclesiastical institutions and liberties of the nation; and the project of the celebrated committees or *Tables*, as they were called, which had such an important influence on the subsequent destinies of Scotland, was first suggested.‡ A resolution was also passed, "That they would make the best use that wisdom and diligence could, of every occasion as it presented itself, to get free of the detested books." Before parting, they agreed to meet again on the 15th of November, to await the answer to their supplications, and to take such further steps as circumstances might render necessary to secure the great object of their union.

The privy council and the court of session meet at Linlithgow. They adjourn to Stirling.

On the 1st of November the privy council and the court of session, in accordance with the proclamation, met at Linlithgow, and were formally constituted in the palace; but it was found to be so much out of repair that neither the council nor the court could be conveniently accommodated, and the houses in the town were so mean and uncomfortable that neither the advocates nor writers would attend. The council wrote to the king, apprizing him of these circumstances, and by his order the court was adjourned to Stirling.*

The important 15th of November at last arrived; and as intelligence of the intended meeting had been diligently diffused throughout the country, and intimation of it had been made from most of the pulpits, the supplicants had the satisfaction of finding that their strength and numbers had greatly increased. "Multitudes," says Guthrie, "of all sorts of people (in greater numbers than formerly), from all quarters, came to Edinburgh with their petitions."† Among others of the nobility who had never previously attended was the Earl of Montrose, a young nobleman of great promise, who had just returned from his travels, and was hailed as a valuable accession to the popular party.

The treasurer summoned a meeting of council to be held at Linlithgow on the 14th of November, and, after some consultation, their lordships resolved on adjourning to Edinburgh to watch the course of events, and, if possible, to counteract the movements of the popular leaders. Amazed and alarmed at the increasing numbers of the supplicants, the treasurer, with the Earl of Lauderdale and Lord Lorn, wrote to the supplicant nobles with a view to persuade them that their meeting so frequently and in such numbers was informal, disorderly, and illegal, and tended to disturb the public peace. It was replied that, as the supplicants had arranged themselves into separate companies, and kept mostly within doors, their numbers could occasion little disorder; that the matter of their supplications, being of public importance, and as all his majesty's subjects had an immediate concern in it, their attendance in the capital to await the answer to their petitions was justifiable by reason, law, equity, and custom. They added, the late king had laid it down as an incontrovertible axiom that when religion or the king was in danger, no man ought to keep aloof, but that the whole commonwealth should move at once, not as separate individuals, but as one united body. Ready, however, to take advantage of every circumstance which seemed likely to promote the common cause, they signified their willingness—in order to avoid giving uneasiness by the greatness of their numbers, as well as to prevent trouble and inconvenience to themselves—to chose a limited number of the nobles, two gentlemen from each shire, one minister from each presbytery, and one burgess from each burgh, as commissioners to represent the whole body of the supplicants, to prosecute their accusation against the prelates, and to await the king's answer to their petitions.

Institution of the *Tables*.

The council, who had no instructions from the king to guide them in so unexpected an emergency, and who were probably actuated by the fear of some fresh commotion,

* Baillie; Historical Information, MS. p. 25; Lord Hardwick's State Papers, vol. ii. p. 95; Large Declaration, pp. 33, 39. † Baillie. ‡ Baillie's Letters.

* Baillie's Letters, p. 144. † Guthrie's Memoirs, p. 31.

inconsiderately assented to this proposal. From that moment a new order, an actual *imperium in imperio* was established in the country, and the opponents of the canons and liturgy were consolidated into one vast organised body. Commissioners were immediately appointed, and, as it was arranged that they should meet in separate bodies, each body representing the order to which it belonged, these committees received the designation of the *Tables*—an institution which soon exercised an important influence on the destinies of the country. To obviate the inconvenience to so large a body of commissioners of attending constantly, a committee of four from each Table was appointed to reside in Edinburgh, with power to do everything which their constituents might lawfully do for the furtherance of their common objects, and with instructions to convoke the whole Tables in any extraordinary emergency that might occur.

Thus united, organised, and subordinated to the authority of leaders in whose wisdom they could confide, and under whom they were prepared to act, the vast multitude of the supplicants separated, and returned to their homes.

In a few days afterwards the Earl of Roxburgh arrived from court with a message from the king to the privy council, and that body having assembled at Linlithgow, issued a proclamation setting forth that the petitions presented to the lords of the privy council concerning the service-book had been by them presented to his majesty, who had at first determined to take the same into his royal consideration, "and to give his gracious answer thereanent with all conveniency; but since that time his majesty finding, far contrary to his expectation, that such disorderly, tumultuous, and barbarous insolencies have been committed within the city of Edinburgh, upon the 18th day of October last, to the great contempt of his majesty's authority royal, by abusing his majesty's councillors and officers of state, and others bearing charge and authority under his majesty within the said city, his majesty, in a just resentment of that foul indignity wherein his majesty's honour did so much suffer, has been moved to delay the signification of his majesty's foresaid gracious intention, in giving to his good subjects such satisfactory answer to their petitions as would have been in equity expected from so just and religious a prince; but yet his majesty, being unwilling that his majesty's loyal and faithful subjects should be possessed with unnecessary and groundless doubts and fears, his majesty is pleased out of his goodness to declare that, as he abhors all the superstitions of popery, so he will ever be most careful that nothing be allowed within his majesty's dominions but that which shall tend to the advancement of religion, as it is presently professed within his majesty's ancient kingdom of Scotland, and that nothing is, or will be intended to be done therein against the laudable laws of that his majesty's native kingdom." *

The king's answer to the supplications.

* Act of Council; Baillie; Large Declaration, p. 456.

This answer was universally considered as equivocal and evasive. By the expression "true religion as presently professed," it was believed nothing more was meant than prelacy as at present violently introduced into Scotland. The answer, indeed, contains within itself a striking proof of the king's utter hollowness and reckless mendacity. The petitions were presented in more than sufficient time for an answer to have been received before the riots, which took place in October; and yet his indignation at these riots, in which moreover the supplicants had no concern, is declared to have been the cause of his delay in giving his subjects a "satisfactory answer to their petitions." Notwithstanding all these manifest proofs of insincerity, the popular leaders, more effectually to throw the blame of all the troubles that occurred on the bishops, affected to consider the answer as an explicit and unambiguous expression of his majesty's sentiments, and containing an express disavowal of the late innovations. The duplicity of Charles was further evinced by the secret instructions given to Roxburgh to tamper with the nobles individually, and to labour to corrupt or disunite them. It was found, however, that even the poorest among them were proof against the most tempting offers of posts, pensions, and preferments. To divide them was equally impossible. In vain did Traquair represent to them, in a conference held in the palace at his own request and that of the lord privy seal, that, as the liturgy had now been set aside by the king's declaration in his answer to their petitions, they had already obtained all that they craved, and ought to be satisfied. Where was the security that the service, though nominally withdrawn to-day, might not be re-imposed to-morrow? They would be satisfied with nothing less than its express and formal revocation. Nor was this all: conscious of their own strength, and feeling the advantage of the position they had already gained, they now demanded the withdrawal of the canons, and the abolition of the court of high commission, which they declared to be unconstitutional and illegal. To this the treasurer replied that, even admitting the desirableness of removing these grounds of complaint, yet, as they had to deal with a king, they ought not to presume to dictate, but should leave it to him to prescribe both the time and manner of doing so. He exhorted them, at the same time, not to attempt too much at once, lest by pushing their accusations against the bishops too far or too precipitately, they should contribute rather to their exaltation than their downfall. Their answer was no doubt intended to strengthen their accusation against the prelates. They coldly remarked that their grievances would have been redressed long ago, had the king been truly informed of the unsoundness of the books, or the wickedness of the other innovations complained of.*

Finding they made no impression by these arguments, the officers of state desired that, in order to avoid the appearance of a combination against the

* Baillie.

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government, and to render their supplications more acceptable to his majesty, each order should petition separately and at different times: and that the gentry, whose order was too numerous to assemble in a body, should petition by counties.* The subtle policy of this suggestion was at once detected. Remembering the maxim, "Divide and conquer," the supplicants resisted all attempts to disunite them; while the project of seizing their leaders, which had been secretly contemplated by the council, was considered much too hazardous to be attempted.

Meeting of the council at Dalkeith.

Aware that the council was to meet at Dalkeith on the 12th of December, the commissioners proceeded thither in a body, with a joint petition. The lords of the council, however, tried every artifice in their power to evade receiving them. They sent out a macer, desiring the supplicants to send in their petition by him; but they declined to do so. They then sent out their clerk, desiring that each order should petition separately; but the supplicants refused to comply. A third message was dispatched by the Earl of Southesk and Lord Lorn, with a view to induce the commissioners to alter certain passages in their supplication of the 18th of October; but this also was firmly refused, on the ground that they had no power to make any alteration without the authority of their constituents. In this manner were the supplicants put off with one device after another for three successive days; and being aware that the council were not again to assemble until the following week, they posted two or three of their number, accompanied by a notary, at each door of the council-house, prepared to protest in their own name, and in the name of all who should adhere to them, against the refusal to receive their petitions; against the prelates, while under accusation, being permitted to sit as judges in any tribunal, civil or ecclesiastical; against the infliction of penalties on themselves or others for the non-observance of rites which had been introduced contrary to the statutes of the realm, and without the consent of the General Assembly of the Church; and against their being held responsible for any troubles that might arise in consequence of the refusal of their supplications. The council, however, having been made acquainted with the tenor of the protest, adroitly managed to prevent its presentation by assuring the supplicants of a hearing on the 21st of December, and even so far gratifying them as formally to pass an act to that effect.

The accusation against the bishops presented to the privy council.

On the appointed day the deputies from the commissioners presented themselves before the privy council, which they now found to consist exclusively of laymen, the bishops having previously withdrawn. The accusation was presented by Lord Loudoun, who, in a long and eloquent address, expatiated on the grievances complained of, and especially repudiated the odious imputation of rebellion and conspiracy with which, in the exercise of their undoubted right humbly to supplicate their sovereign for relief, they had been publicly charged by the prelates. He added, in conclusion, "We declare that our desires do chiefly tend to the preservation of true religion and the subject's lawful liberty; neither do we crave the bishops' blood, nor revenge on their persons, but that the abuses and wrongs done by them may be truly remonstrated to his majesty, that, after due trial of the wrongs, such order may be taken as the evils may be remedied, and the power that they have abused may be so restrained, as the like evils may be prevented in time to come." Several of the other deputies followed in speeches less lengthened, but still more vehement; and one of the speakers so affected his auditors, that many of them could not refrain from shedding tears. When the deputies had finished, the lord-treasurer, privy seal, and register, exhorted the ministers to instruct their flocks to be loyal to their sovereign, and to think well of him, especially as regarded the matter of religion. To this admonition, one of the deputies, Mr. James Cunningham, minister of Cumnock, who had already addressed the council with great fervency, promptly replied, "Our consciences and our hearers bear witness that we endeavoured to carry ourselves suitably in this respect, neither had we ever a thought to the contrary; but his majesty was wronged after the manner that Ahasuerus was wronged by Haman, and we are looking to see the way of the Lord's righteousness in his appointed time."

The deputies having been fully heard, the lords of the council expressed a deep interest in the cause of the supplicants; but as they had been expressly forbidden by his majesty to do anything farther in relation to this controversy, they regretted their inability as yet to return any answer to the demands just made. They therefore desired the deputies to wait patiently for a short time, until they had informed his majesty of all these proceedings, and had received his instructions. In the meantime they passed an act, in which they declared that they would represent the weighty and important matters contained in the petitions and supplications to his majesty's royal consideration, and that without prejudice to the declinature given in by the supplicants, that the said supplicants should be heard in time and place convenient, and that in the interval they should "receive no prejudice."

Act of council.

The council now felt themselves placed in very perplexing circumstances. Any longer to conceal from the king the alarming state of the country was impossible, and yet they were keenly alive to the danger of drawing down on themselves the royal displeasure by the unwelcome intelligence which they were about to communicate. At their request, Traquair was summoned to court to lay before his majesty, without reserve, a plain statement of the grievances complained of, the increasing number and influence of the supplicants, and the determined opposition of the great body of the

* Crawford, book iii. sect. 1.

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people to the introduction of the new ritual. As Traquair, however, was suspected of being hostile to the bishops, and even of secretly conniving with the supplicants, his representations respecting the distracted state of the country were considered as exaggerated, and his prudent counsel to withdraw the canons and liturgy was unfortunately disregarded. Traquair's endeavours to undeceive the king were still further counteracted by the President Spottiswood, as well as by his father, the archbishop, who artfully reminded the king that his grandmother, the unfortunate Mary, had succeeded in dispersing the confederated nobles who had conspired against Riccio, by simply denouncing them as traitors. Moved by this representation, and probably still more by the rash and violent counsels of Laud, whose furious bigotry would brook no opposition, Charles fell into the snare thus artfully laid for him, and adopted a policy which ultimately proved fatal to his own projects, and for a time distracted the country. Under strict injunctions, and, it is said, even an oath of secrecy, he transmitted by Traquair a proclamation, in which he stigmatised the accusation against the bishops as contrary to truth and justice, declared that they had done nothing without his express authority, that he himself had carefully examined the service-book and canons, and cordially approved of them, as containing much that was conducive to true piety, and nothing prejudicial to the ancient laws of Scotland, or the religion there professed; he condemned the petitions of the supplicants as derogatory to his supreme authority, and their meetings as conspiracies to disturb the public peace, and concluded by prohibiting all such meetings for the future under pain of treason.*

Rash policy of the king.

On Traquair's arrival, a deputation from the popular lords waited on him, to inquire what answer his majesty had returned to their petitions; but the treasurer kept his secret; no importunity could induce him to divulge the nature of the communication which he had been charged to deliver to the privy council. He significantly hinted, however, that it would be necessary to prevent such numerous convocations of the lieges as had recently taken place in Edinburgh, and that unless these meetings were less frequent, the council would be obliged to prohibit them. In the meantime, the information withheld by Traquair reached Scotland through a different channel. By means of secret agents at court, the nobles were not only made aware of the tenor of Traquair's instructions, but had even obtained a copy of the proclamation. Not a moment was lost in adopting measures to communicate the intelligence to the whole body of the supplicants. There was no alternative now but abject submission or open resistance. The alarm was propagated throughout the country with unprecedented rapidity; and, as it was known that a meeting of the privy council was about to be held in Stirling to receive the despatches brought by the treasurer, the supplicants from all parts of the country were summoned to repair thither for the protection of their leaders.

The supplicants summoned by their leaders to assemble at Stirling.

In vain did the officers of state then in Edinburgh endeavour to dissuade the commissioners of the Tables, for whom they sent, from collecting such an assemblage in the neighbourhood of the council. The policy of the supplicants was to be present at the reading of the proclamation, and immediately to present a protest in the name of the Church and the kingdom, and have direct recourse to the king himself with their supplications. To prevent their following this course, which was considered the only legal one left open to them for their own protection, as well as for the preservation of the liberties of the country, Traquair had no other expedient left than that of anticipating the movements of the supplicants by issuing, ere they were aware, the proclamation prohibiting their assembling. Accordingly, he and the Earl of Roxburgh set out secretly from Edinburgh about two o'clock on Monday morning, the day before the meeting of council had been appointed to be held, in order to have the proclamation published before the supplicants should have collected, or should even be aware of their departure. This undignified stratagem was defeated by a most unexpected accident. One of the servants of Traquair, before leaving Edinburgh, happening to stop for a few minutes at an ale-house to refresh himself for his journey, and meeting there with Lord Lindsay's servant, who had been carousing in the place over night, incautiously mentioned to him the object of his journey. The intelligence was immediately conveyed to Lord Lindsay, who, without losing a moment, gave the alarm to his friends, and by four o'clock the same morning he and the Earl of Home were on horseback on their way to Stirling. Pushing forward with extraordinary speed, they came within sight of the two earls near the Torwood, and, avoiding them by slightly diverging from the common road, reached Stirling an hour before them. About eight o'clock Traquair and Roxburgh made their appearance, and after waiting in vain for about two hours in expectation of the arrival of a sufficient number of the council to form a quorum, they anticipated the authority of the council, proceeded to the Cross, accompanied by the Lyon-herald, and issued the proclamation with all the customary formalities. To their utter astonishment and mortification, no sooner was the proclamation read than Lindsay and Home, attended by a notary, stepped forward, and in all due form of law protested against it,* and affixed their protest to the proclamation on the market-cross. This proceeding, which in the popular belief was legally sufficient, at least to suspend the effects of the king's

Protest against the proclamation of the council.

* Rushworth's Collections, vol. ii. p. 731.

* Rothes' Relation, p. 63; Baillie; Guthrie's Memoirs, p. 33.

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order, was repeated at Edinburgh, in the presence of seventeen peers, as well as at Linlithgow, and every other town where the proclamation was published.

The affairs of Scotland were now rapidly approaching a crisis when no alternative should remain to the people but armed resistance, on the one hand, or, on the other, the entire surrender of civil and religious liberty, and the most abject and implicit submission to a tyrant's will. The sincerity of the king had been long and justly suspected, but the proclamation now issued showed the utter hollowness, as well as artful duplicity of his previous declaration, that nothing was intended against the ancient laws of the realm and the religion "presently professed" in Scotland. His stubborn temper, intractable pride, and intolerant bigotry, forbade all hope of concession. Even the last resource of the oppressed, the very humblest form of liberty—the right of complaint and petition, was now denounced as treason. Yet even in these alarming circumstances, though the utmost discontent everywhere prevailed, the people still retained a degree of respect and affection for their sovereign, and were willing to impute his flagrant misgovernment rather to the influence of evil counsellors than to his own disposition. Making every allowance for the comparative ignorance in which Charles was probably kept of the state of public feeling in Scotland, his conduct on this occasion was to the last degree rash, foolish, and unprincipled. He must have been fully aware that in attempting to impose the liturgy and canons on his Scottish subjects, he was acting in direct contravention of the statutes of the realm, trampling on every form of public liberty, and incurring what can never be safely despised—the odium of a whole nation. He had, nevertheless, made no preparation whatever for meeting an emergency which the most ordinary foresight might have seen to be all but inevitable. Wrapt up in the delusion of unlimited prerogative, and presuming on the submission of his subjects to the royal authority, he neglected those precautions without which it was impossible for him to coerce the will of a whole people. Besides this, he had by neglect, affront, and personal injury, alienated some of the principal leaders of that formidable combination with which he had now to contend. He had, as we have seen, insulted the Earl of Rothes, who had assembled a body of gentlemen to do him honour on his entrance into Fife, by contemptuously altering his route to avoid receiving their homage;* the title of earl had been promised to Lord Loudoun, but to punish that nobleman for his independent vote in the parliament of 1633, the patent was cancelled;† he had disgusted Montrose by coldness and neglect;‡ and he had treated Balmerino with flagrant cruelty and injustice.

The institution of the Tables, inadvertently conceded by the privy council, had not only led to the close union and organisation of all who were opposed to the new ritual, but had also established a power within the State stronger than the government itself. The council had no power to enforce the observance of their own edicts; while the commands of the popular leaders were met everywhere with a ready and affectionate obedience.

Neglect of the administration of justice.

The functions of government being thus superseded, the arm of the law was paralysed; and the administration of justice was so far neglected, that fraudulent debtors set their creditors at defiance, and in the northern districts, especially in the Highlands, depredation and murder once more commenced, and were perpetrated openly and with impunity.*

The king, the privy council, and the bishops, were at length unable any longer to shut their eyes to the difficulties by which they were surrounded. With no support save that derived from the bare assertion of prerogative, they found arrayed against them a vast and powerful coalition—ramified throughout the whole extent of the country—fully organised, so as to be ready for instant and combined action, and subordinated to wise and determined leaders, including upwards of thirty of the highest nobility of the kingdom. It was now the policy of government to disunite a confederacy which they found themselves utterly powerless to repress. To effect this, the officers of state employed every artifice which their ingenuity could suggest; while the prelates laboured to delude the supplicants by promising to intercede with the king to withdraw the canons and liturgy, and to re-model the court of high commission.†

The nobles and other deputies assembled in Edinburgh now drew up a notice, which was rapidly circulated throughout the kingdom, calling on the whole body of the supplicants to repair with all due expedition to the capital, to concert measures for their common safety. The summons was obeyed with alacrity. Multitudes from all quarters flocked to the city; and the Tables having assembled, it was resolved that, in order to defeat the machinations of their enemies, and still farther to cement their own union by a solemn obligation, they should have recourse to the decisive measure of renewing the NATIONAL COVENANT, with an additional clause applicable to the peculiar exigency of the time, binding themselves "to adhere to and defend the true religion, and forbearing the practice of all innovations already introduced into the worship of God; and to labour by all means lawful to recover the purity and liberty of the Gospel, as it was professed and established before the aforesaid innovations." This memorable compact had its origin at the commencement of the

Revival of the National Covenant.

* Crawford's History, MS.; Rushworth, vol. ii. p. 182.
† Crawford's Lives of Officers of State.
‡ Heylin's Life of Laud, p. 273.

* Spalding's History of the Troubles in Scotland, vol. i. p. 61.
† Historical Information, MS., p. 137.

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Reformation, and consisted chiefly of a solemn abjuration of popery, and an engagement to adhere to and defend the doctrine and discipline of the infant church that had just been established. It was sworn to, at that time, by the king and his household, and afterwards by all ranks of the people. It was afterwards repeatedly renewed at seasons when there appeared to be imminent danger of a revival of popery. A negative clause, which had been added during the administration of Arran, was still retained. It contained a detailed account, and a solemn renunciation, of the errors and corruptions of the Romish system, and a general profession of the reformed faith. In justification of this decisive step, a reference was made to numerous statutes which had been passed by the Scottish parliament in favour of the presbyterian form of church government and mode of worship, and which necessarily, by implication, condemned the introduction of the late innovations.

The original national covenant, and its repeated renewals, were still fresh in the recollection of the people, and were regarded with deep affection and reverence. It was therefore evident to the committees of the Tables that its revival, at this critical juncture, in a form adapted to the peculiar circumstances of the Church and the commonwealth, could not fail to be extremely acceptable to the people, who would thus be united, as one man, in defence of the common cause. On the Sabbath subsequent to the resolution of the Tables, the ministers, in their discourses from the pulpit, laboured to persuade their hearers that the breach of the former covenant had been a special cause of the grievous troubles that had recently fallen upon the Church, and that therefore its renewal might be regarded as a means of obtaining the Lord's special favour; and speaking in the language afterwards adopted by the General Assembly of 1640, they declared, "the remembrance of their breach of covenant did sting, wound, and pierce through their consciences; wherefore being moved with serious repentance, they resolved to renew their covenant or national confession."*

Denunciation of the covenant by the prelatical party.

This celebrated bond was denounced at the time, by the prelatical party, as a treasonable compact against the just authority of the king, and its authors and adherents were stigmatised as conspirators against the State. Such sentiments have even found an echo among certain writers of our own day. Its legality, however, in point of form, as well as the lawfulness of such associations according to various acts of parliament, the repeated sanction of royalty itself, and the ancient and hitherto unquestioned usage of the kingdom, was maintained by some of the ablest lawyers of the time, including even Hope, the king's advocate. The obligation of subjects to obey the king, and defend his person, is explicitly and strongly stated in the covenant; nor does the qualifying clause, which connects this obligation with the defence of religion, liberty, and law, tend to impair, far less to neutralise the obligation itself.

The beneficial influence of this solemn compact was not confined to the age and nation in which it originated. Though little perceived and acknowledged, that influence is felt up to the present hour in the constitutional freedom enjoyed by all the subjects of the British empire. It saved Scotland from the total subversion of its liberties, and the establishment of unmitigated despotism under Charles; and it contributed largely to animate the patriotism of the sister kingdom, in its struggles against the encroachments of arbitrary power, and in the last great effort by which it shook off for ever the yoke of the house of Stewart. The bond concludes with a declaration remarkable at once for its boldness, its explicit and manly eloquence, the clear views it exhibits of the reciprocal duties of kings and subjects, and the pure and lofty-minded patriotism which it breathes:—"We, noblemen, gentlemen, burgesses, ministers, and commons, under subscribing, considering diverse times before, and especially at this time, the danger of the true reformed religion, of the king's honour, and of the public peace of the kingdom, by the manifold innovations and evils generally contained, and particularly mentioned in our late supplications, do hereby profess, and before God, his angels, and the world, do solemnly declare, that with our whole hearts we agree and resolve, all the days of our lives, constantly to adhere unto, and defend, the true religion—forbearing the practice of all novations already introduced in the matters of the worship of God, or approbation of the corruptions of the public government of the Church, or civil places or power of churchmen, till they be tried and allowed in free assemblies, and in parliaments; to labour by all means lawful to recover the purity and liberty of the Gospel, as it was established and professed before the said novations; and because, after due examination, we plainly perceive, and undoubtedly believe, that the innovations and evils have no warrant in the Word of God, are contrary to the articles of the aforesaid confessions, to the intention and meaning of the blessed reformers of religion in this land, and do sensibly tend to the re-establishment of the popish religion and tyranny, and to the subversion and ruin of the true reformed religion, and of our liberties, laws, and estates; we also declare that the foresaid confessions are to be interpreted, and ought to be understood of the foresaid novations and evils, no less than if every one of them had been expressed in the foresaid confessions, and that we are obliged to detest and abhor them among other particular heads of papistry abjured therein; and therefore, from the knowledge and conscience of our duty to God, our king, and country, without any worldly respect or inducement, so far as human infirmity will suffer, wishing a further measure of the grace of God to this effect, We promise and swear, by the great name of the Lord our God, to continue in

* Letter to the Church of Helvetia.

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the profession and obedience of the foresaid religion; that we shall defend the same, and resist all those contrary errors and corruptions, according to our vocation, and to the uttermost of that power that God hath put in our hands all the days of our lives; and in like manner, with the same heart we declare before God and man, that we have no intention or desire to attempt anything that may turn to the dishonour of God, or the diminution of the king's greatness or authority; but, on the contrary, we promise and swear that we shall, to the uttermost of our power, with our means and lives, stand to the defence of our dread sovereign, his person, and authority, in the defence and preservation of the true religion, liberties, and laws of the kingdom; as also to the mutual defence and assistance of every one of us of another, in the same cause of maintaining the true religion, and his majesty's authority, with our best counsel, our bodies, means, and whole power, against all sorts of persons whatsoever; so that whatsoever shall be done to the least of us, shall be taken as done to us all in general, and to every one of us in particular; and that we shall neither directly, or indirectly, suffer ourselves to be divided or withdrawn from this blessed and loyal conjunction, nor shall cast in any let or impediment that may stay or hinder any such resolution, as by common consent shall be found to conduce for so good ends; but on the contrary shall, by all lawful means, labour to further and promote the same; and if any such dangerous or divisive motion be made to us, by word or writ, we, and every one of us, shall either suppress it, or, if need be, shall incontinent make the same known, that it may be timeously obviated; neither do we fear the foul aspersions of rebellion, combination, or what else our adversaries, from their craft and malice, would put on us, seeing what we do is so well warranted, and ariseth from an unfeigned desire to maintain the true worship of God, the majesty of our king, and the peace of the kingdom, for the common happiness of ourselves and our posterity."

This notable declaration, and indeed the whole of the memorable bond of which it forms a part, was prepared by Alexander Henderson, minister of Leuchars, a distinguished clergyman, and the well-known Archibald Johnston of Warriston, an advocate. It was revised by Balmerino, Loudoun, and Rothes, was submitted for correction to some of the leading ministers during the course of its preparation, and finally received the formal approval of the committees of the Tables.

As might have been expected, there were a few influential individuals who, though friendly to the objects of the covenant, hesitated, apparently from conscientious motives, to subscribe it. Among these there were several clergymen, who had been induced by the prelates to take the oath of conformity, and others who had, by long custom, become reconciled to episcopal forms and corruptions, of which they never could fully approve. Among the nobility there were some who had during the last reign imbibed the doctrine of passive obedience, to which they were still disposed to adhere. The scruples of all these parties were, however, at last removed by means of concessions and explanations, so that not a single dissentient of any note remained.

The first of March was appointed to be held as a day of solemn fasting and humiliation; and the supplicants having assembled in the Grey Friars' Church, in Edinburgh, after sermon the covenant was read, and Lord Loudoun addressed the assembled multitude in an impressive and eloquent speech, in which he expatiated on the importance of union at that critical juncture, and exhorted all to persevering zeal in the good cause in which they had embarked. Mr. Alexander Henderson afterwards offered up a fervent prayer for the Divine blessing, and immediately thereafter, the noblemen present, advancing to the table, subscribed the covenant, and, with uplifted hands, solemnly swore to observe the duties which it required. Their example was followed by the gentlemen, ministers, and burgesses, and finally by thousands of every rank, who pressed forward, subscribed and swore with the utmost enthusiasm. The vast sheet of parchment, upwards of fifteen square feet in extent, was in a short time covered with signatures, and, for want of room, great numbers were compelled to be content with signing no more than their initials.* Many were in tears, but they were tears of joy and rapture; every face was radiant with delight, and the whole city resounded with mutual congratulations. The prelates were struck with dismay at this event, which exceeded in importance all that their most gloomy apprehensions had anticipated. They already saw, in its consequences, the destruction of their own order and the ruin of the whole prelatical fabric; and Spottiswood, their primate, exclaimed in despair, "Now all that we have been doing these thirty years by past is at once thrown down!"†

Subscription of the covenant.

Copies of the bond were immediately transmitted by the deputies to all the presbyteries of the kingdom, together with a paper entitled, "The lawfulness of the Subscription to the Confession of Faith, 1638." Commissioners were also dispatched to the west and north, in order to counteract the opposition which was expected to arise in these quarters, chiefly through the influence of the learned doctors in the colleges of Glasgow and Aberdeen. The former taught the doctrine of non-resistance, and most of them had acquiesced in the articles of Perth; the latter were avowed advocates of prelacy, and inculcated the doctrine of passive obedience. The presbytery of Glasgow, however, cordially embraced the covenant; while Aberdeen, where the baleful influence of Huntley still predominated, stood alone in its opposition. In every other town and parish throughout the country, the covenant was subscribed and sworn by persons of all ranks with the utmost zeal, and amidst the most lively

* Maitland's History of Edinburgh, p. 86.
† Bishop Guthrie's Memoirs, p. 35.

demonstrations of joy. "I was present," says a contemporary writer, "at Lanark, and several other parishes, when, on Sabbath, after the forenoon sermon, the covenant was read and sworn. All the people generally and most willingly concurred. I have seen more than a thousand persons all at once lifting up their hands, and the tears falling down from their eyes; so that through the whole land, excepting the professed papists, and some few who adhered to the prelates, people universally entered into the covenant of God."* So great was the enthusiasm of some, that they even subscribed with their blood, nor could they be deterred by the presence of prelatical clergymen, and their worthless adherents, who in many instances attempted to intimidate the people by oaths, imprecations, and menaces, and to drive them back with drawn swords.† The popular excitement spread with unexampled rapidity, penetrated the most secluded recesses of the country, and extended to the remotest districts of the west and north—where the warlike septs, so often at deadly feud, were for once united in a common bond of brotherhood. In the short space of two months, all Scotland had submitted to the covenant, with the exception of the courtiers and their minions, the papists, the prelates, and their obsequious subordinates. No compulsion was needed to procure subscriptions, and it is certain that none was employed. On the contrary, great care was taken to prevent incompetent persons from subscribing. None were permitted to enrol their names, so far as could be ascertained, but such as had previously partaken of the Lord's Supper, and many influential names were refused on account of the supposed unfitness of the parties. "Some men of no small note," says Henderson, "offered their subscriptions, and were refused till time should prove that they joined from love to the cause, and not from the fear of man;" and Rothes remarked, "The matter was so holy, that they held it to be irreligious to use violent means to advance such a work."

It has been customary with prelatical writers, and the admirers of prerogative, to represent the nation as at this period divided into parties. In a certain sense this is true, though the mode of expression is fitted, as it was probably intended, to mislead. In point of fact, the covenanters were not only the majority of the nation, but, in ordinary language, in which rigid exactness is neither professed nor expected, they may be said to have constituted the nation itself. The non-covenanters, on the other hand, were a mere faction, composed of the bishops and a few of the subordinate prelatical clergy, who were eagerly looking for preferment, together with a small junto of court officials and their retainers. It is too late now to reproduce misrepresentations, which were triumphantly exposed by those who had the most intimate personal acquaintance with the state of Scotland at this period. In vain did the deposed bishops who had fled to England labour to traduce the covenanters, by describing them as a faction composed of rebellious persons, under the guidance of a few fanatical leaders—"men of unquiet spirits and broken fortunes." It was answered by the covenanting nobility and gentry that, "It is known by all who are acquainted with this country that almost *the whole kingdom* standeth to the defence of this cause, and that the chiefest of the nobles, barons, and burgesses, are honoured in the places where they live for religion, wisdom, power, and wealth, answerable to the condition of this kingdom; that the meanest of the commons who have joined in this cause are content of their mean estates with the enjoying of the Gospel; and no less known, that our adversaries are not for number any considerable part of the kingdom, and that the chiefest (setting aside some few statesmen, and such as draw their breath from court) are known atheists or professed papists, drowned in debt, denounced his majesty's rebels for a long time past, are under caption of their creditors, and have already in their imaginations divided among them the lands of the supplicants, which they hoped to be possessed in by the power of England."*

Hopes of the covenanters.

The covenanters, acquiring fresh confidence from their numbers and unanimity, now ventured to hope that their petitions to the king would be treated somewhat more respectfully than they had hitherto been. It was impossible to conceal any longer from his majesty the state of public feeling in Scotland respecting the late innovations; and though disinclined to concede anything to the importunity of what he had believed to be a comparatively small and uninfluential party, it could not be supposed that he would turn a deaf ear to the complaints of the universal Scottish nation. Accordingly, a new supplication was drawn up, in which the covenanters vindicated their recent proceedings, and denounced the injustice of their prelatical opponents. This they transmitted to the Earl of Haddington by Mr. John Livingstone, minister, for presentation; and they wrote at the same time to Lennox, Hamilton, and some other noblemen then at court, requesting them to solicit his majesty to return a gracious answer to their supplication. Mr. Livingstone had not been above four hours in London, when the king, hearing of his arrival, and the object of his journey, issued an order for his apprehension. The Earl of Haddington, however, having received notice of this proceeding, immediately apprised Livingstone of his danger, who, after lurking one day in London, returned precipitately to Scotland. The supplication was contemptuously returned unopened; but Lennox, in a letter to Montrose, Hamilton, in one to Rothes, and Morton, in another to Lindsay, wrote, that the king did not think proper to look into their supplication; but having been informed

New supplication.

* Livingstone's Life.
† Baillie's Letters; Rothes' Relation.

* The Remonstrance of the Nobility, Barons, &c., February 27, 1639, p. 14.

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of their desire by his council, he would answer them shortly by open proclamation.

Meeting of the privy council to consider the state of the country.

The protests by which the recent proclamation had been everywhere met, so alarmed the privy council that they appointed a full meeting to be held at Stirling to deliberate concerning the state of the country; to examine into the causes of the prevailing discontent; and to transmit such information to his majesty as might appear necessary, in order that he might be prepared to meet a crisis which now seemed inevitable. All the ecclesiastical members of the council in particular were enjoined to be present, but not one obeyed the summons, with the exception of the Bishop of Brechin, who left them before they had concluded their deliberations, or had agreed upon any measure for meeting the pressing exigencies of the time. After a sitting of four days, they agreed to send Sir John Hamilton of Orbiston, lord justice-clerk, to court, with instructions to inform his majesty that, in the unanimous opinion of the members of council, the causes of the troubles that then distracted the country, and impeded the administration of the laws, were the apprehensions of innovation in matters of religion, and their forcible introduction, contrary to the laws of the realm; to represent the expediency of his majesty's quieting the apprehensions of his Scottish subjects, by declaring that he would inquire into the nature of the grievances complained of, with a view to their redress; and to recommend his forbearing, in the meantime, to press the observance of the new ritual. He was farther instructed to request that his majesty would be pleased to summon into his presence, or to permit them to send, such members of their body as might be considered best qualified for informing his majesty of the state of the country, and advising with him as to the proper course to pursue; and lastly, he was to state to his majesty that the council had employed every means in their power to prevent or disperse the meetings of the supplicants, which, nevertheless, continued to be regularly held; and that they now found they could do nothing more to allay the prevailing ferment, until it should please his majesty to signify his pleasure in answer to their humble remonstrance.

These instructions were signed by the whole of the lay lords of the council, and were afterwards sent to the spiritual lords, and received the signatures of the chancellor and the Bishops of Edinburgh, Dunblane, Galloway, and Brechin. The Earls of Traquair and Roxburgh, at the same time, addressed a private letter to the king, in which, while they fully corroborated the statements of the council with regard to the disturbed condition of the country, they recommended a base and fraudulent policy, at once discreditable to the sovereign and subversive of the peace of the nation. Their counsel was that Charles, by pretended concessions, should endeavour to allay for a time the apprehensions of the people, and by this means to satisfy the more facile and credulous, and divide the covenanters. They add, "so will your majesty be enabled with less pain or trouble, to overtake the insolencies of any who shall be found to have kicked against authority." That such advice was not rejected with indignation is a sufficient proof of the baseness and insincerity of Charles, who was ready to embrace the most unworthy artifices rather than yield to the reasonable demands of his people. A letter was also addressed by the council to the Marquis of Hamilton, who stood high in the royal confidence, entreating his serious consideration of the important business entrusted to the justice-clerk, and his utmost influence with the king in order to bring about a pacification of Scotland.

Charles found it impossible any longer to maintain his cold and haughty indifference to the discontent of his Scottish subjects. He wrote to the council, authorising them to send up the lord-treasurer and lord privy seal, and afterwards invited to court Lord Lorn, the eldest son of the Earl of Argyll. He also gave orders that the most eminent and least suspected of the Scottish lawyers should be consulted respecting the legality of the proceedings of the presbyterian party, particularly their protesting against the proclamation of his royal pleasure; their frequent meetings for deliberation; and, above all, their entering into a general covenant without his command or concurrence. Accordingly, Sir Thomas Hope, the advocate for the crown, Nicolson, a distinguished lawyer, and Sir Lewis Stewart of Blackhall, were selected, and desired to give their opinions on this important case. Hope had been all along suspected of a leaning towards the covenanters. It has even been asserted that in their most serious difficulties they had hitherto acted by his advice. The two others, however, had no such bias; but, on the contrary, would have gladly embraced any pretext through which they might, without injuring their legal reputation, have given a decision satisfactory to the king. The three lawyers, however, were unanimous. They declared that, in their opinion, the proceedings of the covenanters were for the most part expressly warranted by law; and that though in some things they seemed to have exceeded, yet there was no express law against them.

The lawyers declare the proceedings of the covenanters legal.

The three councillors who had been summoned to advise with his majesty were not long in making their appearance at court, and were soon followed by the lord-president, the lord-register, and the Bishops of Ross, Brechin, and Galloway. The chancellor had preceded them; and shortly afterwards, at the invitation of Hamilton, they were joined by the justice-clerk, who returned from Scotland, whither he had been dispatched with the king's order calling up Traquair and Roxburgh. Of all these advisers, Lorn was the only one from whom the covenanters expected any support to their cause; and they were not without apprehension that the king, impatient of his council, would

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either dismiss him, or find him some other occupation about the court. The treasurer, in consequence of his vacillating conduct, was mistrusted by both parties; and as for the prelates, nothing was expected from them but the worst that their perverted ingenuity could devise. Lorn did not disappoint the hopes of the covenanters. He spoke with the utmost freedom, and counselled the withdrawal of the canons and liturgy, with all the late innovations, at once and for ever. Traquair recommended a temporising and disingenuous policy; the other nobles were in favour of conciliatory measures; but the Bishops of Ross and Brechin were urgent for the adoption of a system of repression and severity. They argued that, without any assistance from the English, there was sufficient force in the kingdom to correct the insolence of the covenanters; and that the Marquises of Hamilton, Huntley, and Douglas, with the Earls of Seaforth, Nithsdale, and Abercorn, and the Lord Semple, with their followers, the citizens of Aberdeen, the Mackays, the Grants, and other clans, who had not concurred in the covenant, would be more than a match for its subscribers.

Pernicious advice of the Bishops of Ross and Brechin.

When intelligence of this pernicious counsel reached the leaders of the covenanters, they appointed a number of commissioners, chiefly lawyers and ministers, to proceed to those quarters of the country, particularly the north, where the concurrence of the people in the national covenant had been least general, in order to procure the subscription of those persons who had at first manifested a reluctance to identify themselves with a body of their countrymen openly opposed to the will of the sovereign. The success of the commissioners, while it proved highly encouraging to themselves and their brethren, at once astonished and dismayed their adversaries. The new subscribers included most of the Hamiltons and Douglases, many of the Gordons, all the Campbells without exception, and a large proportion from those very clans on whose hostility to the covenanters the bishops had placed so much reliance. In addition to these, many persons in Glasgow and Aberdeen, who had hitherto stood aloof, and the whole of the burgesses of St. Andrew's, now signified their adherence, and subscribed the covenant. This almost universal concurrence placed the bishops, who on such slender foundation had advised the king to make war on his subjects, in a most odious light; and many who had been by no means disinclined to favour the episcopal cause, now regarded them as enemies to their king and country—men who, in the selfish pursuit of their own aggrandisement, would not hesitate to peril the safety of both.

Commissioners appointed to procure subscriptions to the covenant.

Gaining fresh courage from these events, and still further emboldened by the absence of the bishops, most of whom had sought refuge at court, several of the presbyteries now ventured to ordain ministers without the concurrence or knowledge of the bishops. All of them removed their constant moderators, and the suspended ministers returned to their charges, which had been left vacant by the flight of the episcopal incumbents, who in dread of popular vengeance had withdrawn from the country.

Removal of the constant moderators. Return of the suspended ministers to their charges.

The kingdom was at this period in a condition closely bordering on anarchy. For nearly a year, the courts of justice had been closed, and the judges and principal officers of state were absent in London. Fraudulent debtors continued to evade, or openly refuse, the just demands of their creditors. Some of the clans, particularly the Gordons, recommenced their work of plunder, oppression, and murder; and in the south, the Marquis of Douglas, the Earl of Abercorn, and Lord Semple, openly prepared for hostilities. But what was still more to be lamented, though in the peculiar circumstances of the country it need excite no surprise, many of the covenanters themselves, contrary to the earnest remonstrances of their leaders, were guilty of irregularities and excesses which brought reproach on the good cause, in defence of which they were leagued together. The prelatical clergy, who had been intruded into the charges from which the presbyterian pastors had been forcibly ejected, were in many instances treated with insult and injury. Mr. John Lindsay, the constant moderator of the presbytery of Lanark, and Dr. Robert Hamilton, a clergyman belonging to the same presbytery, and a zealous agent of the bishops, were subjected to gross indignity and outrage. Dr. Ogston, minister of Colinton, was assaulted in Edinburgh, because he had been in the habit of requiring the people to kneel at their examination previous to the communion; he was moreover suspected of a bias towards popery, from having spoken somewhat in favour of the Virgin Mary. Mr. Hanna, minister of Torphichen, was publicly beaten by his parishioners, though not to the effusion of blood. Various circumstances had concurred to render him an object of peculiar dislike. He had been thrust into his charge against the will of his flock, while their beloved pastor, Mr. Livingston, had been ejected to make way for him; and after his settlement he so harassed the nonconformists, that the parish was kept in a continual ferment. Dr. Munro of St. Andrew's did not escape so easily. In passing through Kinghorn he was beset by an infuriated rabble, by whom he was severely beaten and wounded. All judicious friends to the cause lamented these outrages, which it was not in their power altogether to prevent. Wherever they occurred they were denounced from the pulpit as at once criminal in themselves and tending to bring unmerited obloquy on the whole body of the covenanters; and the ministers and magistrates the most vehemently opposed to the innovations strenuously exerted themselves to preserve the public peace.

Distressing state of the country.

As was to be expected, these violent proceedings

were turned to account by the adversaries of the presbyterian party, and the misconduct of a few individuals, chiefly women, and belonging to the lower orders of the community, was unjustly ascribed to the whole association. Exaggerated accounts of the occurrences were transmitted to London, in order to inflame the resentment of the king, and to precipitate those violent measures, of which he and his servile advisers ultimately lived to repent.

In the meantime, Charles, finding the current too strong to be directly opposed, was meditating a return to that insincere and temporising policy for which he was eminently distinguished. He was as determined as ever not to abate one jot of his cherished prerogative, but he expected to effect by artifice what it would be dangerous or impracticable to attempt by force. His plan was to appoint a high commissioner to proceed to Scotland as his representative, with instructions to endeavour to bring about a pacification without compromising the dignity of the crown; in other words, without any real withdrawal of those innovations which had led to all the distractions under which the country was labouring. Traquair was at first thought of as a fit person to be entrusted with this difficult task, but as he had entirely lost the confidence of the prelates, he was, through their influence, soon set aside. Hamilton was at last selected, and many circumstances concurred in recommending the choice. His great wealth and family connexions gave him an influence in some respects superior to that of any other Scottish nobleman, and having never openly connected himself with either party, it was hoped he would not be suspected by the covenanters as inimical to their cause. He was even regarded with some degree of favour by that party, although his father, by procuring the ratification of the articles of Perth, had contributed in no small degree to introduce that long train of grievances which had led to the present commotion.

Disingenuous policy of the king.

Before Hamilton's departure for Scotland it was rumoured among the covenanters that the king, by pretended concessions, was about to make an insidious attempt to divide them. To anticipate any such attempt, the Earls of Rothes, Cassillis, and Montrose, wrote letters to all the Scottish noblemen then at court, enclosing a paper containing a statement of the least that, in their judgment, could be asked for establishing a durable peace in the Church and kingdom. In this document not only were all the former demands of the covenanters reiterated, but, in addition, they now required the entire abrogation of the court of high commission, abstinence from all attempts to enforce the articles of Perth, the exclusion of ecclesiastics from parliament, the revival, with all their former freedom of action, of the lawful assemblies of the Church, and the summoning of a free parliament to inquire into and redress the grievances of the nation.

Increased demands of the covenanters.

Still further to counteract the artful machinations of their enemies, the leaders of the covenanters drew up, and circulated everywhere throughout the kingdom, a paper cautioning every member of the vast associated body against assenting to any proposals made to them by the government, without the common advice and consent of their brethren, or entertaining any motion tending to disunion; and reminding them that no one who had signed the covenant should rest satisfied with less than was originally demanded.

Meantime Hamilton was furnished with his commission, containing ample powers "to settle the late disorders in the kingdom, and to that effect to convene his majesty's council at such time and place as he pleased; and with their advice to set down the means and order to be followed for the premises, and also to do and perform, as well in council as out of the same, all and everything in his majesty's name, which might tend to the effectuating of the trust of his present commission, and prosecuting thereof to the full and final end of the same sielike,* and as fully as if his majesty were present in person."

Commission to Hamilton—

On the 10th of May, Charles addressed a letter to the privy council, acquainting them with Hamilton's commission, and requiring all the members, lay and clerical, to meet with his majesty's commissioner in council at Dalkeith on the 6th of June. Hamilton also sent a circular to almost all the nobility and gentry of note, inviting them to meet him at Haddington on the preceding day.

The private instructions given to Hamilton for the regulation of his procedure consist of not fewer than twenty-eight articles, and furnish striking proofs of Charles's unfaltering determination to persevere in his insane projects, as well as of his inveterate insincerity. The latter is still farther manifested by a declaration, signed by the king, and committed to Hamilton to be published, in order to allay the fears of the people, and if possible break up their great national union. Alluding to that declaration in the secret instructions the king says, "You may labour to prepare any of the refractory persons to conceive aright of our declaration before it be published, so *that it be privately and underhand.* You are to get an act of council to pass, to declare that this declaration of ours ought to free all honest subjects from the fears of innovations of religion or laws." From some of the instructions which followed, it is evident that rather than yield to the reasonable demands of the nation, Charles had already resolved to deluge the country with blood. "If," he says, "after the limited time in our declaration, a body remain at Edinburgh, you must raise what force you can to dissipate and bring them under our obedience. You are to cause insert six weeks in our declaration for the delivering up of the covenant, and, if you find cause, less. You shall declare that if there be not sufficient strength within the king-

—his instructions. Insincerity of Charles.

* Suchlike.

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dom to force the refractory to obedience, *power shall come from England, and that myself will come in person with them, being resolved to hazard my life rather than suffer authority to be contemned.* If you cannot by the means prescribed by us bring back the refractory and seditious to due obedience, we do not only give you authority, but *command all hostile acts whatsoever to be used against them*—they having deserved to be used no other way by us, but as a rebellious people; for the doing whereof we will not only save you harmless, but account it as acceptable service done to us." *

The Archbishop of Canterbury, and all the Scottish bishops, formally introduced to the commissioner.

Before Hamilton's departure for Scotland, the Archbishop of Canterbury, and all the Scottish bishops then at court, were convened at a cabinet meeting, and introduced to his grace as his majesty's high commissioner. At this interview Hamilton insisted, that in order to aid him in the discharge of his arduous office, the bishops should accompany or precede him to Scotland. Their presence there, he said, would be necessary in order to reclaim such of the ministers as had once conformed, but had subsequently retracted. Probably, too, he was unwilling to leave the bishops at court, lest his proceedings in Scotland should be counteracted by their advice during his absence. To this movement the bishops manifested decided aversion. They represented that in the present condition of the country they could not return, unless at the peril of their lives; and that, besides, in consequence of their extreme unpopularity, their interference was most likely rather to frustrate than promote the object of his grace's mission. It was well known, also, that several of them were drowned in debt, and durst not make their appearance in Scotland for fear of the diligence of their creditors. They accordingly offered to reside at Bath, or anywhere else in England, at a distance from court; but Laud strongly urged their departure, and no one was willing to risk his resentment by refusing compliance. In dismissing them, the king signified his earnest desire that each of them should continue to live within his own diocese, and should labour to win the confidence and affection of the people, and to soften their hostility to episcopacy, which he assured them he had no intention of relinquishing, though he might for the present consent to its modification. At the same time, Hamilton promised to protect them to the utmost of his power from personal injury, and it is said that the chancellor also brought with him a protection from the diligence of his creditors.

Departure of Hamilton for Scotland.

The high commissioner now set off for Scotland, on an errand which, had either he or his master been rightly informed of the state of the country, they might well have deemed hopeless. Only three months had elapsed since the renewal of the national covenant, under circumstances of unusual solemnity, and amidst ardent and all but universal enthusiasm. Was it to be expected that a bond so recently formed, sworn to, and, in many instances, subscribed even with the blood of its votaries, was to be broken at the bidding of the king or his commissioner? Were the whole people of Scotland, united in defence of their civil and religious liberties, to surrender at discretion to the sovereign whose will they had boldly combined to oppose? And yet Hamilton, by his instructions, had no power to make any concessions, or to advance a single step towards the pacification of the kingdom, until the covenanters should disunite and renounce their bond. In vain did the Scottish primate try to persuade the king not to insist on such a hopeless preliminary. This was a point which, with fatuous obstinacy, he arrogantly scorned to yield. He regarded that hated bond as utterly inconsistent with his kingly prerogative, and declared "that as long as that covenant was not passed from, he had no more power than the Duke of Venice." *

Alarming rumours.

The deputies at Edinburgh had at first entertained high expectations from the mission of Hamilton, and had accordingly invited their brethren from all quarters to repair to the capital and await his arrival. Immediately afterwards, however, it was reported that Hamilton was empowered to grant nothing further than the recalling of the books, and some limitation of the powers of the court of high commission; that even these concessions, which were no longer sufficient to satisfy the nation, were only to be granted on condition of an entire relinquishment of the covenant, and submission to the articles of Perth; and that in case of non-acceptance, the covenanters were to be threatened with a hostile invasion of the English, on the east coast, and of the Irish on the west—while Hamilton, Huntley, Douglas, and the whole popish party, were to unite for their subjugation. In these alarming circumstances a general fast was resolved on, and held with great solemnity on the 3rd of June.

A fast proclaimed.

Next day the deputies met, and entered into a serious deliberation as to the propriety of meeting the commissioner at Haddington, as he had desired. Many seemed inclined to pay him that mark of respect, while others, and particularly Lord Rothes, apprehensive that some attempts might be made, by false promises and other allurements, to sow divisions in their ranks, strongly recommended that all the adherents of the cause should abstain from attending on the commissioner, or in any way identifying themselves with such as had not subscribed the covenant, lest it should be supposed by their adversaries that they had begun to waver in their attachment to the great cause which they had bound themselves to maintain. This recommendation was so strictly obeyed, that even Hamilton's own vassals in Clydesdale would not stir to welcome their lord. The reso-

* Burnet's Memoirs, p. 59.

* Burnet's Memoirs of the Duke of Hamilton, p. 60; Peterkin's Records of the Kirke (Introduction), p. 14.

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lution of the deputies was communicated to the commissioner by Lords Lauderdale and Lindsay, and occasioned him no little mortification and disappointment. He was afterwards soothed, however, by the attendance of a second deputation, headed by Lord Rothes, who were sent to congratulate him on his arrival at Dalkeith, which he reached in no pleasant humour.

Arrival of Hamilton at Dalkeith.

A still more inauspicious circumstance, which had occurred a few days before, excited general alarm among the citizens of Edinburgh, and such grave suspicions of treachery on the part of the king and his representative, that Hamilton, alarmed in turn, at first resolved not to enter the city. The Castle of Edinburgh having been in want of arms and ammunition, the treasurer had commissioned Patrick Wood, merchant in Edinburgh, to provide the requisite supplies. He accordingly hired a vessel, in which he conveyed to the Frith of Forth sixty large barrels of gunpowder, some hundreds of pikes, and numerous chests containing muskets and matches. This affair, though conducted with studied secrecy, soon became generally known, and, as it happened to coincide in point of time with the expected arrival of the king's commissioner, the two events became naturally associated in the minds of the people, and gave rise to vague reports and gloomy apprehensions of some violent designs against the covenanters. It was at first contemplated to send a strong party to Leith roads to seize the vessel, but Traquair having received notice of this intention, had the stores privately conveyed to Dalkeith. No sooner did this become known, than it was proposed by some of the more rash and fiery of the covenanters to proceed thither in a body, and take forcible possession of these warlike materials. A less violent, though equally effectual measure, however, was ultimately adopted. A strong guard was stationed at the gates of the city to prevent the introduction of the supplies, and the castle itself was placed under blockade. In the meantime the Tables summoned Wood into their presence, and subjected him to a strict examination. At first his bearing was haughty, and his answers were evasive; but an effectual expedient was resorted to for overcoming his obstinacy. All his creditors, as if by common consent, presented their claims, and demanded immediate payment, which, at so brief a notice, he was not prepared to make. The fear of bankruptcy and ruin had the desired effect. He immediately subscribed the covenant, and a number of his friends coming forward, appeased the claimants and supported his tottering credit.

Excitement in Edinburgh—the castle blockaded.

Traquair, however, was still an object of suspicion to the covenanters, and, as is usual in times of popular excitement, unfounded and improbable accusations were circulated against him, and easily obtained credit. Among other things, he was accused of having devised a plot for blowing up the Tables on their assembling at Dalkeith; and so strong a hold had this report taken on the minds of the covenanters that, in order to calm their fears and allay their indignation, he repaired to Edinburgh, and there, in presence of Rothes, Lorn, and Loudoun, denied upon oath his ever having entertained any such wicked design. He admitted, however, that he had advised the supplying of the castle with military stores, and accounted for their removal to Dalkeith by declaring that, on learning the intention of seizing them, he had ordered them to be conveyed thither in order to quiet the apprehensions of the citizens. This explanation, though plausible, was far from satisfying all parties, and the utmost distrust of the object of Hamilton's visit still continued to prevail.

In obedience to the royal mandate, the privy council attended on the lord high commissioner at Dalkeith, to assist him with their advice; but that body were now found to be much divided, and a majority of them were inclined to favour the covenanters. Bishop Burnet even asserts that the Earls of Traquair, Roxburgh, and Southesk, were the only men present who were well-affected to the king's measures;* and even his own advocate declined to defend them at the council-board. Hamilton, whose previous information regarding the condition of the country had not prepared him for what he now witnessed, felt that he had undertaken a difficult, if not an impossible task; and that his master, as ill-informed as himself, had given him instructions altogether inadequate to meet the emergency. He now clearly perceived that no alternative remained to the king, but either to yield to the demands of the covenanters, or to have immediate recourse to military coercion. These views he lost no time in communicating to his majesty. He declared that in the present disposition of the country his mission was utterly hopeless; that an armed force of twenty-three thousand men was stationed near Edinburgh, ready to support the covenanters in resisting all attempts to enforce a dissolution of their union; and that nothing could now be done, but either to accede to their claims, or to advance his hostile preparations with the utmost secrecy and dispatch. A fleet with two thousand land soldiers, he said, should be immediately sent down; a supply of arms should be forwarded to the northern counties; Berwick should be garrisoned with fifteen hundred soldiers, and Carlisle with four hundred; and his majesty himself should forthwith proceed to Scotland, at the head of a numerous and well-appointed army. While giving this counsel, Hamilton betrayed the relentings of a generous nature. He humbly submitted to his majesty whether it would not be better "rather, in mercy, to connive at the folly of his poor people, than, in justice, to punish their madness."†

Division in the privy council.

An attempt was now made by the covenanters

* Memoirs of the Duke of Hamilton, p. 53.
† Aikman's History of Scotland, vol. iii. p. 456.

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to induce the commissioner and the lords of the privy council to subscribe the covenant, and with this view an humble petition, prepared by Mr. David Dickson, and couched in very pathetic terms, was presented to them. Their answer was firm but conciliatory. Their great aim at present, they said, was to arrange a meeting with the covenanters, in a manner consistent with the honour of his majesty's commissioner. The deputies, however, still apprehensive of danger from the military stores collected at Dalkeith, would not venture to go thither to meet the commissioner; and he, on the other hand, though entreated to come to Edinburgh, and take up his residence in the royal palace, refused to enter the city while its castle was in a state of blockade, and its gates guarded by armed men. In this difficulty Haddington, Southesk, and Lorn, undertook to mediate between the parties, and agreed to pledge their word of honour that no ammunition, or even supplies of provisions, except such as were necessary for daily consumption, should be brought into the castle during the treaty. The commissioner, however, was still dissatisfied, and it was not until Lorn had persuaded the covenanters to agree to the dismissal of the watch, and to receive the representative of their sovereign in a manner becoming his office, that that high functionary consented to make his public entry into the capital. Such, however, was the jealous vigilance of the covenanting party, that they appointed a private watch in lieu of the public guard which had been dismissed.

Hamilton refuses to enter Edinburgh—

—he afterwards consents—

Arrangements were now made for receiving the commissioner with all the honours which it had been customary to pay to royalty itself, but, at the same time, in such a way as to display in a most imposing manner the strength of the covenanters. Upwards of twenty thousand of them, consisting of noblemen, gentlemen, and others, on foot and horseback, from every shire in the kingdom, were stationed for his reception between Musselburgh and Leith; six hundred clergymen, arrayed in their black gowns, were conspicuously posted on a rising ground at the eastern extremity of Leith Links; and a vast number of persons of all ranks, and of both sexes, lined the entire way to the gate of the city. The whole assembled multitude was estimated at about sixty thousand individuals—a larger number than had been collected in Scotland on any single occasion for more than a century.* As he rode slowly along through this prodigious assemblage, the commissioner was assailed on every side with earnest and loud supplications that he would advise the king to deliver them from the bishops and the books, preserve their liberties, permit them the free exercise of their religion, and restore to them their beloved ministers. Hamilton was affected even to tears, and expressed a wish that the king himself had been present to witness the scene, adding, that had this been the case, he could never think of pressing his obnoxious measures on such a people. He refused, however, to listen to an address from Mr. William Livingston, minister of Lanark, a man of strong voice and venerable countenance, who had been appointed to welcome him as he passed, politely remarking that "the honour of such addresses" was "more adapted to the rank of a prince than suitable for the station of a subject."

—arrangements for his reception.

For some days many mutual compliments were passed, and much apparent cordiality was maintained between the commissioner and the leaders of the covenanters; but during these seemingly amicable interviews each party was secretly intent on penetrating the views and designs of the other. Both, however, were on their guard, and for a time neither gained much advantage. At length, in the course of their discussions, the commissioner let fall some remarks from which the leaders justly inferred that no terms to which they could assent were intended to be proposed. He observed, that the laws made for forty years past were in force against the covenanters. It was answered that these laws were based upon the ruins of the reforming laws; that they had been established by craft and violence, in opposition to the national will; that they were destructive to religion, and subversive of public liberty; that they were the chief causes of their complaints, and ought, therefore, to be annulled. When, however, his grace hinted that the books of canons and liturgy should be withdrawn, and the court of high commission regulated so as to be no longer oppressive, provided they would, as a preliminary condition, agree to the surrender of the covenant, all hope of an amicable adjustment was at an end. The proposal was instantly and disdainfully rejected, the leaders unanimously declaring that they would as soon renounce their baptism as their covenant.

Impatient to know the nature and extent of Hamilton's commission, the deputies now drew up and presented to him a supplication, setting forth that the manifold grievances enumerated in their supplications and complaints to their sovereign having been remitted to his grace for a remedy, they had been induced to wait for a declaration of his majesty's pleasure; and as they had already waited until his grace had convened the lords of privy council, now that the council had met, and the matter required dispatch, they humbly desired a free General Assembly and a parliament, as the only means of redressing the great and daily increasing disorders of the Church and State, restoring the purity of God's worship, and establishing the peace of the Church and kingdom.

The covenanters demand a General Assembly and a free parliament.

With a view to elicit a more speedy answer to this supplication, the deputies had the policy to circulate a paper, which, though apparently intended only for their friends, was meant to meet the eye of the commissioner, who could not fail,

* Burnet's Memoirs, p. 54; Laing, vol. iii. p. 155.

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by means of some of his coadjutors, to become acquainted with its contents. It purported to be a series of articles for the consideration of the deputies, on the supposition even of force being employed against them, or of their patience being exhausted by delay. "1. Seeing the grievances complained of do concern the whole kingdom, the remedies ought to be public, and of as large extent, and must secure against the like in time coming. 2. A free General Assembly and parliament are only able to produce so good effects. 3. That the bishops could not be their judges until they were lawfully tried and purged of the crimes laid to their charge." The fourth and fifth articles were portentous, and must have prepared the minds of the commissioner and the adherents of the court for the most determined persistence on the part of the covenanters in opposing the measures of the king. They ran thus:—"4. If delays were used, it was desired that advice might be sought concerning the power of calling a General Assembly, how they should, in the meantime, behave with respect to controverted points, and that some lawful course might be thought upon how justice might have free course, and frauds be prevented. And 5. If violence were used for enforcing obedience, that a committee should be chosen to consider what was fit and lawful to be done for the defence of their religion, laws, and liberties." There are moments of difficulty and danger in which the boldest course is the wisest, because the safest. The position of the covenanters had now become more critical than ever; not only were they engaged in what is always a perilous enterprise—an open contest with the sovereign, but some of their own number, apprehensive of consequences, and impatient for peace, had begun to manifest an inclination to admit some change in the national covenant. It seemed necessary, therefore, in order to prevent defection, and confirm the waverers, to stimulate them by a new demonstration, glancing at ulterior measures of a most decisive character. It is impossible to say what influence the perusal of these ominous articles may have had on the determination of the commissioner, who was obviously labouring to gain time, until a force should be prepared sufficiently strong to repress and punish the covenanters. He, however, promised an answer to the supplicants in a few days; and in the interim sought to mollify them, and throw them off their guard, by holding private interviews with Mr. Alexander Henderson, and attending on his public ministrations. At length the deputies were invited by the commissioner to an interview, at which they were to be informed of his grace's pleasure concerning their supplication; but, to their astonishment, he told them that the only answer he could give them was contained in his majesty's declaration, which he intimated his intention of publishing by open proclamation. The deputies indignantly replied, that if his grace should persist in this intention, they would be constrained to meet the proclamation by a protest, as the only legal way of preserving their right of being heard. By abstaining from that course now, they said, they would appear to condemn all former protestations used either by their predecessors or by themselves, they would discourage many of the more timid amongst their brethren, and would tacitly acknowledge royal proclamations to have the force of laws, which it belonged exclusively to a General Assembly and parliament to enact. Besides, they added, "It is dutiful for warning of the king and his commissioner of our desires, and the lawful remedy thereof, the benefits of granting them, and evil consequences of refusing them; it is a sensible exoneration of us before foreign nations; it is a public thanking of the king's majesty for his public favour in points granted, and the most legal way in this great exigence, when we have declined the council, and are not satisfied with the declaration of his will from his commissioner, to preserve our recourse and immediate address to his majesty himself by new supplications and remonstrances."

Hamilton intimates his intention of issuing a proclamation. The covenanters threaten to protest.

Hamilton listened to this declaration with evident marks of displeasure; and assuming a haughty and resentful tone, he informed them that, in this matter, he would see his royal master obeyed; that he would attend personally at the Cross in support of the heralds, and would denounce as rebels all who should dare to protest. Thus forewarned, the deputies were fully prepared for the emergency; and, two days afterwards, observing preparations being made at the Cross for publishing the declaration, they ordered a scaffold to be erected for the protesters, and some thousands of gentlemen and respectable burgesses speedily convened, and, with drawn swords, held themselves in readiness to repel any sudden attack. When this resolution was perceived, the heralds were ordered to prepare horses for the purpose, as was supposed, of proceeding to some neighbouring borough to publish the proclamation. But the covenanters were not thus to be balked of their purpose. A resolute band prepared to track the footsteps of the heralds, and to protest against the declaration wherever it should be published. Meanwhile the determined attitude assumed by the covenanters at the Cross of Edinburgh induced the commissioner to postpone the promulgation of the royal edict, and revert to his soothing but deceitful policy. He desired the Earls of Traquair and Southesk, with the Lord Lorn, to intimate to the deputies his willingness that their demands for an assembly and free parliament should be acceded to, on condition that they should satisfy his mind as to certain scruples which he entertained regarding the clause in the covenant for mutual aid and defence. The Earls of Rothes and Montrose were appointed to correspond on the matter with the noblemen appointed by the commissioner, whose scruple, after some communication, was thus reduced to writing:—"His majesty may conceive

Temporising policy of Hamilton.

that the confession is so general in the clause of mutual defence, that it may not only contain a defence for religion, his majesty's person and authority, and the liberties and laws of the kingdom, but also a combination for defending of delinquents against authority and law, even in other cases than those abovenamed." There was abundant reason to believe that this objection was started merely to excite discussion, and consequently occasion delay. Nevertheless, to avoid furnishing their enemies with a pretext for misrepresentation, the deputies took it into serious consideration, and communicated with their constituents upon the subject. The matter was warmly discussed by each of the Tables separately; and much difference of opinion at first prevailed as to the expediency of issuing any farther explanation of their views and intentions than what was already explicitly embodied in the covenant itself. It was at length agreed that a new supplication should be presented to the commissioner, in which all doubt as to the interpretation of the clause objected to should be for ever removed. This document, which is remarkable for its simplicity, perspicuity, and fulness, was presented on the 25th of June. "They declared before God and men that they were heartily grieved and sorry that any good man, and most of all that their sovereign, should so conceive of their doings; that they were so far from any thought of withdrawing themselves from their dutiful subjection and obedience to his majesty's government, that they had no intention or desire to attempt anything that might tend to the dishonour of God, or to the diminution of the king's greatness and authority; but, on the contrary, they acknowledge their quietness, stability, and happiness, depended upon the safety of the king's majesty, as upon God's vicegerent, set over them for maintenance of religion and administration of justice; that they had solemnly engaged, not only their mutual concurrence and assistance for the cause of religion, but also to the utmost of their power, with their means and lives, to stand to the defence of their dread sovereign, his person and authority, as well as the preservation and defence of true religion, laws, and liberties of the kingdom; and, therefore, they did most humbly beseech his grace to esteem their confession of faith and covenant to have been intended, and to be the largest testimony they could give, of their fidelity to God and loyalty to their king; and that hindrance being removed, they do again supplicate for a free assembly and parliament to redress all their grievances, settle the peace of the Church and kingdom, and procure that cheerful obedience which ought to be rendered to his majesty, carrying with it the offer of their fortunes and best endeavours for his majesty's honour and happiness, and a real testimony of their thankfulness; and conclude with their hearty prayers to God that his majesty might long and prosperously reign over them."

To this supplication, which was sufficient to dispose of the objection if honestly made, the commissioner made no satisfactory reply. He was afraid, he said, that the explanations contained in their supplication would not satisfy his royal master, as his instructions were not sufficient to satisfy them; and he therefore proposed to proceed immediately to court, personally to inform his majesty of their wishes, and expressed a hope that he should return shortly with more ample powers and instructions. The deputies, who seem to have entertained no suspicion that this movement was made only to occasion delay, gladly assented to the commissioner's proposal, and the parties separated with a mutual agreement that no alteration of their present position was to be attempted until his return.

Relying for the present on this temporary accommodation, the greater part of the covenanters returned home; but, on the last day of June, those who still remained were astounded by the intelligence that the marquis, instead of immediately taking his departure for London, was preparing to issue a proclamation at the Cross of Edinburgh. Expecting nothing else than the publication of the king's message, a number hastily assembled in readiness to protest. Hamilton was prepared for this contingency, and instead of promulgating the king's declaration, as he had intended, he merely announced the return of the courts of law to the capital during his majesty's pleasure.

Hamilton leaves Edinburgh as if on his way to court, but suddenly returns.

Next day, Sunday, the 1st of July, the commissioner set out, as if on his journey to court. He proceeded as far as Tranent, where he halted, and having attended church, remained for the night. On the following morning he suddenly returned to Edinburgh, and expecting to find the covenanters off their guard, he at last published the proclamation at the Cross. He reckoned without his host. The representatives of the Tables were promptly on the spot. The Earl of Cassillis, on the part of the noblemen; Mr. Alexander Gibson, younger, of Durie, advocate, on the part of the barons; James Fletcher, provost of Dundee, in name of the burgesses; Mr. John Ker, minister of Prestonpans, and Mr. Archibald Johnston, advocate, on the part of all others who adhered to the covenant, having taken instruments in the hands of notaries, solemnly protested against the proclamation being ratified in council, and delivered a copy of their protestations to the herald. Many noblemen, barons, gentlemen, ministers, burgesses, and commons, were present as witnesses of this solemn act; and but for their interference, the peace of the city would have been disturbed by a serious riot, in consequence of the imprudence of some of the bishops, who, from a neighbouring window, stigmatised the protesters as rebels.

Proclamation of the king's message, and protest of the covenanters.

The declaration now published, though probably only a modified copy of that originally brought to Scotland by the commissioner, was dated "Greenwich, the 28th of June," an anachronism probably

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introduced by Hamilton himself to account for his surreptitious return to Edinburgh, and his apparent breach of faith with the covenanters, by the pretence of his having received fresh instructions from his majesty. Be this as it may, the most offensive part of the original declaration, the surrender of the covenant under pain of treason, was now omitted. The document was drawn up with consummate art, and was evidently intended to divide the covenanters by entrapping the unwary. While it professed to grant everything they desired, it was purposely so framed, that, by means of saving clauses craftily interspersed, it in reality conceded nothing. The service-book, canons, and other innovations in religion, were not to be pressed upon the people of Scotland, "*but in such a fair and legal way as shall satisfy all our loving subjects.*" The high commission court was to be rectified, so "that it shall never impugn the laws, nor be a just grievance to our loyal subjects," but this was to be done "*with the help of our privy council.*" The royal consideration was promised to all "*that is fitting to be agitated* in general assemblies and parliament for the good and peace of the Kirk, and peaceable government of the same in the establishing of the religion *at present professed.*"

The deceitful ambiguities of this declaration were perfectly in keeping with the underhand policy, which subsequent disclosures proved incontestibly that Charles had been pursuing throughout the whole course of these pretended negotiations. Failing in his crafty efforts to divide the covenanters, and despairing of being able to break their union without resorting to physical force, his only object was to gain time until his warlike preparations, which were secretly carried on in England, should be completed. For this purpose he sought to lull the covenanters into a false security, by pretending to submit to a treaty with men whom he was privately denouncing as rebels, and by authorising his commissioner to make concessions which he never had the remotest intention of granting. It is impossible to read his correspondence with Hamilton, which afterwards came to light, without unspeakable disgust and indignation. Intent on carrying into effect his own despotic designs, and enraged at the opposition which they had met with, he was ready to sacrifice, not only truth and honesty, but the peace of the country and the blood of his subjects. In a letter to Hamilton, dated June 11th, while the treaty was scarcely begun, much less broken off, he says, "Though I answered not yours of the 4th, yet I assure you I have not been idle; so that I hope by the next week, I shall send you some good assurance of the advancing of our preparations. This I say not to make you precipitate anything, for I like of all you have hitherto done, and even of that which I find you mind to do; but to show you that I mean to stick to my grounds, and that I expect not anything can reduce that people to their obedience, but only force. As for the dividing of my declaration, I find it most fit in that way you have resolved it; to which I shall add, that I am content to forbear the latter part thereof until you hear my fleet hath set sail for Scotland. In the meantime, your care must be how to dissolve the multitude, and, if it be possible, obtain possession of my castles of Edinburgh and Stirling, which I do not expect. And to this end I give you leave to flatter them with what hopes you please, so that you engage not me against my grounds; and in particular, that you consent neither to the calling of parliament nor general assembly, until the covenant be disavowed and given up—your chief end being now to win time, that they may not commit public follies until I be ready to suppress them, and since it is, as you well observe, my own people, which by this means will be for a time ruined, so that the loss must be inevitably mine; and this, if I could eschew, were it not even with a greater, were well; but, when I consider, not only now my crown, but my reputation for ever lies at stake, I must rather suffer the first, that time will help, than this last which is irreparable. This I have written to no other end than to show you I will rather die than yield to these impertinent and damnable demands, as you rightly call them; for it is all one as to yield to be no king in a very short time."

Fresh proofs of the king's perfidy.

Insincerity of the king—his letter to Hamilton.

What the latter part of that declaration was which Hamilton had divided is explicitly stated in a postscript to the same letter:—"As affairs are now," he says, "I do not expect that you should declare the adherers to the covenant traitors, until (as I have already said) you have heard from me, that my fleet hath set sail for Scotland, though your six weeks should be elapsed. In a word, gain time by all the honest means you can, without forsaking your grounds."*

In the meantime, information of the warlike preparations going on in England had reached the ears of the covenanters, and was threatening to frustrate Hamilton's insidious policy, by destroying all confidence in his sincerity. He had therefore, it would appear, written to the king to lull their suspicions by a temporary suspension of these portentous measures. In the king's answer, dated the 13th of June, he says, "I shall take your advice in staying the public preparations for force; but, in a silent way—by your leave—I will not cease to prepare, that I may be ready upon the least advertisement. Now I hope there may be a possibility of securing my castles, but I confess it must be done closely and cunningly."† In a subsequent passage of the same letter, he suggests a new device for placing the covenanters entirely within the grasp of his vengeance. "One of the chief things," he says, "you are to labour now is, to get a considerable number of sessioners and advocates to give their opinion that the covenant is at least against law, if not treasonable."

* Burnet's Memoirs of the Duke of Hamilton, p. 55.
† Ibid., p. 57.

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All Hamilton's efforts to persuade the college of justice, judges, and lawyers, to pronounce the covenant illegal, much less treasonable or seditious, proved abortive, and a majority even of the privy council now declared in its favour. Despairing therefore of being able either to dissolve or suppress this formidable league, Hamilton once more wrote to the king, representing to him that no alternative remained but either to admit the explanation offered by the covenanters, or to involve the nation in civil war. By adopting the former course, he said, tranquillity would be at once restored without further trouble either to his majesty or to the country, while the latter would be productive of evils of which it was impossible to calculate the amount or foresee the termination. He counselled his majesty to consider well before choosing so hazardous an alternative, and in particular to see that his preparations were thoroughly completed, as otherwise his faithful servants in Scotland might be involved in irretrievable ruin before he could come to their aid. He warned his majesty that he could in the present crisis place no reliance on his English subjects, whose present discontent would induce them rather to join the ranks of his adversaries, who had already formed the resolution of marching into England on the first hostile movement, and making that country the seat of war. Charles's reply, dated the 20th of June, sets his disposition in its true light: obstinate, self-willed, impatient of opposition, and ready and resolved to sacrifice the tranquillity of the country, and the lives of his subjects, rather than submit to the mortification of his inordinate pride, by receding a single hairbreadth from the position which, in the exercise of his fancied prerogative, he had once chosen to occupy. "What now I write," he says, "is, first, to show you in what estate I am, and then to have your advice in some things. My train of artillery, consisting of forty pieces of ordnance, with the appurtenances, all Drake's—half and more of which are to be drawn with one or two horses a-piece—is in good forwardness, and I hope will be ready within six weeks; for I am sure there wants neither money nor materials to do it with. I have taken as good order as I can for the present, for securing of Carlisle and Berwick; but of this you shall have more certainty by my next. I have sent for arms to Holland for fourteen thousand foot, and two thousand horse. For my ships, they are ready; and I have given orders to send three for the coast of Ireland immediately, under pretence to defend our fishermen. Last of all, which is indeed most of all, I have consulted with the treasurer and chancellor of the exchequer for money, for this year's expedition, which I estimate at two hundred thousand pounds sterling, which they doubt not but to furnish me. More I have done, but these are the chief heads. Now for your advice: I desire to know whether you think it fit that I should send six thousand landmen with the fleet that goes to the Frith, or not? Thus you may see, that I intend not to yield to the demands of those traitors, the covenanters."*

In reply to a subsequent letter of Hamilton's, in which he laboured indirectly to dissuade the king from his iniquitous and most impolitic enterprise, Charles writes thus: "There be two things in your letter that require answer, to wit, the answer to their petition, and concerning the explanation of their damnable covenant. For the first, the telling you that I have not changed my mind in this particular is answer sufficient; and for the other, I will only say that so long as this covenant is in force, whether it be with or without explanation, I have no more power in Scotland than a duke of Venice, which I will rather die than suffer; yet I command the giving ear to the explanation, or anything else to win time. Another I know is, to show the world clearly that my taking of arms is to suppress rebellion, and not to impose novelties, but that they are the seekers of them. Lastly, my resolution is to come myself in person, accompanied like myself, sea forces, nor Ireland shall not be forgotten."†

Hamilton departs for London.

Hamilton, feeling it was necessary to inform the king more fully of the state of the country than he could do by writing, at last set out on his journey to London. He took his departure on the 8th of July, and, on the fifth day thereafter, presented himself at court. He represented to his majesty, in strong colours and without reserve, the formidable power and determined attitude of the people, who were nearly unanimous in their adherence to the detested covenant, which they were resolved to maintain to the last extremity. He complained of the encouragement given to the covenanters by a majority of the privy council, who manifested either a lukewarmness in his majesty's cause, or a decided leaning towards that of the covenanters, who had been incited to increased activity by an insidious report industriously circulated, that the hostile preparations being made in England for their repression were already nearly completed. This most unpromising aspect of affairs, though more than Charles had been prepared to expect, served only to deepen his infatuated determination. Hamilton, indeed, would gladly have saved his country from the miseries of civil war, but his low ambition of court favour was more than a counterpoise both to his patriotism and his loyalty. To him belongs the infamous distinction of having suggested a new, subtle, and treacherous policy for either dividing the covenanters, or at least temporising until the king's forces were ready for action. He proposed to his majesty to revive the national covenant as sworn by King James in 1580, but insidiously to substitute in place of the bond annexed by the covenanters, the original bond for the maintenance of religion, "as at present professed"—an ambiguous expression,

Perfidious policy proposed by Hamilton for dividing the covenanters.

* Burnet's Memoirs, p. 60. † Ibid.

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which Charles and his party should construe to mean prelacy, while the covenanters should be misled into the belief that it was intended to signify presbyterianism. After some days deliberation, the king, by the advice of Laud, resolved on adopting this treacherous expedient, and Hamilton was sent back to Scotland with fresh and more enlarged instructions. The great object was still to gain time, and Hamilton was authorised to pursue almost any course, however deceitful, by which this object was likely to be attained. He was required to endeavour to get the privy council to subscribe the proposed covenant, with the ambiguous bond subjoined to it; and, in the event of their compliance, he was empowered—if he should find it indispensable—to summon a General Assembly at such time and place as he might consider convenient, with this sole limitation, that it should be delayed *as long as possible*. He was enjoined to labour that the bishops should have votes in the assembly, and, if possible, that the moderator should be chosen from their order. Failing in this attempt, he was to protest in their favour, though he was to admit their accountability to the General Assembly; and, if any charges were preferred against them, he was even to agree to their being brought to trial. If he should consider it conducive to his majesty's service, he was authorised to suspend the operation of the articles of Perth, and to publish the order made by the council on the 5th of July preceding, for the recall of the liturgy, canons, and court of high commission. That these concessions were intended only to be temporary, there can be no doubt; and, indeed, it is evident from the concluding article of the instructions that Charles was not acting in good faith, and had no intention whatever of yielding to the demands of his Scottish subjects. "Notwithstanding all these instructions," he says, "you are by no means to permit a *present* rupture to happen, but to yield anything, though unreasonable, rather than *now* to break."

—he is again dispatched to Scotland.

The covenanters had all along justly suspected the sincerity of Charles in all his attempts to conciliate them; and, at this very time, a circumstance occurred which still further deepened their distrust. The Tables, that still continued their sittings in the capital, anxious to gain over the people of Aberdeen, who, through the persuasion of the doctors and the influence of Huntley, were still opposed to the work of reformation, sent a deputation to that town, consisting of the Earls of Montrose and Kinghorn, and Lord Cupar, with Alexander Henderson, David Dickson, and Andrew Cant, to make one effort more in favour of the covenant. Their appearance on such an errand was the signal for a renewed and violent opposition, on the part of the doctors, who inveighed against the covenant in their discourses from the pulpit; and, though the magistrates received the deputation with courtesy, they not only refused to subscribe the covenant themselves, but passed an act prohibiting its subscription by any of the inhabitants. A request that the ministers who formed part of the deputation should be allowed to occupy the pulpits was also peremptorily refused by their brethren of the town. They were constrained accordingly to preach in the open air. Great multitudes attended their ministrations, to whom they explained the nature and objects of the covenant, which, notwithstanding the injunctions of the magistrates, was subscribed by about five hundred persons, including some of the most respectable of the citizens. In the meantime, a vehement controversy was carried on between the doctors and the three covenanting ministers; and after sundry pamphlets had been published on both sides, and the deputation had returned to Edinburgh, the doctors arrogantly claimed the victory. Huntley lost no time in reporting this assumed triumph to the king, who had the impolicy, at this critical moment, to write a letter to the provost and town-council, and another to the doctors, conveying his hearty thanks, and making large promises of future favour. Hamilton, as impolitic as his master, also wrote them in similar terms, and remitted a donation of one hundred pounds to keep the press at work for the king's cause. These marks of court favour, though they excited at the time great exultation among the enemies of the covenant, contributed largely in the end to promote the cause they were intended to frustrate.

Deputation to Aberdeen. Opposition of the doctors and magistrates to the covenant.

They receive the thanks of the king and Hamilton.

Having received his instructions, the commissioner set out for Edinburgh, where he arrived on the 10th of August. He was immediately waited on by deputies from the Tables, to learn the result of his conference with the king. He was at first unusually reserved, but having consulted with the privy council, he, about a week after his arrival, made eleven primary demands, to which he required a categorical answer, as a necessary preliminary before summoning a General Assembly. To these demands a series of answers were returned, which convinced the commissioner they were not to be so easily imposed on as he had expected. He had recourse, therefore, to the expedient of reducing his eleven demands to two, which were so artfully framed as to comprise the greater part of the objectionable matter contained in the eleven. The two demands were—

Arrival of the commissioner in Edinburgh.

1. "That no layman should have voice in choosing the ministers to be sent from the several presbyteries to the General Assembly, nor any but the ministers of the same presbytery.

2. "That the assembly should not go about to determine things established by act of parliament, otherwise than by remonstrance or petition to the parliament."

These demands were taken into serious consideration by the Tables, and after much discussion, in

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which considerable diversity of opinion was manifested, they were unanimously rejected as snares laid to entrap them, and, in fact, as precluding the accomplishment of almost every object for which a General Assembly was demanded.

The deputies threaten to summon a General Assembly.

Impatient of further delay, the purpose of which they now began clearly to perceive, and indignant at the ever accumulating obstructions thrown across their path, the deputies now boldly avowed to the commissioner the determination of the Church, if the royal mandate were longer delayed, to summon a free assembly by the authority inherent in themselves. A long series of reasons for this decided step was speedily drawn up, and laid before the commissioner, who, in his turn, propounded a variety of objections, which were promptly answered; and, at last, the commissioner, finding he could not move the covenanters from their purpose, had again recourse to his temporising policy. He entreated them to suspend their resolution until he should once more repair to court, and solicit in person his majesty's concurrence. Many of the ministers, gentry, and burgesses, were strongly opposed to this new delay; but at a public meeting it was agreed, on the motion of Lord Lorn, seconded by Lord Rothes, to suspend further procedure until the 20th of September, on condition that the commissioner should use his influence with the king—"1. To obtain from his majesty an assembly, free both as to the members of which it should consist, and as to the matters which should be handled therein. 2. That the time of the sitting of such assembly should be fixed to a short day. 3. That the place of meeting might be the most commodious for all concerned. And, 4. That the interrupting of their letters in England might be discharged."

The commissioner again departs for court.

Having assented to these conditions, Hamilton took his departure for London on the 25th of August. On his way he stopped for one night to hold a consultation with the Earls of Traquair, Roxburgh, and Southesk, who drew up a memorial to be presented to his majesty recommending the unconditional recall of the canons and liturgy, the abolition of the court of high commission, the suspension of the articles of Perth, and the limitation of the power of the bishops by subjecting them to the control of a General Assembly. They further expressed their concurrence in the advice of Hamilton respecting the revival of the former covenant. When his grace reached the court, he represented to his majesty that the fear of exposing the royal authority to contempt had restrained him from publishing his former instructions; and that nothing seemed so likely to remove jealousies, and restore the tranquillity of the country, as a renewal of the covenant drawn up by command of King James in 1580, and containing an express and articulate renunciation of the errors of popery, the fear of which still haunted the minds of the people, and had, in fact, been one of the principal causes which led to the establishment of the recent covenant, to which nearly the whole nation had sworn adherence.

Hamilton again dispatched to Scotland with fresh instructions.

With this counsel, though deeply distasteful, Charles, who was not yet prepared for an open rupture with the covenanters, felt himself constrained to comply, and he once more dispatched the marquis to Scotland, to negotiate with the troublesome covenanters. The declaration and instructions of which he was now the bearer would probably, if issued a few months earlier, have satisfied all concerned. They were now regarded with coldness and distrust, as concessions granted when they could no longer be withheld, and likely to be resumed on the first favourable opportunity. Hamilton was commissioned to grant nearly everything that the covenanters had originally demanded—the recall of the service-book and canons, the abolition of the court of high commission, the suspension of the articles of Perth, the summoning of a free parliament and assembly, and the subjection of the bishops to the jurisdiction and control of the latter, as the highest ecclesiastical tribunal of the country. Such were Hamilton's public instructions; but along with these he had secret directions for counteracting them. "You must," says the deceitful monarch, "by all means possible you can think of, be infusing into the ministers what a wrong it must be unto them, and what an oppression upon the freedom of their judgments, if there must be such a number of laics to overbear them, both in their elections for the General Assembly and afterwards; likewise you must infuse into the lay lords and gentlemen, with art and industry, how manifestly they will suffer if they let the presbyters get head upon them."*

This insidious injunction was punctually obeyed by Hamilton, who soon had the malevolent satisfaction to find that it was not altogether without effect. Between the ministers and the covenanting lords there appeared symptoms of discord, which he industriously laboured to foment; and, in the expectation of a complete schism taking place between the parties, he determined on summoning an assembly without a moment's delay. The commissioner had reached Edinburgh on the 17th of September, and the deputies of the covenanters, after waiting impatiently for three days, during which he kept himself secluded, at last requested to know when they might expect to be informed of his majesty's pleasure. To their great joy, he informed them that the king had been pleased to grant all they desired, though he was not at liberty to communicate the particulars until he had made them known to the privy council, which was to sit the same day. The council accordingly assembled in the afternoon, when the marquis announced to them his majesty's pleasure, that the old covenant subscribed by King James should be renewed, but that the original bond was

* Burnet's Memoirs, p. 74.

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to be retained in preference to that which had been framed and adopted by the covenanters. Anxious to secure the concurrence of the council, without leaving time for deliberation, the result of which might be doubtful, Hamilton was urgent for an immediate vote. But the matter appeared too grave to be thus surreptitiously disposed of. Many of the members expressed a desire that, as the covenant and bond involved a confession of faith, they should be maturely considered; difficulties were started; objections were raised and answered; argument was followed by counter-argument, until the time was so far spent that the council broke up for the night without coming to any decision. At an early hour next morning they again assembled, and, after a protracted debate, they agreed to subscribe the covenant with the original bond, having previously recorded an explanation that they accepted it according to its original meaning, and as referring to the religion *then* professed, to the exclusion of prelacy.

Meeting of the privy council. A free assembly and parliament appointed to be held.

On the same day the council passed a number of acts of great importance, among which were the following:—An act declaring their entire satisfaction with the concessions made by his majesty, and their conviction that these ought to prove equally satisfactory to all his majesty's subjects;—an act declaring that they had sworn and subscribed the Confession of Faith, dated the 2nd day of March, 1580, together with the general bond, dated in the year 1589, for the maintenance of religion as professed at that time within this kingdom;—an act proceeding upon his majesty's appointment and order, that a free General Assembly be indicted to be held in the city of Glasgow on the 21st of November, and that proclamation of the same be made at the market-cross of Edinburgh, and at the other head boroughs of the kingdom, warning all and sundry archbishops, bishops, commissioners of kirks, and all others having place and vote in the assembly, to appear there at the time appointed;—and an act proceeding on his majesty's appointment and order, that the high court of parliament should be held at Edinburgh on the 15th day of May next to come, and that proclamation be made accordingly. Two days afterwards the council again assembled, and proceeded to still bolder measures. They passed an act ordaining all his majesty's subjects of whatsoever degree, estate, or quality, ecclesiastical or civil, to swear and subscribe the confession of 1580, and the bond of 1589, as they will answer the contrary upon their obedience, and ordaining proclamation to that effect to be made at the market-cross of Edinburgh; and also an act empowering one commissioner for every shire to exhibit the said confession and bond, and to require all his majesty's lieges to subscribe the same, as they will be answerable to his majesty.

The lords of the covenant were justly alarmed by these proceedings, the intention of which, though sufficiently obvious to themselves, might not be so easily detected by many of their adherents, who, misled by the apparent similarity of the king's covenant to their own, might be induced to acquiesce in the view of the council. In order to avert the threatened danger, Rothes, accompanied by several of the covenanting lords, immediately waited upon the commissioner, and requested him to delay issuing the proclamation until the next day, when they would be prepared to adduce conclusive reasons against the revival of the old covenant. This request, however, Hamilton peremptorily refused, and, on the same day, ordered proclamation to be made enjoining the subscription of the king's covenant, and summoning the assembly to meet at Glasgow. Considerable diversity of opinion as to the place of meeting had at first existed among the prelatical party. The Archbishop of St. Andrew's had suggested Aberdeen, the stronghold of episcopacy; but Glasgow was at last fixed on, on account of the great family influence of Hamilton in the west.

Proclamation enjoining the subscription of the king's covenant. Protest.

The proclamation, which was artfully conceived in most bland and conciliatory terms, and wore an aspect of candour and generosity eminently fitted to entrap the unwary, was instantly met by a protest from the Earl of Montrose and other deputies of the Tables, in which they keenly scrutinised the royal declaration, and openly exposed its subtle and specious artifices, by which, while professing to grant everything, it in reality secured nothing. They protested against being urged to swear the king's covenant, as by such oath they would bind themselves to the maintenance of prelacy, and all those other innovations which they had already solemnly and expressly abjured. "It cannot be denied," they said, "but any oath ministered unto us must either be refused, or else taken according to the known mind, professed intention, and express command of the authority urging the same; and it is most manifest that his majesty's mind, intention, and commandment, is no other but that the confession be sworn for the maintenance of religion as it is already or presently professed (these two being coincident, altogether one and the same, not only in our common form of speaking, but in all his majesty's proclamations); and thus it includeth and containeth within the compass thereof the foresaid novations and episcopacy, which, under that name, were also ratified in the first parliament holden by his majesty. * * * If we should now enter upon this new subscription," they said, "we should think ourselves guilty of mocking God, and taking his name in vain; for the tears that began to be poured forth at the solemnising of the covenant are not yet dried up and wiped away, and the joyful noise which then began to sound forth hath not yet ceased. As we are not to multiply miracles on God's part, so ought we not to multiply solemn oaths and covenants on our part, and thus to play with oaths, as children do with their toys, without necessity. * * * We solemnly protest that we do

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constantly adhere to our oath and subscription of the confession of faith and covenant lately renewed and approven;" and declining his majesty's prerogative as competent to deal with such matters, to the exclusion of the ecclesiastical courts and the legislature of the country, they added, "We also protest that none of us who have subscribed, and do adhere to our subscription of the late covenant, be charged or urged either to procure the subscriptions of others, or to subscribe ourselves, unto any other confession or covenant containing any derogation thereunto—especially that mentioned in the proclamation—without the necessary explanation and the application thereof already sworn by us, for the reasons above expressed. And because as we did, in our former protestation, appeal from the lords of his majesty's council, so we do now by these renew our solemn appeal, with all solemnities requisite, unto the next free General Assembly and parliament, as the only supreme national judicatories competent to judge of national causes and proceedings. * * * We still adhere to our former complaints, protestations, lawful meetings, proceedings, mutual defences, &c., all which, as they have been in themselves lawful, so were they to us, pressed with so many grievances in his majesty's absence from his native kingdom, most necessary, and ought to be regarded as good offices and pertinent duties of faithful Christians, loyal subjects, and sensible members of this Kirk and commonwealth, as we trust at all occasions to make manifest to good men, especially to his sacred majesty, for whose long and prosperous government, that we may live a peaceable and quiet life in all godliness and honesty, we earnestly pray." * On the reading of this spirited protest, the Earl of Montrose, in name of the noblemen; Mr. Alexander Gibson, younger, of Durie, advocate, in name of the barons; George Porterfield, merchant, burgess of Glasgow, in name of the boroughs; Mr. Harry Rollock, minister of Edinburgh, in name of the ministers; and Mr. Archibald Johnston, advocate, by whom the protest had been read, in name of all others who adhered to the covenant, took instruments in the hands of three notaries, and presented a copy to the herald, in the presence of a vast multitude of their constituents.

The protestation made in the capital, so far from inducing the commissioner to pause in the prosecution of his design, seemed to give fresh stimulus to his exertions. Orders were issued for publishing the proclamation in all parts of the country, but the Tables, justly apprehensive of a division among the covenanters, sent out deputies in such numbers, and with such dispatch, that the proclamation was everywhere met with the same protest, accompanied by the same legal formalities. The deputies were further instructed to use all possible diligence in warning every presbytery and congregation against subscribing the king's covenant, which they denounced as a "cunningly devised" plot to divide them, and give the victory to their enemies. By these means a general schism, which would have otherwise been almost certain to follow, was averted, and except in Aberdeen and Glasgow, the ranks of the covenanters were maintained unbroken. In the latter the defection was but partial, though several of the ministers made their appearance at the cross with a small party of non-covenanters, and indulged in factitious and extravagant demonstrations of joy at what they termed "the grace and benignity of the king's mind," and urged the necessity and expediency of subscribing "the national covenant," in obedience to his command, and in imitation of their loyal example. When the proclamation was published at the Cross of Aberdeen, the Master of Forbes and the Lord Fraser caused the protest to be read; but such was the influence of Huntley and the doctors, that great numbers subscribed the king's covenant. The zealous doctors, however, were not contented with a simple and unqualified subscription, but manifested their sycophantic loyalty by adding an explication, that they did not by their subscribing condemn episcopacy or the articles of Perth. It is worthy of especial remark, as serving to demonstrate the base deceit both of the king and his commissioner, and to show the interpretation which they put upon the bond for the maintenance of religion as *at present professed*, that the subscriptions were received by Hamilton with this explication; but lest the example of annexing explications should be followed by others who might adopt a different interpretation, the matter was kept secret, and the subscriptions of the doctors were taken on a separate bond.

Proclamation in Glasgow—

—and Aberdeen.

Hamilton, still dissatisfied with the result of the attempt to disunite the covenanters in Glasgow, soon afterwards proceeded thither in person, with a view to secure subscriptions to the king's covenant. He was accompanied by Dr. Balcanquhal, his confidential adviser, who, in a sermon which he preached in the High Church, laboured to gain over the people to his purposes; but notwithstanding Hamilton's great influence in the west, and his most strenuous endeavours to induce the magistrates to embrace the king's covenant, he had the mortification to find that they were desirous of being allowed a delay of ten days to advise on the matter. At the end of that period, a further delay of eight days was insisted on by the provost. With each delay, however, their scruples seemed to increase both in number and intensity, and even up to the meeting of the assembly they remained still undecided.

Unfortunately, considerable distrust and disunion now arose between the clergy and laity regarding the election of members of the General Assembly. The proposal of the court, "that the commissioners to the assembly should be elected by the ministers alone," and the vile intrigues practised by Hamilton in obedience to the express injunctions of the

Disunion between the clergy and laity.

* Stevenson, original edition, vol. ii. p. 447.

king, had not altogether failed of their intended effect. The constitution of assemblies had, moreover, from their having been long in abeyance, become almost forgotten; and the restoration of lay elders, who had been displaced by James, excited the apprehension, if not the jealousy, of many of the clergy—who erroneously considered it as an innovation, and an attempt on the part of the nobility and gentry to establish a predominance in the high ecclesiastical court, and thus usurp a position to which they were not entitled. The Tables, on the other hand, were not without some misgivings as to the policy of allowing any opportunity to the clergy of grasping at a power which had been often so tyrannically and perniciously exercised. They were by no means disposed merely to exchange the tyranny of the prelacy for that of presbyteries. By the constitution, as well as by the ancient custom of the Church, one elder from each parish was appointed to attend the presbytery, and when the clergy who appeared as candidates for election as commissioners to the assembly had, as was the practice, withdrawn, the laity were the majority. As this regulation had ceased to be generally known, a treatise was drawn up, in which it was explained and enforced. The office of ruling elder was shown to be essential to the very existence of presbyterianism, and the elder, both by the polity of the Church and the law of the land, to be a constituent part of every General Assembly. This treatise, together with instructions respecting the mode of electing commissioners, and the qualifications necessary for that important office, was circulated through all the presbyteries of the kingdom. The effect was eminently beneficial to the cause of the covenanters. The ancient rule was adhered to, and under its operation the most zealous and orthodox ministers were returned as commissioners, and the leading covenanters as ruling elders. Besides these, according to the practice of the Church ever since the Reformation, forty-eight boroughs sent each one lay member to the assembly; but still the number of elders, both from presbyteries and boroughs, did not on this occasion exceed ninety-six, while that of ministers amounted to one hundred and forty.

From the presence of a large number of the most distinguished nobility and gentry as members of the assembly, its influence both with the court party and the country far surpassed that of a body composed of ecclesiastics alone; and this influence was still further increased by the assumption of four assessors to each elder—men of probity, wisdom, and experience, by whose advice, both in public and in private, the lay members were ably assisted at this difficult and important crisis.

Before the meeting of the assembly, the result of the elections had fully satisfied the covenanters that they could rely on the zeal and integrity of the majority of the members; and the only remaining difficulty was the mode of proceeding against the bishops. It was true that, by the king's proclamation, they were commanded to be in attendance at the meeting of the assembly, to whose jurisdiction and authority they were moreover declared to be subject; but still no warrant had been issued citing them to appear there as delinquents. The Tables had protested against their being allowed to sit as members of the assembly, until they had cleared themselves, by a fair and legal trial, of the accusations brought against them; but they had no authority to summon them to the bar of the assembly, and the proceedings of previous assemblies had furnished neither law nor precedent to guide them in such a conjuncture. In these circumstances, the Earl of Rothes and some other leading members of the Tables petitioned the commissioner for a warrant to cite the bishops as accused parties before the assembly. This, however, the commissioner refused, on the ground that he had no precedent for such a proceeding; and peevishly remarked that he thought he had done enough by refraining from throwing any obstacles in the way of their being brought to trial. In the meantime, however, the prelates, as Hamilton well knew, had, notwithstanding their having been declared by the king's proclamation subject to the discipline of the assembly, prepared a declinature of the authority of that body, on the ground of its being partially composed of laics; and that document had been actually revised by his majesty himself, and was intended to be produced, not to bar the trial, but as a protest for the dissolution of the assembly.*

Accusations against the bishops.

The leaders of this great popular movement were far too able and experienced, and had already dared too much to be so easily defeated in a matter of such importance. They drew up a complaint in the form of a libel against all the bishops, in which their public offences, and private personal delinquencies, were embraced in one general and cumulative accusation. They were accused collectively of having transgressed the *caveats*, or cautions, by which they had been limited by the act of assembly passed in the year 1600, and ratified by the late king; of behaving themselves as lords over the Church, rather than as pastors of the flock; of publicly teaching, as well as privately defending, popish and Arminian doctrines, and indirectly encouraging, by promotion in the Church, the teachers of such tenets; and of being personally guilty of the most flagrant immoralities—of bribery, simony, lying, dishonest dealing, gambling, sabbath-breaking, profane swearing, drunkenness, fornication, and adultery. This complaint which, according to arrangement, was preferred by a large body of the principal nobility, barons, and burgesses, not members of the assembly, was in their own name, and in that of all the other covenanters, also not members, laid before each of the presbyteries within whose limits a bishop either resided at the time or held his cathedral seat; and in addition to the charges against the

* Burnet's Memoirs, p. 91.

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prelates in general, the particular offences of each bishop in particular were noticed in a blank space left for that purpose; or if, as frequently happened, that were too small to contain the enumeration of his misdeeds, these were directed to be duly recorded and complained of in a separate document. All these accusations were accompanied with a petition to the several presbyteries—as the competent judicatories for the investigation of such scandals, and the trial of the parties—that they would either take the same into their own consideration, and award such censure as the offences might appear to deserve, or otherwise refer the whole affair to the General Assembly. According to preconcerted arrangement, all the presbyteries referred these complaints to the forthcoming assembly; and in the meantime ordained them, as well as the reference thus made, to be publicly read from every pulpit within their bounds, together with a citation to all the offenders, by name, "to be present at the said assembly, to answer to this complaint in general, and to the particular heads of it; to undergo the trial and censure of it, and to bring with them the books and scrolls of the subscriptions and oaths of them who entered into the ministry, the books of the high commission, and the books of the General Assembly, which they either had or have fraudulently put away." *

Their plans being thus far matured, the indefatigable Tables issued a requisition that all the noblemen and gentlemen who had signed the covenant should meet at Glasgow on the 17th of November, being the Saturday immediately preceding the meeting of the assembly; and that all elders chosen as commissioners should repair thither by the same day, each bringing with him four assessors to assist him with their advice. With a view to counteract this arrangement, the privy council were prevailed on to publish an act prohibiting any commissioner from carrying with him to the assembly more attendants than those of his own family and ordinary retinue. The proclamation of this order called forth a protest from the covenanters, which, according to usage, had the effect of suspending its effect, and thus rendering it inoperative. Traquair, however, had in store another device, so mean and base as to stamp with indelible infamy all concerned in carrying it into execution. This was no other than to attempt depriving the assembly of many of its members by putting to the horn all commissioners who could for any civil cause, or on any pretence, be brought within the toils of the law. For this purpose no pains were spared to discover all who happened to be involved in pecuniary liabilities, or in arrear of taxes; and even fictitious claims were artfully got up as a pretext for these oppressive proceedings. Against this insidious attempt to exclude a number of the commissioners from their seats in the assembly, a long paper of reasons was given in, in which it was triumphantly shown that, although the crime of rebellion charged in letters of horning might debar a man from sitting in a civil judicatory, nothing but excommunication could cut him off from the privilege of sitting in an ecclesiastical court. "Unless this distinction be observed," it was remarked, "horning will be a real excommunication. * * * And the horning being used at this time rigorously, *in fecundem totius ecclesiæ*, it ought to be so far from being respected, that it is to be resented, and the urgers thereof to be ecclesiastically punished." The commissioner and the council found it impossible to proceed in the face of this able remonstrance, and the infamous design was ultimately abandoned.*

Base artifice of Traquair.

When the court of sessions met at Edinburgh, on the 1st of November, Hamilton made an effort to prevail on the lords to subscribe the king's covenant; and several of them having pressed for delay, a debate ensued, which lasted for three hours, when not more than nine were persuaded to adhibit their names. Two had absented themselves, and four steadfastly refused—assigning a variety of reasons, and protesting "that those doubts should be cleared by the determination of the assembly then indicted;" and that their refusal did not proceed from disloyalty or disobedience, "but merely from a solicitude to walk warrantably in a matter of so great importance."

This partial failure did not deter the commissioner from trying a similar experiment with the privy council. Having convoked a meeting of that body, he informed them that his majesty desired to limit, but not to abolish episcopacy, and earnestly urged them to pass an act approving of the king's will in this particular. This proposal was vigorously opposed by the lord-advocate, Sir Thomas Hope, and the council showed no inclination to comply with it. The commissioner was at no pains to conceal his resentment against Hope; but, after many bitter and reproachful speeches, commanded him, as his majesty's servant, to proceed to Glasgow and defend episcopacy, as he should answer at his peril. This order he respectfully but firmly declined to obey, boldly declaring that he conscientiously considered episcopacy as contrary at once to the word of God and the law of the kingdom. The marquis then peremptorily discharged him from proceeding to Glasgow on this occasion—a mandate which he reluctantly obeyed.

Spirited conduct of the lord-advocate.

As the time appointed for the meeting of the assembly drew near, the prelates began to tremble for themselves and their order, and earnestly advised Hamilton to frustrate the schemes and disappoint the hopes of the covenanters by a prorogation. There can be no doubt that this advice would have been eagerly followed, had it now been possible for the king to recede without precipitating a crisis which it was his policy to postpone. He resolved

Perfidy of the king.

* Stevenson, original edition, vol. ii. p. 459.

* Stevenson, original edition, vol. ii. p. 464.

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that the assembly should be held, though he hoped, by sowing division, and artfully interposing obstructions to their proceedings, to frustrate the objects for which the assembly had been demanded. In his secret instruction to Hamilton, his deliberate, studied treachery, notwithstanding all his specious professions, is obviously manifested. "As for this General Assembly," he says, "though I can expect no good from it, yet I hope you may hinder much of the ill—first by putting divisions amongst them concerning the legality of their elections, then by protesting against their tumultuary proceedings." * Again, in a subsequent letter, "As for the opinion of the clergy (the prelates) to prorogue this assembly, I utterly dislike them; for I should more hurt my reputation by not keeping it, than their mad acts can prejudice my service. Therefore, I command you, hold your day; but as you write, if you can break them, by proving nullities in their procedure, nothing better." † We shall afterwards see with what scrupulous punctuality Hamilton obeyed these perfidious injunctions.

The assembly had been summoned to meet on Wednesday, the 21st of November, and on the Saturday previous, the commissioner proceeded from Hamilton to Glasgow, accompanied by the lords of the privy council and a numerous train of attendants. He was met on the way by the greater part of the nobility, and other leaders of the covenanters, who were desirous of paying their respects to him as the representative of their sovereign. He received them with much courtesy and apparent cordiality. Many mutual civilities and conciliatory speeches were interchanged. On the one hand, he assured them that nothing "dissonant to scripture, reason, and law," would be asked; and, on the other, they promised that nothing reasonable would be denied. On the arrival of the commissioner in Glasgow, he found the city in a state of intense excitement, and filled to overflowing with people from all quarters of the kingdom, including nearly the whole of the commissioners to the assembly with their assessors, many of whom had, by concert, repaired thither on the previous day. Among these were the greater part of the principal nobility, a large number of the most influential barons, and many of the chief magistrates of boroughs, and other respectable burgesses, collected from every town in Scotland—all prepared to resist every attempt to subject them, either by force or fraud, to the detested yoke of episcopacy. The boldest heart might well have quailed in the face of such an opposition, and we can scarcely doubt that Hamilton must have now begun to despair of the success of his mission. He resolved, however, to try all the chicanery of which he was master, in order to bias or divide the assembly, and especially rather to dissolve it than to permit the bishops to be arraigned, much less condemned. But his chief reliance was now on the preparations which were being vigorously carried forward in England. Notwithstanding the pacific declarations of the king and his commissioner, a large naval and military armament was in course of being secretly fitted out, to compel the covenanters to submission at the point of the sword. To force episcopacy on a reluctant people, and by its means to establish an unmitigated despotism, both civil and ecclesiastical, Charles was ready and resolved to plunge the kingdom into all the miseries of civil war. But it was impossible to conceal his operations. The covenanters were fully apprised of their danger, and already began to take measures for their own defence. Arms, ammunition, and other military stores, were collected by the nobility, and by many of the towns; and General Leslie, an officer of great ability and experience, who had distinguished himself in various campaigns under Gustavus, King of Sweden, was invited to return to take the command of the patriot army, in case the king should, in pursuance of his insane and wicked policy, actually carry matters to the last extremity.

Meeting of the assembly, 21st of November.

Such was the relative position of the parties when the assembly met, according to appointment, on the 21st of November, in the High Church of Glasgow. Never since the Reformation had Scotland witnessed the convocation of an ecclesiastical council so august and important. It consisted of one hundred and forty of the most distinguished ministers of the Church, with ninety-eight ruling elders, of whom seventeen were noblemen of the highest rank, nine were knights, twenty-five were gentlemen of landed property, and forty-seven were burgesses, including many of the first magistrates of boroughs, and all of them men of known talent and respectability, and well qualified to represent in parliament the communities to which they belonged. If to these we add the assessors, men selected for their wisdom and experience in the management of public affairs, as well as for qualifications still more important, and comprising in their number almost every baron of note in the kingdom, we may form some idea of the irresistible array of moral and intellectual force to which the infatuated king and his subservient commissioner had chosen to place themselves in antagonism. Such an assembly, forewarned of the treachery of their adversaries, were not to be easily circumvented; and strong in the rectitude of the cause they had embraced, and supported by the almost universal public opinion of their countrymen, who were ready to risk fortune and life itself in their defence, were not likely to be overawed. For two weeks after the first sitting of the assembly, the concourse of people was so exceedingly great, that the members could not get access to the place of meeting without the assistance of the town-guard, headed by the magistrates, and in some instances, especially at first, many of the nobility and gentry, and even the commissioner in person, lent their aid in making way for the members through the eager multitude. The vast building afforded them

* Burnet's Memoirs, p. 82. † Ibid., p. 82.

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ample accommodation, and convenience, as well as state, seems to have been studied in the arrangements. In an elevated chair of state sat the lord-commissioner, surrounded by the lords of the privy council; at a long table occupying the central space were placed the covenanting lords and barons with their assessors, while the other commissioners occupied successive ranges of ascending seats around the table. A small table was placed in the midst for the moderator and clerk; at the end was a platform of considerable elevation, prepared for the young nobility, and a promiscuous assemblage of ladies and gentlemen crowded the galleries above.*

Mr. Bell of Glasgow, being the oldest minister, had been appointed to preach; but his sermon, which contained many pointed remarks against the late innovations, was lost to the greater part of the audience, not a sixth part of whom could hear him distinctly. Most probably this circumstance had been foreseen, and had influenced the selection —the assembly being unwilling to stir up in the outset those hostile passions, which were so likely to be aroused in the course of their subsequent proceedings.

A great part of the first day was occupied in receiving commissions, and other matters of preliminary routine. On the second, the tug of war commenced, and it became evident that the commissioner, notwithstanding all his professions of liberty and moderation, was resolved to contest every inch of ground, and to employ every artifice to defeat the objects for which the assembly had been convoked. The first business naturally was the appointment of a moderator, but Hamilton, acting under the private instructions of the Bishop of Ross, insisted that the election of a moderator should be postponed until the commissions should be subjected to a scrutiny, under the plausible pretext of preventing ulterior confusion and difficulty, in the event of any of them being found untenable. The real object was to stamp a nullity on the very first proceeding of the assembly, by rendering its act informal and valid. The stratagem was instantly detected. It was urged in reply, that by the invariable practice of the Church, the assembly elected and installed a moderator before proceeding to any other business whatever; that until this was done the assembly could not be legally constituted, no question could be rightly discussed, and no decision could properly be regarded as embodying the opinion of a regularly organised body. After a long and keenly contested discussion, in which Lord Traquair and Sir Lewis Stewart, who acted in place of the lord-advocate, on the one side, and the Lord Rothes and Loudoun, on the other, took a prominent part, the assembly resolved to proceed in the election, and the commissioner gave way, under protest that this concession should not import his approbation of any commission to which he might afterwards object, or his acknowledgment of any delegate as a lawful member of the assembly. In like manner, he protested that the nomination of a moderator should nowise prejudice the lords of the clergy in their office, or any dignities which law or custom had given them. Having taken instruments on these protests, they were met by a counter-protest from Lord Rothes, in name of the commissioners. The assembly were now ready to constitute their meeting by the choice of a moderator, when the procedure was again interrupted by the commissioner, who now presented the declinature of the bishops, and requested that it should be immediately read. A tumultuous outcry of "No reading! no reading!" instantly ensued, followed by a long and stormy discussion, which ended in the assembly's refusing to listen to the paper until they were constituted; but they professed their willingness, after that, to hear any paper which his grace might be disposed to present. Against this refusal a protest was lodged by the commissioner, which was followed by a counter-protest in name of the delegates. Much time was wasted in these preliminary skirmishes, and all were weary of protests. A new subject of contention was, however, introduced by the commissioner, who informed the assembly that his majesty had by letters addressed to six of the lords of the privy council constituted them his assessors, not only to assist him with their advice, but to vote in the assembly. These were the lords treasurer and privy seal, Argyll, Lauderdale, Carnegy, and Sir Lewis Stewart. The letter addressed to Argyll was publicly read, and the commissioner urged the assembly to give effect to the king's desire in this matter before the transaction of any other business. This demand was refused, on the ground that the king, if present in person, would require only one vote, and that by allowing more to his representative, a precedent would be introduced fraught with danger to the freedom of the assembly. Against this refusal Hamilton lodged a protest, which was followed by an answer on the part of the commissioners.

Disingenuous proceedings of Hamilton.

All obstructions being at length removed, the assembly proceeded to the election of a moderator. Six individuals were put in nomination, and on the list being put to the vote, the choice fell on Mr. Alexander Henderson, without a single dissentient voice, the lord-commissioner alone declining to vote. The moderator thus chosen did then, by solemn prayer, constitute the assembly *de novo*, in the name of the LORD JESUS CHRIST.

Alexander Henderson elected moderator.

A motion made by the moderator for the appointment of a clerk to the assembly was the signal for a new, prolonged, and violent altercation. It was vehemently opposed by Hamilton, who seemed determined to oppose everything that did not emanate from himself, or from some of his servile adherents. In the course of the discussion which ensued, he renewed his demand that his assessors should be permitted to vote; but finding the assembly inflexible, he had again recourse to a pro-

* Baillie.

test, which was answered by Lord Loudoun on the part of the commissioners of assembly. Mr. Archibald Johnston was then, by an almost unanimous vote, appointed clerk to the assembly; and having been formally installed in his office, the moderator required that all who had in their possession any of the books or acts of former assemblies should put them into his hands. Such was the zeal manifested by sundry individuals into whose hands these documents had fallen, that in the course of the sederunt enough were collected to form, according to the opinion of the clerk, a complete register of the Church from the Reformation.* A committee was then appointed to examine the books, and report to the assembly as to their genuineness and authenticity.

The moderator now proposed that the assembly should proceed to the important and delicate work of scrutinising the commissions of its members. Until this was done, it was obvious that the assembly could not be fully constituted, and that its acts would remain open to challenges which might give rise to interminable discussions, confusion, and uncertainty. The lord high commissioner, however, objected to this reasonable proposal; and required that Dr. Robert Hamilton should first be permitted to read, for the information of the members, a paper with which he had been entrusted by the lords of the clergy. A lengthened debate followed, in the course of which the real nature of the paper transpired. It was nothing else than the famous declinature, which had been revised by the king, and by which he hoped to be able to neutralise his own act subjecting the prelates to the jurisdiction of the assembly. Accordingly, the assembly wisely refused to hear the paper until the commissions had been tried, but promised that after that it should have the precedence of all other business. This decision was of course followed by a protest from the pertinacious commissioner. The greater part of two days was occupied with the examination of the commissions, and, with the exception of a very few that were set aside on points of form, the whole were sustained.

Next day, the committee appointed to examine the old registers of the Church gave in their report, in which they attested before God and declared to the world, "that these registers are famous, authentic, and good registers, which ought to be so reputed, and have public faith in judgment and outliveth the same, as valid and true records in all things."† In deference to the wish of the commissioner, who professed not to be fully satisfied, the vote upon the report was deferred until the following day.

The bishops decline the jurisdiction of the assembly.

The time had now arrived for hearing the long-talked-of and often-urged declinature of the prelates. It was presented by Dr. Robert Hamilton, minister of Glassford, who appeared as their procurator, and was at length publicly read in the face of the assembly. In this document, which is much too prolix to be quoted, the prelates refused to acknowledge the jurisdiction of the assembly, chiefly on the ground that laymen had been permitted to have a voice in the choice of commissioners, and hold commissions as members of the assembly; and that it was contrary to reason, as well as to the practice of the Church, to require archbishops and bishops, who were superior to other pastors, to submit to the judgment of a mixed tribunal, consisting of inferior ecclesiastical functionaries and laymen, convoked without the lawful authority of the Church in an irregular assembly, at which the primate did not officiate as moderator. No sooner had Dr. Hamilton finished the reading of this paper, than an adroit movement was made, which took the whole prelatical party by surprise. Durie, one of the principal clerks of session, instantly rose and took instruments in name of the complainers, that the bishops by this declinature had acknowledged their citation, that they had compeared by their procurator, and that, therefore, their personal absence was wilful. He, therefore, craved what was no sooner sought than granted, that Dr. Hamilton should be cited *apud acta*, and the bishops recognised as at the bar of the assembly.* This drew forth another protest from the lord-commissioner, who keenly felt the false position in which the prelates had inadvertently allowed themselves to be placed. A committee was then appointed to draw up answers to the declinature—a proceeding against which Hamilton was careful to record his protest, which was immediately responded to by a counter-protest on the part of the covenanters.

Next day, the seventh of the assembly's meeting, was looked forward to by both parties with much anxiety. The fate of episcopacy in Scotland, as well as the peace and safety both of the Church and the State, were trembling in the balance, and who could foresee the result of that day's deliberations? Before approaching the great question, with which all minds were agitated, the committee that had been appointed to test the newly-discovered registers of the Church, produced their report, in which they pronounced these records to be genuine and authentic. This was opposed by the lord-commissioner, who protested against these books being acknowledged as sufficient registers, and that neither his royal master nor the lords of the clergy should suffer prejudice by anything contained in them.† Notwithstanding this, the assembly passed a unanimous resolution approving of these books as the true and authentic registers of the Church, and appointed the testimony of the committee, together with their reasons, to be inserted in the books of the assembly.

The momentous subject of the declinatures was now resumed; and in the answers prepared by the committee, the utter groundlessness of the objections urged by the prelates against the constitution

* Stevenson, vol. ii. p. 494. † Ibid., p. 508.

* Stevenson, vol. ii. p. 515. † Ibid., p. 516.

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of the assembly was triumphantly demonstrated. It was shown that the practice of admitting lay elders to have a voice in the choice of commissioners, and to take part in the deliberations of the assembly, had existed ever since the Reformation, and had never before been challenged, even under episcopacy itself; and the second book of discipline was appealed to, in which it is ordained that a moderator should be elected by common consent of the whole brethren convened, while the appointment of a constant moderator was a novelty surreptitiously introduced among other prelatical usurpations, and altogether unknown in the established order of the Reformed Church of Scotland. A keen discussion ensued, which was protracted until both parties were exhausted by the contention. The moderator at last terminated the disputation by putting the question, Whether or not the assembly found themselves competent to sit in judgment on the bishops, notwithstanding their declinature? This momentary question was about to be submitted to a vote, the issue of which could not be doubtful; but the lord-commissioner instantly rose and interrupted the proceedings. He had done his utmost to obstruct the business of the assembly, and to reserve almost every question for further deliberation by protests; but this was more than his instructions authorised him to tolerate. He was on no account to allow the bishops to be subjected to the censure of that assembly to whose jurisdiction they were by the king's public declaration to be amenable. "I should, perhaps," he said, "have continued a little longer with you, if you had not fallen upon a point which doth enforce my deserting you. You are now about to settle the lawfulness of this judicatory, and the competency of it against the bishops, whom you have cited hither, neither of which I can allow, if I shall discharge either my duty towards God or loyalty towards my gracious and just master." He declared that they had called for a free assembly, but after one most free had been granted by his majesty, they had so conducted themselves that not a shadow of freedom could be discerned in their meeting; but that as his majesty was sincerely desirous that all he had promised in his gracious proclamation should be performed by means of a lawful assembly, it was not yet too late to think whether this could not be done, even in the present assembly, such as it was, without his majesty being compromised by appearing to approve of its illegalities. He then delivered to the clerk a paper detailing his majesty's concessions as contained in the royal proclamation, and desired that it should be read to the assembly. He at the same time took instruments that, by producing and signing these, he had made known his majesty's intentions, but took care to add that in so doing he did not acknowledge the lawfulness of the assembly. The explanation of this allusion he reserved until the clerk had finished the reading of the paper, when he reiterated the objections contained in the bishop's declinature against the presence of lay elders and commissioners chosen by laymen. He declared that the assembly was thus vitiated in its constitution, and professed regret that he could no longer continue to countenance their proceedings. "If you will dissolve yourselves," he added, "and amend all your errors in a new election, I will, with all convenient speed, address myself to his majesty, and use the utmost of my intercession with his sacred majesty for the indiction of a new assembly, before the meeting whereof all these things now challenged may be amended. If you shall refuse this offer, his majesty will then declare to the whole world that you are disturbers of the peace of this Church and State, both by introducing of lay elders against the laws and practices of this Church and kingdom, and by going about to abolish episcopal government, which at this present stands established by both these said laws."

The moderator, in reply, expressed on the part of the assembly deep gratitude to his majesty for this testimony of his goodness. It had been the glory, he said, of the reformed Churches to give unto kings and magistrates what belonged to their place. Next to piety towards God, he declared that he and his brethren felt bound in loyalty and obedience to their sovereign, and now cheerfully offered to spend their lives in his service. They would do with him as the Jews did with Alexander the Great, who, when he came to Jerusalem, desired that his picture might be hung up in the Temple. This they refused, as it would be unlawful to pollute the house of the Lord; but they granted to him a mark of honour which they might lawfully bestow—that they would begin the reckoning of their years from the time of his coming to Jerusalem, and would call all their first-born sons by his name. "So whatsoever is ours," added the moderator, "we shall render to his majesty, even our lives, lands, liberties, and all; but, for that which is God's, and the liberties of his house, we do think, neither will his majesty's piety suffer him to crave, neither may we grant them, although he should crave it."*

The lord-commissioner expressed great satisfaction with these sentiments. "Sir," he said, "you have spoken as becometh a good Christian and a dutiful subject, and I am hopeful you will conduct yourself with that deference you owe to our royal sovereign, all of whose commands will, I trust, be found agreeable to the commandments of God."†

The moderator replied that the assembly, having been summoned by his majesty, and consisting of members appointed and authorised in conformity with the law and practice of the Church, they took themselves for a free assembly, and he trusted that all their proceedings would be conducted according to the law of God and reason. He then asked again if he should put the question, Whether or not the assembly found themselves competent to

* MS. Journal of the Assembly, in the possession of the Rev. Dr. Thomas M'Crie, compared with another in the possession of David Laing, Esq.; M'Crie's Sketches of Scottish Church History, vol. i. p. 228.

† Stevenson, vol. ii. p. 545.

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sit in judgment on the bishops? The commissioner urged that this question might be deferred. "Nay," answered the moderator, "with your grace's permission, that cannot be, for it is requisite that it be put immediately after the declinature." The critical moment had now arrived. "If you proceed," said the commissioner, "to the censure of their persons and offices, I must remove myself."—"A thousand times," replied the moderator, "do I wish the contrary from the bottom of my heart, and I entreat your grace to continue to favour us with your presence without obstructing the work and freedom of the assembly." This request was warmly seconded both by the Earl of Rothes and Lord Loudoun; but Hamilton was only following up his pre-conceived determination, and was deaf to all argument and entreaty. He appealed to God that he had laboured as a good Christian, a loyal subject, and a kind countryman, for the good of the Scottish Church, and that there was nothing within the bounds of his commission that he would not gladly do for her. He seemed to labour under irrepressible emotion, and with tears, in which he was joined by many of his auditors, lamented that such a weighty burden was laid upon so weak a man, who was unable to bring matters to the conclusion which he wished. Several members of the assembly in vain endeavoured to shake his resolution. He interrupted them by saying, in a peremptory tone, "I stand to the king's prerogative as supreme judge over all causes, civil and ecclesiastical; to him the lords of the clergy have appealed, and, therefore, I will not suffer their cause to be further reasoned here." He desired the moderator to conclude the meeting with prayer; and, on this being refused, he repeated all his former protestations in the name of his sovereign; and, in his own name, and in name of the lords of the clergy, he protested that no act there should imply his consent, or be accounted lawful or of force to bind any of his majesty's subjects, or in any manner prejudice their interests. He then, in the king's name, declared the assembly dissolved, and prohibited all further proceedings.

The commissioner declares the assembly dissolved.

In anticipation of such a crisis, Lord Rothes had come prepared with a protest, upon which he now took instruments, and handing it to the clerk, it was read by that functionary as the commissioner and the council were in the act of retiring. Of the latter, Argyll alone remained behind, and thus gave his countenance to the assembly at this trying moment.

Protest of Lord Rothes.

After the reading of the protest, the moderator addressed the assembly in a speech abounding with encouragement and seasonable exhortation. "All who are present know," he said, "how this assembly was indicted, and what power we allow to our sovereign in matters ecclesiastic. But though we have acknowledged the power of Christian kings for convening assemblies, and their power in them, yet that must not derogate from Christ's right, for he hath given warrant to convocate assemblies, whether magistrates consent or not. Therefore, seeing we perceive his grace my lord-commissioner to be zealous of his royal master's commands, have not we as good reason to be zealous towards our Lord, and to maintain the liberties and privileges of his kingdom? You all know that the work in hand hath had many difficulties, and yet hitherto the Lord hath helped and borne us through them all; therefore, it becometh not us to be discouraged at our being deprived of human authority, but rather that ought to be a powerful motive to us to double our courage in answering the end for which we are convened." This pathetic appeal was followed by similar exhortations from several of the brethren, after which the moderator put the question, Whether they would adhere to the protestation against the lord-commissioner's departure, and continue constituted until all things needful were concluded or not? The day had now drawn to a close, and in the obscurity of the twilight, one or two of the more timid or doubtful had withdrawn. Lights were ordered to be brought in; and, on the question being put, the whole assembly rose to their feet, and, as one man, decided in the affirmative. Lest, however, any dissentient voice should have been unheard amid the tumultuous exclamations of acquiescence, the whole roll of the members' names was deliberately read, when, one by one, all declared their resolution to remain until the business on which they had met should be completely finished.*

Just before this, an incident occurred which excited very lively emotions of joy, and tended greatly to encourage the assembly in the bold course they had resolved to pursue. Lord Erskine, son of the Earl of Mar, a young nobleman of great promise, rising from his seat in the gallery, which had been set apart for the young nobility, modestly requested permission to address the assembly. In a subdued, but earnest tone, and with an utterance interrupted with tears, he said, "I request you, for the Lord's cause, right honourable and worthy members of this assembly, that ye would receive me into your number; for I have remained too long obstinate to your wholesome admonitions, being moved and stirred up by my own private ends, rather than any checks of conscience, which ends I cease to reckon before you; but I am ashamed of them, and that I should have dallied so long with God. Therefore, I request you, for Christ Jesus' sake, that ye would receive me into your number, and suffer me to subscribe your covenant." These words were uttered in so low a voice, that the moderator thought it necessary to repeat them to the assembly; and his voice, also faltering with emotion, nearly the whole audience were melted to tears. The request of the noble youth was most willingly granted: he affixed his name to the bond, and many others immediately followed his example. The moderator now found himself at liberty to

* M'Crie's Sketches, vol. i. p. 232.

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put the momentous question that had so much alarmed the lord high commissioner—Whether the assembly found themselves lawful and competent judges of the pretended archbishops and bishops, with their adherents, notwithstanding their declinature? On the roll being called, this was found to be all but unanimously carried in the affirmative, there being only three or four dissentient voices.

The assembly find themselves competent judges of the bishops.

Next day the Marquis of Hamilton issued a proclamation, which, with the concurrence of a majority of the council, was published with the usual solemnities at the market-cross of Glasgow, prohibiting all further meetings of the assembly, under pain of treason. This was promptly met by Mr. Archibald Johnston, assisted by Lord Erskine and several other young noblemen, with a protest substantially the same that had been given into the assembly, and approved by them at the lord-commissioner's departure.

When the assembly again met, they had the great gratification of finding that their resolution not to disperse had the approbation of a considerable number of the privy council, and particularly of the Earl of Argyll, who, though he had all along secretly sympathised with the covenanters, had hitherto kept aloof under the guise of neutrality. It was no small encouragement to the assembly at this trying crisis, to have the countenance of a nobleman who was, at that time, by far the most powerful subject in the kingdom, and was known to stand high in the confidence and favour of the king. On this occasion, however, the moderator wisely cautioned his brethren not to place too much reliance on this "human encouragement." "Though we had not a nobleman to assist us," he said, "our cause were not the worse nor the weaker, but thereby occasion is given us to bless God that they are coming in daily."*

The further meetings of the assembly prohibited under pain of treason.

The great contest was now over, and the assembly, freed from the pertinacious opposition and protests of Hamilton and his adherents, proceeded calmly, but firmly, to the completion of the vitally important business which they had met to perform. Their first step was to declare null and void the six pretended assemblies that had been held since the accession of James to the English throne, which, by the introduction of prelacy, had been the cause of all the dissensions that had so long harassed both Church and State. These were the assemblies held in the years 1606, 1608, 1610, 1616, 1617, and 1618, all of which were proved to be vitiated in their constitution, and overruled in their deliberations by the treachery and corruption of court minions, and the audacious tyranny of the crown. As a necessary consequence of these assemblies being declared "unfit, unlawful and null," all the innovations which they had introduced were at once swept away as illegal; the oaths of conformity which they had imposed on ministers at their admission, became also illegal; and the ministers were declared to be released from these obligations. Presbyteries and other church courts whose functions had been obstructed, and their independent action restrained by prelatical tyranny and injustice, were restored to their original authority. An act was passed condemning the five articles of Perth, as contrary to the original confession of faith; the book of canons, the liturgy, and the forms of ordination and consecration, as being unwarranted by either civil or ecclesiastical authority; and, finally, the court of high commission, as having neither act of assembly or of parliament to support it, and as being regulated by no law, human or divine. In short, episcopacy was utterly abolished, having been condemned and solemnly abjured by the Church in the covenant of 1581. The assembly accordingly passed an act declaring "That all episcopacy different from that of pastor over a particular flock, was abjured in this Kirk, and is to be removed out of it." Thus were the usurpations and the tyrannical and treacherous policy of two reigns at once subverted; and the whole fabric of prelacy, which it had cost so much labour and so many base and degrading artifices to rear, in one hour levelled with the dust.

Episcopacy abolished by the assembly.

The next business was the trial of the prelates, fourteen in number, who were now considered as at the bar of the assembly. Notwithstanding the notoriety of the delinquencies of which they were accused, each charge was separately examined, information was collected, and evidence weighed, with scrupulous care and accuracy. Many days elapsed ere this investigation was brought to a conclusion; but, in the end, a unanimous vote of the assembly declared all the accusations to be fully proved, and nothing remained but for the moderator to pronounce the sentence of the court. This he did with much solemnity, having first preached a sermon appropriate to the extraordinary occasion. Two archbishops and six bishops were excommunicated, four were deposed, and the remaining two, on making humble submission, were merely suspended from their ecclesiastical functions. The crimes of which they were in general found guilty, were the holding and teaching Arminian doctrines, the introduction and practice of superstitions and papal innovations, the usurpation or tyrannical abuse of authority, the imposition of unlawful oaths, and the suspension and deposition of ministers for their steadfast adherence to the doctrine, discipline, and forms of worship, maintained and established in the Scottish Church. In addition to these public offences, consisting in the abuse of their ecclesiastical functions, many of them were found stained with the most gross and flagrant personal immoralities—including adultery, fornication, drunkenness, simony, profanity, and sabbath-breaking.*

Trial and condemnation of the bishops.

* Stevenson, vol. ii. p. 577.

* Hardwick's State Papers, vol. ii. p. 114.

Nor were these delinquencies perpetrated with much regard to secrecy. The fear of the imputation of puritanism had led, in many instances, to open and undisguised profligacy, an entire relaxation of morals, and an almost avowed contempt of all the decencies of social life.

One of the last acts of this memorable assembly was directed against the investiture of ecclesiastics with civil power, as inconsistent with the functions of a Christian pastor. An act was passed prohibiting ministers from holding seats in parliament, or the office of justice of the peace, lord of session, or judge of exchequer; and such of the elders present as were members of parliament, were solicited to exert themselves to obtain from the legislature a ratification of this act of the assembly.

Two days before the rising of the assembly, a proclamation, dated the 8th of December, was read at the Cross of Edinburgh, extolling his majesty's "condescension," defending the conduct of his commissioner, particularly in this assembly, and accusing the covenanters of many disorderly, disloyal, and unjustifiable actions. The assembly had happily got information of this design, and had previously prepared a protest, which, as soon as the proclamation was published, was brought forward and read; and instruments were taken upon it, in name of the commissioners from the assembly, and from the nobility, barons, gentlemen, ministers, burgesses, and commons, subscribers of the covenant.*

Before closing their labours, the assembly re-enacted what had always been one of the fundamental laws of the Church—that no minister be intruded into any parish contrary to the will of the congregation; and schools were directed to be provided in every parish, and such support allotted to the schoolmasters, as should render education easily attainable in every part of the kingdom.

At length, on the thirtieth day† after its commencement, and the twenty-ninth of its sitting, the assembly drew its arduous and important labours to a close. They appointed their next session to be held at Edinburgh, on the third Wednesday of July, 1639. This they did in virtue of the power inherent in the Church, without reference to the royal authority; but, at the same time, they ordained that, if it should please his majesty to summon a meeting of assembly on a different day, all presbyteries, universities, and burghs should depute their commissioners respectfully to attend at the time and place of his majesty's appointment. Several solemn addresses were delivered by the moderator and other members of assembly; and, after prayer, praise, and the apostolical benediction, the moderator declared the assembly dissolved, adding these remarkable words, "We have now cast down the walls of Jericho: let him that rebuildeth them beware of the curse of Hiel the Bethelite."*

Dissolution of the Assembly.

Thus terminated the great assembly of 1638, to whose firm and magnanimous stand against "crowned and mitred tyranny," may, in a great measure, be traced the possession of those civil and religious liberties which are now so amply enjoyed in both divisions of the kingdom. At the present day, Englishmen in general little know how much they owe to the Scottish covenanters. Had Scotland tamely bent her neck to the double yoke that was prepared for her, England, weakened by intestine divisions, must have succumbed to that despotism, which, encouraged by the example and assisted by the power of the sister kingdom, she happily succeeded in overthrowing.

The gauntlet was now thrown down, and Charles had no alternative but an entire change of policy or civil war. With inflexible pride, and infatuated obstinacy, he chose the latter; and vigorously prepared to essay the difficult, if not impossible task, of crushing, not a mere sect or party, but a whole resolute and united people. The phantom of unlimited power lured the unhappy king onwards to his destruction; and, after a brief but troubled interval, ultimately led to the ruin of his race.

* Stevenson, vol. ii. p. 648.

† Acts of Assembly, 1638; Large Declaration, pp. 209, 364.

* Stevenson, vol. ii. p. 676.

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CHAPTER XLVII.

CHARLES I.

A.D. 1639—1641.

THE Marquis of Hamilton, detained by indisposition, did not take his departure for court until the 5th of January. In the meantime, he was waited on by the chiefs of the covenanters, who came to solicit his good offices with the sovereign in their behalf. He received them with taunts and menaces. "You must not," he said, "think to use your kings now as you did formerly, when they were only kings of rebels. The king now has another royal and warlike nation at his command, and you shall soon feel it to your cost."* Undismayed by this threatening, they adopted the resolution of sending their supplication directly to the king—a course, at such a juncture, not unattended with difficulty and danger. The hazardous duty was undertaken by Mr. George Winram, of Liberton, a gentleman well known to the marquis, to whom, on his arrival in London, he disclosed the object of his mission. Hamilton acquainted the king with the circumstance. It was not without much difficulty that the haughty monarch was prevailed on to yield so far as to receive the petition, having resolved neither to speak nor think of treating, until he should dictate terms at the point of the sword. The council for Scottish affairs having been convened, expressed their opinion that it was an humble, a dutiful, and well-written petition, and Hamilton was permitted to read it on his knees; but the best answer the king returned to it was conveyed in an old Scottish proverb—"When they have broken my head, they will put on my cowl."† Winram waited in vain, for about two months, in expectation of a more favourable reply; but, during that interval, he proved of great service to his country by his zeal and assiduity in collecting intelligence of the designs and proceedings of the court.

The covenanters again petition the king.

From the moment that intelligence had reached the court of the assembly's having continued their sittings, after being discharged by the lord high commissioner, the king abandoned all hopes of accomplishing his purpose by a pacific policy. He meditated revenge, and deliberately framed his schemes for the invasion and subjugation of Scotland. His preparations, indeed, in anticipation of this result, were already far advanced. His train of artillery had been in readiness since the month of June; troops were being levied in every county of England; his fleet was manned and fitted out; he had two hundred thousand pounds in his exchequer; loans to a large amount were obtained from the nobility, and, at the instigation of the queen and Land, the papists and the episcopal clergy, making common cause, contributed large sums for the maintenance of a war in support of prelacy. His majesty's plan was to raise an army in England of six thousand horse and thirty thousand foot, and to lead them in person into Scotland. This formidable force was to assemble at York, where all the nobility, with their retainers, were summoned to attend their sovereign, under pretence of repelling an invasion about to be attempted by the Scots. He farther purposed to place a garrison of two thousand men in Berwick, and another of five hundred men in Carlisle; to send a detachment of five thousand men, under the command of Hamilton, to Aberdeenshire, to form a junction with the forces under Huntley, first to secure the king's cause in the north, and then marching southward to be ready to attack the covenanters in their rear. The west coast was to be invaded by the Earl of Antrim, who was to land in Argyleshire, while Charles himself was to advance by the east coast. A powerful fleet was to be sent into the Frith of Forth, for the purpose of stopping trade, and intimidating the inhabitants of Fife and the Lothians. Lastly, the Earl of Strafford was to collect such forces as could be levied and spared out of Ireland, and sail up the Frith of Clyde, to co-operate with the adherents of Hamilton in the west; and the marquis, for his encouragement, desired him to touch at Arran, as he would be sure "of all his naked rogues there."

The king's plan of procedure.

Of all these vast designs and formidable preparations, the covenanters* were duly apprised; but Charles found it as impossible to intimidate as it had been to deceive them. They were not insensible, indeed, to the dangers by which the country was threatened; and however reluctant, as they undoubtedly were, to appear in arms against their sovereign, they considered that the moment had now arrived when there was no choice left them but resistance or ruin. It is probable that the idea of armed resistance, at first unwillingly entertained, had, through the manifold treacheries of the king, the reports of his warlike preparations, and the perilous circumstances in which they ultimately found themselves placed, gradually become familiarised to their minds; and they now felt it to be their duty instantly to have recourse to the most vigorous measures for their own defence.

With a view, however, to vindicate their proceedings from the charge of rebellion, so pertinaciously maintained against them by their adversaries, the covenanters published a tract, entitled "Information to all good Christians within the kingdom of England"—in which they take God to witness that their only object was the maintenance of that religion which they professed, which had been established by acts of assembly and of parliament, and which they had solemnly covenanted and sworn to defend. They deny that they had ever entertained the remotest intention of throwing off their dutiful obedience to his majesty's government, and reject the imputation of intending to invade England, or in any way to molest that friendly nation, unless com-

* Stevenson, vol. ii. p. 678. † Ibid., p. 679.

* Stevenson, vol. ii. p. 680.

pelled to do so in their own defence. This paper, which was extensively circulated throughout England, contributed to the removal of many prejudices that had been industriously fomented by the prelatical party, and awakened in the minds of many a warm sympathy in the cause of civil and religious liberty in Scotland.

Mortified and irritated by the diffusion of such favourable impressions, the king directed Dr. Balcanquhal, who had been Hamilton's confidential adviser during his last mission to Scotland, to write an account of the whole proceedings which had led to the present disturbed condition of the country. From such a pen, a statement most unfavourable to the covenanters was naturally to be expected; but Charles, not satisfied with this, revised the paper himself, and ordered its publication as a royal manifesto, now well known and frequently referred to in history, under the title of "The Large Declaration." This publication, in which the covenanters are denounced as "foul traitors and rebels," was, by the king's command, read in all the parish churches in England. Not content with this, he about the same time issued a proclamation, in which a great part of the misstatements and scandalous accusations contained in Balcanquhal's paper were embodied. In answer to this document, Mr. Henderson, by order of the deputies, drew up a paper entitled, "The remonstrance of the nobility, barons, burgesses, ministers, and commons, within the kingdom of Scotland, vindicating them and their proceedings from the crimes wherewith they are charged, by the late proclamation in England, February 27, 1639." This paper, after having been revised by the deputies, was published, and industriously circulated wherever the royal proclamation had been disseminated. The result was highly favourable to the reformers. Through the agency of the Scottish pedlars, who trafficked largely in the sister kingdom, not only were the declarations of the covenanters widely dispersed, but a correspondence was opened up with many of the English puritans, who deeply sympathised with the condition of their brethren in Scotland, with whom they now hoped to find an asylum, which the foolish jealousy of the government had denied them in America.

In the appeals which the covenanters had so widely disseminated, in spite of the king's prohibition, they denied the charge of being about to invade the territory of their southern neighbours; but now that they had by royal proclamation been denounced as rebels, their great and imminent danger seemed at least to justify their having recourse to arms in self-defence.* Still, however, there were many conscientious persons among the covenanters, who entertained doubts as to the lawfulness of waging even a defensive war against their own sovereign, and not a few who deemed anything beyond petition and remonstrance to be overstepping the line of Christian duty. The superadded danger arising from division on a point so important, at a moment when the least delay might be ruinous to the cause and the country, forced on the immediate and earnest consideration of the question, Whether, in any case, resistance to the supreme magistrate is lawful? Many papers were written and circulated on the subject, which now received deep and anxious attention from ministers, lawyers, and men of all classes. The writings of eminent theologians of former times on this topic were perused with avidity; the opinions of the most distinguished jurists were considered and eagerly canvassed; and the sacred writings, the only infallible directory in cases where duty is doubtful, were examined with unusual care and diligence. At last, Mr. Henderson was requested to draw up a paper on this much controverted point. With some hesitation he complied; and the document which was publicly read from the pulpits, and which had the effect of solving the doubts of many, has been considered as proving by unanswerable argument, not only that it is lawful for a Christian people to take arms in defence of their religion when attacked, but that such is their imperative duty. The great majority of the ministers seem to have fully acquiesced in this conclusion, and they were not slow in endeavouring to impress the same conviction upon their flocks. The lawfulness of defensive war was everywhere proclaimed and enforced from the pulpit, and the people were reminded that a curse had been pronounced upon those, in olden time, *who came not to the help of the Lord against the mighty.* It may well be imagined that such appeals must have been peculiarly exciting at such a period, and that even among those who still wavered, there might be some who were at length reconciled to resistance from its apparent necessity. A distinction too was drawn between a monarch resident within the kingdom, who must of necessity have yielded to the almost universal wishes of his people, and paid a decent respect to the acts and opinions of the legislative body, and one whose abode was fixed in a different country, and who, relying on the aid of foreigners, was attempting to carry out a course of policy subversive of the laws, liberties, and religious institutions of the kingdom. The approach of the sovereign under such circumstances with a foreign army, could, it was argued, be considered in no other light than that of a foreign invasion, and therefore defence by armed resistance had become a duty.

Preparations for the defence of the country.

Having arrived at this conclusion, the covenanters began to concert most prompt and vigorous measures for the defence of the kingdom. The deputies assembled at Edinburgh on the 7th of March, and appointed a committee of the nobles, barons, and burgesses, with two of the senators of the college of justice, in all twenty-six, to hold permanent sittings in the metropolis, to maintain correspondence with subordinate committees organised in every quarter of the kingdom, and to issue such orders as might from time to time appear necessary, which should thus be

* D'Estrade, vol. i. p. 8; Rushworth, vol. ii. p. 840.

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simultaneously published and obeyed as exigencies might require. Through the agency of these committees forces were levied, and arms, ammunition, and money were collected in every county. Besides this, a regiment consisting of two thousand foot soldiers was raised in the districts to the south of the Tay, and placed under the command of Monro, to be employed in training the rest of the country to arms, as well as in preventing any sudden incursion of the English across the Borders; and a force of nine hundred men was raised by Argyll to keep in check the Macdonalds of the Isles, and to oppose the movements of Antrim, their chief, who was daily expected from Ireland. To provide for the pay of the troops under Monro, the nobles borrowed from Mr. William Dick of Priestfield, the sum of two hundred thousand merks, for repayment of which they gave their joint bond until money could be otherwise raised; while Argyll undertook to maintain the troops raised within his county at his own expense. Through the influence of Leslie it was resolved to recall to the assistance of their country a number of able and experienced officers, who had served under Gustavus, and had been trained to war in the school of that great military leader. It became a matter of serious deliberation whether any assistance should be asked or accepted from foreign powers—especially as aid was expected from the French king, the Queen of Sweden, and the Dutch; but the majority were of opinion that it would be improper, in such a cause, to form any confederacy with papists or even with Lutherans; and the utmost that was resolved on was to dispatch Mr. Colvil, a gentleman of Fife, with letters from the nobles to the French king and the States, to request their intercession with Charles, that he would be pleased to listen to the supplications of his Scottish subjects; and the Laird of Meldrum with two other letters containing a similar request, one to the King of Sweden and another to the King of Denmark. And yet, even this very temperate resolution was not carried fully into effect. The letter to the King of France, though drawn out and subscribed by some of the nobles, was never forwarded to its destination; nevertheless, the fact of its having been written and signed well-nigh occasioned an open rupture between the two monarchs; and a short time afterwards exposed the Earl of Loudoun, one of the subscribers, to the imminent danger of a traitor's death. At the same time, this contemplated correspondence afforded an opportunity, which was eagerly embraced by the king, of denouncing the covenanters to foreign princes as manifest rebels against their sovereign; and, though those calumnies gained but little credit with the Swedes and Dutch, who were better informed on Scottish affairs, yet the King of Denmark, taking them for granted, and instinctively sympathising with his royal brother, seized some arms destined for Scotland, and threw his whole influence into the scale of the king.

The preparations for the defence of the country were now carried forward with enthusiastic zeal and indefatigable diligence. In this work the veteran General Leslie was eminently distinguished. He not only sat daily with the general committee, and assisted them by his advice, but wrote to Holland, Sweden, Hamburgh, and other places, for cannon, muskets, powder, pikes, and other warlike stores, all of which were supplied in great abundance before the royal fleet had reached the coast of Scotland.

Both sides had now girt on the sword, but both were unwilling to be the first to commence hostilities. This was especially the case with the covenanters, whose preparations were intended from the first to be purely defensive. In their earnest desire to postpone, or if possible to avert the horrors of civil war, they submitted for some time to many overt acts of hostility, which, though on a comparatively small scale, were a plain declaration of war on the part of the government. Many Scottish merchants, sailors, and travellers were arrested, both in England and Ireland, detained as prisoners, and treated as rebels, unless they would consent to disclaim the covenant and the assembly at Glasgow; the Earls of Airly and Southesk were arming their followers in support of the king's cause; the Marquis of Huntley seized and fortified the city of Aberdeen; the popish lords, in different quarters of the kingdom, but particularly in the south, were in a state of alarming activity; while hostile bands of the royal forces, the great body of which were assembling at York, hovered along the Scottish Borders, and the Irish were preparing to invade the western coast.

Arrangements of the covenanters.

In these perilous circumstances the leaders of the covenanters considered that the time had now arrived when the safety of the country demanded a still bolder and more active policy. The general committee issued orders for putting the country everywhere into a state of defence. Every fourth man was ordered to be levied; a committee was appointed in every shire to provide munitions of war; and beacons were directed to be set up in the most conspicuous positions to warn the country of the approach of danger. These were to consist each of the trunk of a strong tree placed erect, and surmounted by a transverse iron pole supporting a large grate filled with fuel ready to be kindled, and an iron basket for holding a tar-barrel. The first signal was to be a fire lighted on the ground by the side of the beacon, and on the sight of this all were to prepare to stand to their arms, and watchmen were to be sent out in all directions to rouse the neighbourhood. The next signal was to consist of two fires, one on the ground and the other in the large grate. On perceiving this, the whole armed population were instantly to turn out, each man was to repair to the rendezvous of his company, and each company to its own proper regiment. Lastly, if the danger should be imminent, to the two former signals was to be added that of the blazing tar-barrel, when each regiment,

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under the direction of its officers, was to proceed to the scene of action. In addition to all these precautions, it was provided that, in the event of the signals being invisible in consequence of fog or rain, the gentlemen adjacent to each beacon should give warning to all between that and the next, going out one way and returning another. These instructions contributed to inflame the martial spirit of the people, which was soon raised to the highest pitch; and even the women, participating in the general enthusiasm, encouraged their kinsmen to make ready for the coming struggle. All who could bear arms were trained to military exercises, and the noblemen and principal gentlemen qualified themselves for command under the instruction of Leslie's skilful officers, who were distributed for that purpose among the different counties of the kingdom.

Surrender of the Castle of Edinburgh to the covenanters.

A general attack was now concerted by the popular leaders, in order to secure possession of all the strongholds of the country. This enterprise was planned and executed with admirable skill, promptitude, and success. General Leslie, with a select force of one thousand musketeers, suddenly appeared before the Castle of Edinburgh, then but feebly garrisoned and indifferently provided. After a short parley with the deputy governor, who refused to surrender, a petard was applied to the outer gate, which was instantly blown open. A vigorous assault was then made on the inner gate with axes and hammers, but these not succeeding, scaling-ladders were immediately applied; the assailants mounted sword in hand; the garrison, panic-struck, offered no opposition; and, in less than half-an-hour, the brave old general and his party found themselves in possession of the most important fortress of the kingdom, without the loss of a single man, or even the effusion of a drop of blood. The mortified governor was permitted to retire, and carry the tidings to the king; and the general, with many of the nobles, supped that night in the castle.

Capture of the Castle of Dunbarton—

On the same day, a like bloodless victory placed the strong fortress of Dunbarton in the hands of the covenanters. Sir William Stewart, the governor, a man of great vigilance, and warmly attached to the royal cause, had strongly garrisoned the place, and amply supplied it with provisions and warlike stores; but, apprehensive of no danger, he had gone, accompanied by many of the garrison, to attend public worship at Dunbarton, on a day which had been set apart as a day of fasting and humiliation. To his astonishment, as he and his men were returning from church, they were met by Mr. John Semple, the provost of the town, and Campbell of Ardincaple, who, with the assistance of a few followers, took prisoners the whole party; and the rest of the garrison, few in number and without a commander, after a siege of a single night, surrendered the fortress, which was then entrusted to the Earl of Argyll.

—of Dalkeith, Strathaven, and Tantallon—

Traquair's residence at Dalkeith, a place of some strength, then belonging to the king, was surprised and captured by Monro with a party of five hundred men. Here they found the arms and ammunition which had been secreted by Traquair on a late occasion, and likewise the crown, sword, and sceptre, which they carried off, and deposited in the Castle of Edinburgh. The Castle of Strathaven, belonging to the Marquis of Hamilton, and those of Tantallon and Douglas, belonging to the Marquis of Douglas, fell successively into the hands of the covenanters. The only stronghold of which they failed to obtain possession was the Castle of Caerlaverock, which being well manned and provided, and protected by the vicinity of Carlisle, baffled every attempt of Lord Johnston either to surprise or reduce it. As some compensation, however, for this failure, Johnston, having repaired to Dumfries, seized on the residences of all the gentlemen there who were suspected to be attached to the adverse party, so that all of them either fled into England or joined the ranks of the reformers.

—of Brodick—

In the meantime, Argyll, having increased his force to about nine hundred men, sent about one half of them to Cantire, to oppose the designs of Antrim, while the rest were employed in watching the movements of the inhabitants of Lochaber and the Western Isles; whence, making a sudden descent on the Island of Arran, he surprised the Castle of Brodick, belonging to the Marquis of Hamilton, which surrendered without striking a blow.

—of Aberdeen.

The popular cause wore a less favourable aspect in the north, where the influence of Huntley was still great, and where he had collected a considerable force. Montrose and Leslie were accordingly dispatched thither, having under their command a body of seven or eight thousand men, with whom they marched straight to Aberdeen, where Huntley then lay in fancied security. On the approach of Montrose, however, he precipitately retired northward, and the inhabitants, most of whom were non-covenanters, were compelled to surrender unconditionally. After demolishing the fortifications which Huntley had erected, and compelling the citizens to subscribe the covenant, Montrose appointed the Earl of Kinghorn, with a body of eighteen hundred men, to keep possession of the place, and proceeded northwards in search of his adversary, whom he enticed into a conference, under a safe-conduct, and surreptitiously carried as a prisoner, along with his eldest son, Lord Gordon, to Edinburgh, where they were confined in the castle until the conclusion of a peace with the king, which did not take place for upwards of a year.

While it is impossible to justify the conduct of Montrose, either in this transaction or in his compelling the inhabitants of Aberdeen to adhere to the covenant, it ought in justice to be remarked that in both cases he acted solely on his own au-

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thority, without the immediate knowledge, far less the approbation or concurrence, of the great body of the covenanters, to whose principles as well as uniform practice such modes of dealing were diametrically opposed. Prelatical writers, who have laboured to make so much of this circumstance, would do well to contrast the general moderation, and almost scrupulous conscientiousness, of the Scottish reformers with the violence, treachery, and injustice which have fixed on their own party an indelible stain of infamy.

Fortification of Leith, and of the coast of Fife.

To protect the capital from assault by sea, it was considered an object of national importance to fortify the town of Leith, and accordingly this work was now commenced, and prosecuted with an energy and enthusiasm which have few parallels in history. The nobles and other chiefs of the covenanters began the work with their own hands, and considered it no derogation from their dignity to carry baskets full of earth with other materials for the formation of the bastions. All classes vied with each other in diligence and zeal in carrying forward the labour, and even ladies of rank, partaking in the general enthusiasm, cheerfully engaged in the rough employment generally assigned to common labourers. Above a thousand persons were occupied day and night, without intermission, by whose united efforts the bulwarks were completed in an almost incredibly short period. The fortifications thus raised were planned by Sir Alexander Hamilton, according to the best rules of the art then known, and being surmounted with cannon, the port was justly considered as in a very respectable state of defence. Batteries were also erected, and planted with ship-cannon, on the most commanding positions along the coast of Fife—so that an enemy entering the Frith had little chance of being able to effect a landing, except on the islands of Inchkeith and Inchcolm, which were unaccountably left unfortified.

Notwithstanding these encouraging circumstances, the covenanters were willing to give one proof more of their loyalty, and their readiness to obey the lawful commands of their sovereign. A new supplication to his majesty was agreed on, and shown to some of the lords of the privy council still remaining in the country, who offered to send any of their number to present it to the king. Accordingly, Orbiston, justice-clerk, was dispatched with it to York, but was refused an audience; and Sir James Carmichael, the treasurer-deputy, who was afterwards sent on the same errand, had no better success. The king was exasperated to the highest pitch by the bold proceedings of his Scottish subjects, and a feeling of mortified pride, a false sense of honour, and a delusive estimate of his own power, urged him on to the most violent and fatal measures.

Nevertheless there were not wanting symptoms which might well have induced him to pause and re-consider his rash resolution. The grievous oppressions practised by Strafford in Ireland, particularly on the Scotch settlers there, who refused to renounce the national covenant, had so alienated the people from their attachment to the king's government, that not more than fifteen hundred troops, and these miserably provided, could be spared from that country. There were many significant indications that an invasion of the sister kingdom, for such an object as Charles had in view, was unpopular with his English subjects, who had many grievances of their own to render them discontented. Reflecting men clearly perceived that the success of the king in his present enterprise would enable him the more effectually to carry out that system of despotic rule at home, of which they already justly complained. Even his own guards plainly intimated that they could not be legally compelled to follow him out of the kingdom. Many of the nobility entertained scruples regarding the lawfulness of the war. They admitted that such a method of raising troops had precedents in its favour, but then it was only when war had been proclaimed, or the kingdom had been actually invaded; and some of them absolutely refused to concur in the invasion of Scotland without the authority of parliament.*

All these warnings were lost on the infatuated monarch. His overweening pride would not permit him to believe that the Scots, notwithstanding all their preparations, would dare to meet their sovereign in the field. He hoped that his personal presence would be sufficient to overawe them, or that, at all events, the troops he could muster would be amply sufficient to break down their resolution, and reduce them to obedience. On reviewing his forces at York, in the beginning of April, he found them to consist of nineteen thousand six hundred and fourteen men, besides those on board his fleet, his own guards, and the garrisons of Berwick and Carlisle.† Orders were now transmitted to Hamilton, who lay with the fleet in Yarmouth Roads, to proceed immediately to the Frith of Forth, and attempt to create some "awful diversion;" but the troops he had on board were so ludicrously deficient in military exercise, that out of five thousand men there were scarcely two hundred able to fire a musket.‡ The fleet was detained in Yarmouth Roads for nearly two weeks by contrary winds; and during that interval, Huntley, for whose aid it was supposed to be principally intended, had become a prisoner in the hands of the covenanters, who thus had leisure, unmolested, to import large quantities of warlike stores.

Arrival of the English fleet in the Frith of Forth.

At length Hamilton reached the Frith with his fleet, consisting of twenty large ships of war, and some smaller vessels; but no sooner did he make his appearance, than the alarm was given, the beacon-fires, blazing from the heights, announced that the invasion had

* Stevenson, vol. ii. pp. 711, 712.
† Ibid., p. 713.
‡ Aikman, vol. iii. p. 502.

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commenced; multitudes of armed and zealous men rushed from all quarters towards the metropolis; in a very short time the shores of the Frith were protected by twenty thousand resolute patriots; and so far from being able to effect an "awful diversion," Hamilton found his fleet so pent up on both sides, that the troops, who had orders from the king to lay waste the country "with fire and sword,"* durst not even set foot on shore. To procure a supply of water, from want of which the crews had already begun to suffer severely, parties were landed to dig wells on the islands of Inchkeith and Inchcolm; but the supply proving inadequate, and provisions beginning to fail, many of them sickened and died, and the remainder began to exhibit symptoms of mutiny. In this miserable plight, Hamilton, unable even to attempt accomplishing the object of his expedition, adopted the hopeless alternative of sending a summons to the provost of Edinburgh, requiring him, in his majesty's name, to surrender the castle. This command being treated with contemptuous neglect, he next sent an order to the town-council, commanding them to publish a proclamation from the king, dated the 25th of April, "professing great affection for the true religion, and promising to defend it, and to allow the covenanters all the benefit of his majesty's and of his commissioner's promises and offers; and likewise proffering a gracious pardon to them, if they gave up his castles and forts, laid down their arms, and acquiesced in the above offers within eight days after that proclamation was published; but declaring all such traitors as should not within that space comply with and submit to that proclamation, and that their estates should be given to their superiors or vassals continuing loyal and contributing to suppress them."† To this order the town-council sent an answer desiring to be excused, as, in obedience to the king's command, the Estates were to assemble within a few days, when the matter would be submitted to their consideration. With this reply Hamilton affected to be content, as the time allowed by the proclamation had not yet elapsed; but he immediately wrote to the king, informing him of the condition of affairs, and advising him to negotiate. Shortly afterwards, he was summoned to attend the king near Berwick, to assist in the operations by land, since all attempts by sea seemed, for the present, to be hopeless.

Meeting and prorogation of parliament.

The parliament met at Edinburgh on the 15th of May, but were immediately presented with a royal order for their prorogation. Contrary to the expectation, and even wish of the court party, this order was submissively obeyed, after Leslie had been appointed commander-in-chief of the army, and Lord Balmerino, governor of the Castle of Edinburgh. The powers conferred upon Leslie were of the most unlimited kind, and he was declared to be accountable for his subsequent conduct only to the civil and ecclesiastical courts. Many of the noblemen and gentlemen, however, assembling in their private capacity, passed a resolution approving of the conduct of the magistrates in refusing to publish the king's proclamation; and wrote to Hamilton, intimating "that they had perused the proclamation, and found it carried a denunciation of the high crime of treason against all such as did not accept the offer therein contained, although it was only a writing printed without the kingdom, and not warranted by act and authority of the council lawfully convened within this kingdom. That it could not stand with the laws, liberties, and customs of this kingdom, that a proclamation of so great and dangerous consequence, wanting the necessary solemnities, should be published there. That, by the laws of the kingdom, treason, and forfeiture of the lands, life, and estate of the meanest subject within the same, could not be declared, but either in parliament or in a supreme justice court, after citation and lawful probation, much less of the whole peers and body of the kingdom, without either court, proof, or trial. And since that proclamation did import in effect the renouncing of their covenant, and of the necessary means of their lawful defence, they could not give obedience thereto without bringing a curse upon the Church and kingdom, and ruin upon themselves and their posterity." Finally, they requested that a free parliament should be held for allaying the distractions of the kingdom; and, that in the meantime, a way should be opened up, whereby their humble and dutiful supplications might reach the ear of their sovereign.

The marquis would not condescend to acknowledge the subscribers in a collective capacity by returning an answer to their communication; but he opened a correspondence on the subject with the Earl of Rothes, which does not appear to have been satisfactory to either party.

Lord Aboyne gets possession of Aberdeen.

In the meantime, Lord Aboyne, at the head of a party of the Gordons, who were discontented at the imprisonment of their chief, having induced a considerable body of Highlanders to join them, succeeded in gaining possession of the town of Aberdeen, where they treated the proselytes to the covenant with great rigour and injustice; and many of these, from fear and other motives, renounced their solemn obligation, and lent their aid in molesting and oppressing those who continued steadfast in their adherence.

Retaken by Montrose.

Montrose was now a second time dispatched to this stronghold of the enemies of the covenant. Arriving suddenly at Aberdeen, he entered it with an army of nearly four thousand horse and foot. On his approach, Aboyne disbanded his forces, and made his escape, and the town immediately surrendered to the covenanting general. On his march, he had intercepted some letters, from which it plainly appeared that, probably with a few exceptions, the people of Aberdeen had been utterly insincere in their professions of adherence to the reforming cause, and

* Burnet's Memoirs, pp. 121, 123.
† Stevenson, vol. ii. p. 713.

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this, joined to their recent defection, so irritated Montrose, that he proceeded to acts of most unjustifiable severity. He levied on the citizens a contribution of ten thousand merks, pillaged their houses, carried off or destroyed their corn, and plundered the fishermen of their salmon. Even the adjacent county did not escape his vengeance. The farmers and peasantry were robbed of their fowls, scarcely one of which was left; and "because the lasses, in derision of the covenant, had knit blue ribands about their messen's craigs,"* every house-dog in the surrounding district was put to death.

Having performed these exploits, Montrose next marched from Aberdeen, in order to attack the strongholds of the Gordons; but speedily retraced his steps on hearing that Aboyne had arrived with reinforcements in Aberdeen Roads. The intelligence proved too true. Having received from the king a commission of lieutenancy, Aboyne raised an army of three thousand foot and five hundred horse, once more took possession of the town of Aberdeen, and prepared to act on the offensive; but the Highlanders, unaccustomed to artillery, fled at the first discharge from the army of the covenanters, and the unfortunate city once more fell into the hands of Montrose, who imposed a fine upon the inhabitants of sixty thousand merks sterling. He even threatened the city itself with destruction; and would probably have inflicted severe punishment upon it, had not intelligence opportunely arrived that a treaty had been signed with the king, and that the civil war was consequently at an end.†

The royal army advances to Berwick.

Meanwhile the royal army, to the number of twenty-three thousand horse and foot, advanced from York to Berwick; and such was the magnificent retinue of nobility by whom the king was attended, and the studied "pomp and circumstance" by which their march was distinguished, that it is evident Charles still laboured under the delusion that the Scots would not venture to meet him in the field, but would, on the personal approach of their sovereign, supported by an English army, be overawed into an unconditional submission. Repeated deputations were sent to him by the covenanters while on his march; but he haughtily refused to listen to their supplications, and would accept of no terms short of a renunciation of the covenant, and of the assembly at Glasgow, and an implicit, unreserved submission to his royal pleasure. The crisis had now arrived. The covenanters, neither dismayed by their adversaries, nor presumptuously relying on their own strength, once more publicly and solemnly "appealed from tyranny to God." A fast was proclaimed, and from the hearts of thousands of earnest and devoted men were sent up united and importunate supplications for Divine guidance, and that "the Lord of hosts" would be pleased to crown with victory their efforts in that cause, which they believed to be his own. "They acknowledged," says an historian of the times, "with Jehoshaphat, that they had *no might against this great company coming against them; but their eyes were towards the Lord.*" The committee now met at Edinburgh, and issued a series of orders for regulating the conduct of their adherents, and providing for the defence of the country; and the Scottish army, in two divisions, advanced to the Borders to confront the invaders. The main body, under General Leslie, halted at Dunglas, and the remainder, under Monro, stationed themselves at Kelso. The royal army had encamped on a plain called Birks, on the south side of the Tweed, nearly three miles above Berwick; but, before reaching this spot, Charles had, from time to time, received intelligence which had led him to form a higher estimate of the formidable strength and indomitable resolution of the covenanters. He felt it necessary, accordingly, somewhat to modify his imperious tone; and issued a mild proclamation, omitting the customary charges of treason and rebellion, representing that his appearance in arms was intended only to promote peace, promising that upon a demonstration of obedience in civil matters he was ready to grant the just supplications of his Scottish subjects, but commanding their army not to approach within ten miles of the royal camp, otherwise their disobedience in that particular should be considered as a declaration of their intention to attack the person of their sovereign, and invade his English dominions. Gratified by this declaration, sincerely desirous of avoiding the effusion of blood, willing to give yet another token of their loyalty, and a proof of their entertaining no hostile designs against England, they submissively obeyed. Their motives were misunderstood by the arrogant and headstrong monarch. So far from regarding this act of obedience as an evidence of the honesty of their declarations, and the steadfastness of their allegiance, he foolishly considered it as the effect of fear; and by the advice of some of the excommunicated bishops, who were in his train, he immediately published another proclamation, commanding them to submit within ten days, under pain of rebellion, setting a price on the heads of their leaders, and offering their rents to such of the tenants and vassals as might refuse to acknowledge or assist them, or to their feudal superiors who should adhere to the royal cause.

Royal proclamations.

Flight of the English troops from Kelso.

This proclamation was published at Dunse by the Earl of Arundel, the king's general, accompanied by Lord Ruthven, and a strong detachment of English troops; and, shortly afterwards, the Earl of Holland was sent to Kelso for the same purpose, with three thousand foot and one thousand horse. Here he was met by Monro with a body of four or five thousand foot and five hun-

* The necks of their dogs. Spalding, vol. i. p. 160.

† Ibid., p. 176; History of the House of Gordon, vol. i. p. 282; Burnet's Memoirs, pp. 112, 140; Guthrie's Memoirs, pp. 56, 57.

dred cavalry, who stood in readiness to give them battle. Holland sent a messenger commanding them to retire, but they answered that he would do much better to retire himself. This advice was almost instantly followed. The English, notwithstanding their superiority in cavalry, were seized with a sudden panic, and commenced a disorderly retreat, which, without striking a blow, was soon converted into an ignominious flight.* In point of fact, the war was extremely unpopular, not only with the great body of the English people, but even with the army. Of this Hamilton had some time before forewarned the king, and the unwelcome truth could no longer be doubted. Charles now wrote to Hamilton declaring his conviction that what that noblemen had told him at Whitehall was perfectly correct, viz., "That the nobility and gentry of England would never incline to invade Scotland, and thereby begin an offensive war;"† and Whitelocke asserts, that although "the Scots had been proclaimed rebels in England, and a prayer was published to be read in all the churches against them, yet nothing could alter the opinion of the English officers and private soldiers, who said they would not fight to maintain the pride and power of the bishops."‡

The nature of the recent proclamation, together with the hostile incursion of a portion of the English army, was justly regarded by the leaders of the covenanters as a resiling from the peaceful terms of the former proclamation, and an unmistakeable declaration of war. They felt liberated accordingly from all farther obligation to remain inactive. Their conscientious loyalty had been construed into fear, they had been alternately cajoled and threatened, and had been deceived until all confidence in the royal promises was utterly lost. They now determined to convince his majesty that they would be trifled with no longer, and that they were fully prepared to repel force by force. On the 31st of May, Leslie, raising his camp at Dunglas, advanced to Dunse Law, where he took up a strong position within sight of the English army, at a point commanding the high roads leading to the capital from Coldstream and Berwick.§ At this time the army under Leslie consisted of not more than twelve thousand men, but, in the course of a few days, it was increased to nearly double that number by accessions from all parts of the surrounding country; and as every fourth man throughout the whole kingdom had, by order of the committee, been trained to the use of arms, and all were now only awaiting the summons to rush to the point of danger, it is evident that their numbers, if necessary, might have been indefinitely augmented.

Leslie advances to Dunse Law.

On the same day the king had held a grand review of his whole army, but scarcely had they been dismissed, when Charles and his attendants, who had been greatly elated by the gallant show, were met by the astounding intelligence that the Scottish army was approaching. In an instant the English camp was in a state of confusion and alarm. The king would hardly believe the unwelcome and unlooked-for report; but by the aid of his prospect-glass he distinctly saw the Scots, then only about six miles distant, taking up their position upon the hill. In a transport of indignation, he turned to his generals, and reproachfully asked them, "Have not I good intelligence that the rebels can march with their army and encamp within sight of mine, and I never hear of it till their appearance gives the alarm?"

Alarm in the English camp.

The imposing spectacle of the Scottish army encamped on their native hills raised the courage of the covenanters, and excited emotions of hope and joy hitherto unfelt. Confident in the goodness of their cause, and elated with the near prospect of at last achieving their liberty from the detested thraldom of kingly and prelatical absolutism, the horrors of civil war and all apprehensions of personal danger were forgotten. Seldom, indeed, has such a sight been witnessed as that which the Scottish army presented. The hill on which they were encamped is of a conical form, about a mile in circumference at the base, but truncated at the summit, so as to afford a table-land extending over a superficies of about thirty acres. This elevated spot now bristled with cannon, while the slopes beneath were enlivened with the tents and wooden huts of the army, those belonging to each regiment being grouped in separate clusters. At the tent-door of each captain was displayed a banner bearing the national arms, and inscribed with the motto, "FOR CHRIST'S CROWN AND COVENANT," glittering in letters of gold. A minister of distinguished character and ability was attached to each regiment, and regularly at dawn of day, and on the approach of sunset, the troops were summoned by sound of trumpet or beat of drum to their devotions, and the whole camp resounded with the voice of prayer and sacred song.

The army was composed for the most part of peasantry—men of sedate demeanour and thoughtful habits, who highly prized the blessings of civil and religious liberty, and who now testified their devotion to the cause, not by a rash and ignorant enthusiasm, but by deliberately and voluntarily coming forward to fight, or, if necessary, to die in its defence. The colonels were mostly noblemen of the highest rank, the captains generally barons or principal gentlemen, while under them were placed as lieutenants veteran soldiers, who had served abroad in a similar or higher capacity, and had been selected as men of undaunted courage and eminent military skill. Over all was the sagacious Leslie, who, though old, diminutive, and distorted, was endowed with a wisdom in council, and a promptitude and vigour in action, which commanded the respect of all ranks,

Constitution of the Scottish army.

* Rushworth, vol. iii p. 936.
† Memoirs of the Duke of Hamilton, p. 139; Nelson, vol. i. p. 231.
‡ Whitelocke's Memoirs, p. 30.
§ Baillie, vol. i. p. 173.

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who obeyed his orders with a submissiveness and alacrity which the most despotic prince might have envied. He had the art of issuing his orders rather as advices than commands, so that the proudest noble felt it no derogation from the dignity of his rank to yield a ready and cheerful acquiescence. The weight of his personal influence, and the confidence in his practical wisdom, entertained by all, contributed greatly to suppress that emulation among the nobles which might have proved ruinous to the cause. "We ever feared," says an historian of the time, "that emulation among our nobles might have done harm; but such was the wisdom and authority of that old, little, crooked soldier (General Leslie), that all, with an incredible submission, gave over themselves to be guided by him, as if he had been the great Solyman."* The ministers were, at the same time, eminently instrumental in preserving discipline by their judicious and pious exhortations, which were received with willing ears by men who not only respected their judgment, but reverenced their office.

Leslie's situation at this moment, while in many respects highly favourable, yet would not admit of prolonged inactivity; though, in the meantime, well supplied with provisions, he was destitute of the resources necessary for a protracted campaign, and he accordingly resolved either to secure advantageous terms by negotiation, or speedily to put all to the hazard of a battle.

The continued inactivity of the royal troops at this juncture was a source of considerable uneasiness, as it was attributed by the covenanting leaders to a subtle policy. Charles, it was imagined, having by means of his fleet stopped the trade of the country, and cut off all supplies by sea, was now desirous of allowing time for the present enthusiasm of the Scottish army to subside, and for their resources to become exhausted, in order that he might attack them on all sides at a disadvantage, and compel them to an unconditional submission. They were not yet, however, aware of the failure of the expected reinforcements from Ireland, and of the fact that there was little to dread from an irruption of the Gordons on the north—so that they were secure from all attack, except such as might be essayed by the king's troops in their neighbourhood. Their suspicions, however, operated to their advantage. Leslie, judging that his safety lay in precipitating the crisis, gave plain indication of his design to approach the English army, now encamped on the opposite side of the Tweed. This movement occasioned great consternation amongst the English, who immediately began to fortify their position. They hastily threw up some advance works on the north side of the Tweed; and such was their alarm at the threatened attack of the Scots, that they wrought in their trenches night and day, not even desisting on Sabbath.†

Threatened advance of the Scottish army.

Charles had now involved himself in a dilemma from which he felt that extrication was impossible, without incurring extreme danger, on the one hand, or humiliation, if not disgrace, on the other. In the vain hope that the rumours of his great military preparations and the influence of his personal presence and royal dignity would be sufficient, without striking a blow, to awe the Scots into submission, he had, while at York, haughtily spurned every proposal of accommodation. He would listen to no terms but an absolute surrender of their will to his own, as supreme head both of Church and State. He now found on reaching the Scottish Border that he was opposed by an army far superior to his own, not in numbers alone, but in what is of still greater importance—experienced leaders, discipline, and indomitable, enthusiastic courage. Besides this, his own troops had no heart to the contest. The war was unpopular both with the nobility and the mass of the English people, who themselves, universally discontented, had the sagacity to see in the subjugation of the Scots, a presage of their own. Their sympathies were enlisted on the side of those whose aspirations after the rights and privileges of freemen they were summoned to repress; and they naturally hoped that an example of successful resistance on the part of the Scottish nation to illegal and arbitrary power might materially aid themselves in their attempts to regain their own liberties, of which they had been unjustly deprived. The soldiers had learned to participate in these sentiments with their fellow-citizens, and at last were at no pains to conceal their reluctance to engage in the contest. In addition to all these most discouraging circumstances, the royal resources were already all but exhausted—so that it was not possible either to subdue the Scots, or to pursue that temporising policy to which Charles had so often resorted in seasons of difficulty. His idolised prerogative, dear to him as life itself, was now in the utmost danger of being brought into contempt; and it is probable that in its defence he would have adopted the desperate resolution of hazarding a battle, had not Laud, who was possessed of great influence over him, succeeded in dissuading him from an attempt in which he was almost certain to fail, and in which failure was ruin.* In this emergency, Charles was at last willing to treat, though pride still imposed a barrier. He was desirous that the first overture should come from those whom he considered as his rebellious subjects. They had continued to supplicate his attention to their claims with a perseverance that ought to have convinced him of their loyalty, as well as their sincere desire for peace; and as the gratification of their own self-importance was not their object, they were, notwithstanding their present advantages, as willing as ever to assume the attitude of supplicants, on the slightest expectation or assurance that their petitions would receive a favourable hearing. The late proclama-

Difficulties of Charles's position.

* Baillie's Letters, vol. i. p. 211, Bannatyne edition.
† Stevenson, vol. ii. p. 733.

* Burnet's Memoirs, pp. 139, 140.

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tion, however, had convinced them that any further attempts at obtaining their just rights by merely supplicating the king were hopeless, and Charles was on this occasion compelled to submit to the mortification of taking the initiative. To save his pride, however, as much as possible, the movement was made in an indirect and clandestine manner. Robert Leslie, a Scotchman and one of the king's pages, came to the Scottish camp, and, with many expressions of affection for his country, represented that the English army was increasing so fast that the Scots were in the utmost danger of being overwhelmed by them; and he, therefore, recommended a renewed supplication to be made to the king, which he said would be warmly seconded by several of the English nobility, who regarded the Scottish claims with favour, and were earnestly desirous of peace. This hint was at once understood. Robert Leslie's information regarding the additions to the English army was regarded as purely fabulous, but the suggestion which he made was referred to its true source, and looked on as an invitation which was joyfully accepted. Without further ceremony, the Earl of Dunfermline was selected as the bearer of the following petition to his majesty:—"That whereas the former means used by us have not yet been effectual for receiving your majesty's favour, and the peace of this, your native kingdom, we fall down again at your majesty's feet, most humbly supplicating that your majesty would be graciously pleased to appoint some few of the many worthy men of your majesty's kingdom of England, who are well affected to the true religion and our common peace, to hear by some of us, of the same affection, our humble desires, and to make known unto us your majesty's gracious pleasure; that as by the providence of God we are here joined in one island under one king, so by your majesty's great wisdom and tender care all mistakings may be speedily removed, and the two kingdoms may be kept in peace and happiness under your majesty's long and happy reign, for the which we shall never cease to pray, as becometh your majesty's most faithful subjects." *

The covenanters again supplicate the king.

With that silly adherence to punctilio by which Charles was characterised, before answering this dutiful supplication, which he himself had evoked, he first insisted that the proclamation which had not been suffered to be read at the Cross of Edinburgh should be published in the Scottish camp; and Sir Edmond Verney was sent with the Earl of Dunfermline to see this ceremony performed. The Scottish leaders, however, declined compliance with this demand, for the same reasons they had assigned to the Marquis of Hamilton against its being published in the capital. They so far, however, yielded to the king's humour, as to comply with the *letter* of his injunction, by having it read with much apparent reverence at the general's table. Here it was made the subject of comment, so that Verney, who connived at this equivocal mode of obedience, might be able to say on his return that it had been read in the Scottish camp; and the nobles, on the other hand, could say they had taken it into consideration.

* Rushworth, vol. iii. p. 938.

With Verney's favourable account of his mission Charles was fain to appear satisfied, and immediately nominated the Earls of Arundel, Essex, Holland, Salisbury, and Berkshire, together with Secretary Coke, to treat with the commissioners appointed by his subjects of Scotland. These were the Earls of Rothes, Dunfermline, and Loudoun, Sir William Douglas, sheriff of Teviotdale, Mr. Alexander Henderson, minister, and Mr. Archibald Johnstone, advocate. So little reliance, however, did the Scottish nobles place on the king's honour, that they would not adventure their deputies within the English camp until they had obtained a safe-conduct under the king's own hand.*

A treaty proposed. Appointment of commissioners.

On Monday, the 9th of June, the commissioners assembled, according to the king's appointment, in Lord Arundel's tent; but they had scarcely entered when the king himself most unexpectedly made his appearance amongst them. Abruptly addressing the Scottish deputies, he said, "He was informed they had complained that they could not be heard, and therefore he was now come himself to hear what they would say." Lord Rothes replied that they desired only to be secured in their religion and liberties; and Loudoun commenced an explanation and vindication of their proceedings, but was gruffly interrupted by the king, who told him he would admit of no excuses for their past conduct, but, if they had come to sue for grace, they should specify in writing all their desires, which would then be taken into consideration. After a brief consultation apart this was done. "They humbly prayed that the acts of the General Assembly passed in Glasgow should be ratified in the parliament held at Edinburgh, July 23nd; that all ecclesiastical matters should be determined by assemblies of the Kirk, and all civil by parliament, which should be held at least once in two or three years; that his majesty's ships and land forces be recalled; that all persons, ships, and goods arrested be restored, the kingdom be made safe from invasion, and that all excommunicated persons, incendiaries, and informers against the realm, who, out of malice, have caused these commotions for their own private ends, may be returned to suffer their deserved censure and punishment." The king then desired them to assign their reasons for these requests, when Lord Loudoun, on his knees, said, "That their demands were only to enjoy their religion and liberties according to the civil and ecclesiastical laws of the kingdom." The king replied, that if this was all that was desired, the peace would soon be made; nevertheless he required two days for deliberation on the matter. When the

* Rushworth, vol. iii. p. 929; Balfour's MS.

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deputies again met, according to appointment, the king returned an answer in these words, in which it is difficult to detect any latent deceit, although subsequent events afford abundant evidence of his insincerity:—"That if their desires were only the enjoying of their religion and liberties according to the ecclesiastical and civil laws of his majesty's kingdom of Scotland, his majesty doth not only agree to the same, but shall always protect them to the uttermost of his power; and if they shall not insist upon anything but that which is so warranted, his majesty will most willingly and readily condescend thereunto, so that, in the meantime, they pay unto him that civil and temporal obedience which can be justly required and expected of loyal subjects."

On receiving this encouraging reply, the deputies presented a paper containing the reasons of their demands, which the king having promised to take into consideration they withdrew, after having had the honour of kissing his majesty's hand. It was remarked that his majesty appeared to show particular regard to what was said by Lord Loudoun and Mr. Henderson; and the deputies were so far misled by appearances, that they began to entertain a more favourable opinion of the king, and even to consider him as "a lover of reason and equity." * The English commissioners showed their respect to the Scottish deputies by entertaining them sumptuously, and commending them to others of the courtiers for "their wisdom, eloquence, gravity, and loyal disposition." †

This meeting took place on the Wednesday; but when, on the following Monday, the deputies returned for their answer, they found his majesty's disposition towards them had undergone a remarkable change. On the intervening Sabbath, the Bishops of Ross and Aberdeen had found access to the king, and so wrought upon his mind by their flatteries, that all his lofty notions of unlimited prerogative had returned. He demanded an answer to the following interrogatories:—

1. "Whether hath his majesty the sole indiction of the General Assembly, or not?

2. "Whether hath his majesty a negative voice in assemblies, or not?

3. "Whether may the assembly sit after his majesty by his authority commanded them to rise, or not?"

As the assembly at Glasgow had already given a practical answer to these questions, the deputies considered them as propounded now only for the purpose of gaining time, until their provisions were exhausted, and reinforcements should arrive to the English army. They therefore resolved to bring the matter to an immediate issue, and if, after delivering a candid answer to the king's questions, they could not obtain proper conditions of peace, to advance within cannon-shot of the English camp.

Very plain answers were speedily returned, but before the arrival of the deputies entrusted with them in the English camp, intelligence of the intention to shift the position of the Scottish army had reached the king. This argument was conclusive. At the next meeting no more was heard of the queries, and the deputies were desired once more to condescend on the particulars they wanted. Their answer was substantially the same as they had already given at their previous interview; and their reasons, which were added, differed in few particulars from those formerly assigned. After consulting with his council, who were not a little perplexed by the difficulty of framing an answer which should at once satisfy the covenanters and comport with the royal dignity, his majesty issued a declaration, in which, though he refused to ratify or approve of the acts of the "pretended" assembly at Glasgow, he yet confirmed and approved all that had been promised by his commissioner in his name. He assured the petitioners that all ecclesiastical matters should be determined by a general assembly of the Kirk, and all civil matters by parliament, and other inferior judicatories by law established; and that assemblies should be held once a year, or as often as the exigencies of the Kirk and kingdom should require; that, for settling the present distractions, a free General Assembly should be held at Edinburgh on the 6th of August, and a parliament on the 20th day of the same month, for ratifying the acts of the assembly and settling such other matters as may conduce to the peace and welfare of the kingdom, as also to pass a general act of pardon and oblivion. It was further declared that his majesty's ships and land forces should be recalled, and that all persons, goods, and ships, should be restored, on the covenanters discharging all their "pretended" tables and conventicles, and restoring to his majesty all his castles, forts, and ammunition of all sorts, as also his royal honours.

Declaration of the king.

The commissioners were well satisfied with the greater part of this declaration, for which they expressed deep gratitude to his majesty; yet, as they deemed it in some particulars harsh, and in others defective, they entreated that a free conference respecting its contents should be granted. The king having agreed to this proposal, various objections were given in and answered. Both the objections and the answers were carefully recorded by the commissioners, for the satisfaction of their constituents, as they served to explain various clauses in the declaration which might otherwise be misunderstood, and thus give cause for jealousy and alarm.

With these explanations the king's declaration served as the basis of a treaty of pacification, which was concluded and signed on the 18th of June by the commissioners of both parties. Its articles were the following:—

Treaty of pacification.

1. "The forces of Scotland to be disbanded and dissolved within forty-eight hours.

2. "His majesty's castles, forts, ammunition,

* Stevenson, vol. ii. p. 739. † Ibid.

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and royal honours, to be delivered as soon as his majesty can send to receive them.

3. "His majesty's ships to depart presently after the delivery of the castles, with the first fair wind, and in the meantime no interruption of trade or fishing.

4. "His majesty is graciously pleased to cause restore all persons, goods, and ships, arrested and detained since the 1st day of November last.

5. "There shall be no meetings, treatings, consultations, or convocations of his majesty's lieges, but such as are warranted by act of parliament.

6. "All fortifications to desist, and no further working therein; and they to be remitted to his majesty's pleasure. And—

7. "To restore to every one of his majesty's good subjects their liberties, lands, houses, goods, and means whatsoever, taken and detained from them by whatsoever means since the aforesaid time."

On the same day these articles, together with the king's declaration, were proclaimed in the English camp, on which occasion an Englishman jocularly remarked that "the bishops were discharged in Scotland neither by the canon law, nor the civil law, but by Dunse Law." The Earl of Morton was then sent to see the declaration and articles of peace published in the Scottish camp. This, however, was accompanied by a paper containing an "Information against mistaking of the king's declaration." In this document the expression "*pretended assembly*" was explained as not implying "that any of the petitioners, by their acceptance of the said declaration, should be thought to disapprove or depart from the same."

This "Information" was also repeated by Lord Lindsay when the proclamation was published at the market-cross of Edinburgh; and in all other places where the declaration was published, four of the most distinguished covenanters were appointed in name of their brethren to give his majesty hearty thanks for his favour; but, at the same time, to declare that their acceptance of the proclamation should be in no respect prejudicial to the late General Assembly at Glasgow, to which, by their covenant, they were bound to adhere.

After the conclusion of the treaty, a despatch was forwarded to the Earls of Marischal and Montrose, then at Aberdeen, acquainting them with the pacification; and, by the same vessel, letters were sent from the king to Colonel Gunn, and the city of Aberdeen, thanking them for their zeal in his service. These communications fortunately arrived in time to stay the proceedings of Montrose, who was about to inflict a terrible vengeance on the city, on account of the defection from the covenant of many of its inhabitants.*

The verbal explanations published by the Scots in connection with the royal declaration were afterwards disavowed by the English commissioners, and burned as false and calumnious. There is no reason, however, to doubt their authenticity. They are consonant to the spirit and apparent object of the treaty; the most material of them are acknowledged by Clarendon to have been admitted during the conference; they were openly published by the Scots at the very first, while the matter was still fresh in the recollection of both parties, and were not then challenged; they were in fact implied in the very nature of the pacification, in which one material stipulation is, that episcopacy and the whole train of contested innovations were to be submitted to a new assembly. Besides all this, it is impossible to believe that such men as Henderson, the ardent and intrepid moderator of the Glasgow assembly, or Johnstone, its clerk, would have been guilty of a public falsehood so open to detection and exposure; or would have acquiesced in a treaty in which, without explanation or qualification, that assembly should be ignored, and the abolition of episcopacy decidedly refused. There is no reason to doubt the fact, as stated by Baillie, Row, and others, that the apparent harshness and ungraciousness of the declaration was explained by the king as a mere colouring which he considered necessary for the sake of his honour among foreign nations; and that the assembly which he refused, as a matter of form, to acknowledge, the nation was neither required nor expected to disown.* It very soon appeared that, on the part of Charles, this treaty was entered into merely to avert a present exigency, and without the slightest intention of fulfilling any one of its stipulations; and that every concession which it contained was deliberately intended to be either counteracted by a perfidious policy, or revoked on the very first opportunity.

The explanations disavowed by the English commissioners.

On the side of the Scots, their part of the treaty was promptly and honourably fulfilled. They immediately broke up their camp, burned the wooden huts of the soldiers, disbanded their troops, and placed the strongholds in the hands of the royalists.† The previous experience, however, of the king's inveterate duplicity had created a distrust which was not to be so easily removed. Justly considering the present pacification merely as an armistice, which Charles intended should subsist no longer than suited his convenience, they retained their veteran officers in pay; and preserved intact the whole of that internal organisation, by means of which they could, if necessary, once more raise and concentrate the whole military force of the kingdom. Charles, on the other hand, proceeded slowly, and with reluctance; and, after all, his troops were but partially disbanded. In the meantime, on mature reflection, the treaty just concluded was satisfactory to neither party. Charles was mortified at having been compelled to treat at all with men whom he had denounced as rebels, and felt degraded at having submitted, however insincerely, to terms which

Disbanding of the Scottish army. Delivery of the fortresses to the king.

* Stevenson, vol. ii. pp. 751, 753.

* Stevenson, vol. ii. pp. 743, 744.
† Baillie, vol. i. p. 187.

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he considered derogatory to his dignity, and an impeachment of his prerogative. The covenanters, on the other hand, viewed with regret the unconditional surrender of the strengths of the kingdom and their military stores, and lamented the disbanding of their army, without having received complete security for their lives and property against any sudden outbreak of royal vengeance.

Mutual jealousies of the parties to the treaty.

During these mutual jealousies and heartburnings, it became evident that the king was anxiously looking out for some pretext for breaking with the covenanters. He complained that the Tables still continued their meetings; and some petty disturbances, which to the grief of the great body of the covenanters occurred among the populace in the capital, and which the magistrates were accused of being negligent in repressing, were made an excuse for the king's declining to fulfil his promise of presiding in the General Assembly. Hamilton was applied to to act as his commissioner, but wisely declined an office of whose embarrassing difficulties he had already had ample experience. At his request, Traquair was appointed—a man every way adapted by his ability, eloquence, far-seeing policy, and want of principle, to promote the sinister designs of his master. His secret instructions fully justify the utter distrust of the covenanters in the king's sincerity, and show that the charge of duplicity was only too well founded. He was instructed to appear to grant everything desired, but with such artful qualification as in reality to concede nothing. He was, if he could by no means avert such a result, to allow episcopacy to be abolished—not because it was unlawful, but for satisfying the wishes of the nation and allaying the present discontent. He was to consent to the subscribing of the covenant—but then it was "provided it be so conceived that our subjects do not thereby be required to abjure episcopacy as a part of popery, or against God's laws; but if they require it to be abjured, as contrary to the Church of Scotland, he was to give way to it rather than make a breach; and the proceedings of the Glasgow assembly were to be ratified, not as deeds of that illegal meeting, all mention of which was to be avoided, but as acts of this." Finally, the whole proceedings were to be left open for future discussion, by a protest which puts the cope-stone on this fabric of dissimulation. He was instructed, "after all assembly business was ended, immediately before prayers, in the fairest way possible, to protest that in respect of his majesty's resolution of not coming in person, and his instructions being hastily written, many things may have occurred upon which he had not his majesty's pleasure; therefore, in case anything had escaped him, or been condescended upon prejudicial to his majesty's service, his majesty may be heard for redress thereof in his own time and place."

The king declines to preside in the assembly.

Traquair appointed commissioner.

Charles had indeed studied "king-craft" to some purpose. It is difficult to imagine a more cunning or unworthy artifice; and Traquair, if he has no claim to participation in the unenviable distinction of having contrived it, is entitled to his full share of the infamy of an accomplice. By this device, while he acted as the representative of his sovereign, he was content, by a preconcerted arrangement, to be subjected to the discredit of having his whole conduct disavowed, as resulting either from treachery or incapacity.

Deceitful conduct of the king and Traquair.

With regard to the parliament, the same difficulties did not exist. Traquair himself suggested a simple and comprehensive plan of nullifying all their acts by a single, but, as he deemed, an insurmountable objection. He advised his majesty to acquiesce in the meantime in the abolition of episcopacy—a measure which the parliament was certain to pass, but which must be null from the beginning on account of the absence of the prelates, who constituted one of the Estates, and, therefore, whatever acts were passed, might be easily revoked when a convenient time should arrive. The intention of the king merely to temporise until the present exigency should be past, and then to revoke every concession, was distinctly avowed in his reply to the bishops, who had written to Laud, requesting him to advise the king to prorogue the assembly and the parliament. This was a measure on which he durst not venture; but he informed the prelates that he had given special instructions to his commissioner to watch over their interests; and recommended them to give in *privately* to the commissioner a protest or remonstrance specifying their exceptions against the assembly, to be by him presented to the king, who would do in the matter as became his own honour and the equity of their desires. He added, "you may rest secure, that though perhaps we may give way for the present to that which will be prejudicial both to the Church and to our own government, yet we shall not leave thinking in time how to remedy both."

Before his return, the king sent for fourteen of the leading covenanters to attend him at Berwick, with a view of trying what effect royal persuasion and promises might have upon them. Six only obeyed the summons, and of these Montrose alone was gained over to the king's cause. It is probable that disgust at the neglect with which he had been treated by the king, on his return from foreign travel, had originally thrown him into the arms of the opposite party; but being now received into royal favour, he resolved to abandon the cause of the covenanters, and henceforth to employ his great talents in supporting the designs of the king. There is no evidence, however, to support the allegations of his enemies, that he pledged himself to remain amongst the covenanters only for the purpose of betraying them. Charles now sent an express to Edinburgh, requiring the immediate

Fourteen of the leaders summoned to attend the king.

Treachery of Montrose.

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attendance of the remainder of the fourteen leaders whom he had summoned into his presence, but they were forcibly detained by the populace, who apprehended that this was a trap laid to ensnare their principal leaders, and carry them to London.* Lindsay and Loudoun, however, returned to explain the matter, but the king was so highly incensed, that he would listen to no apology, and forthwith returned in deep mortification at the result of his inglorious expedition.

Meeting of the General Assembly.

The General Assembly, according to appointment, met at Edinburgh on the 12th of August. Henderson, the moderator of the assembly at Glasgow, preached the opening sermon, in which he recommended to his brethren the exercise of moderation and forbearance; he cautioned them that any exhibition of intemperate zeal, so far from promoting the great cause in which they were engaged, would be eagerly laid hold of by their adversaries, and employed as a weapon of offence against the Church and themselves; and he exhorted them so to comport themselves, as practically to refute the oft-repeated calumny that presbyterianism was incompatible with monarchical government. This prudent counsel was not lost on the assembly. Throughout the whole proceedings, while a steadfast adherence to principle was maintained, the utmost care was taken to conciliate the king by every concession that could with propriety be made even to his prejudices and caprices. As his majesty was peculiarly sensitive on the subject of the last assembly, all reference to it was carefully avoided; but as the objects sought to be attained were still the same, and could in no respect be departed from, the whole were embodied in one general act, entitled, "An Act containing the causes and remedy of the bygone evils of the Church." These were enumerated as follows:—"The causes:—First, the pressing upon this Church a service-book, or book of common prayer, by the prelates, without direction or warrant from the Church, containing, beside the popish frame, divers popish errors and ceremonies, with a book of canons, establishing a tyrannical power over the Kirk in the person of bishops; a book of consecration and ordination, appointing officers in the house of God not warranted by the Word of God, and repugnant to the discipline and acts of the Kirk; and the high commission. Second, the articles of Perth. Third, the change of the government of the Kirk, from the assemblies of the Kirk to the persons of some kirkmen, usurping priority and power over their brethren. Fourth, civil places and power of kirkmen. Fifth, keeping and authorising corrupt assemblies. Sixth, the want of lawful and free assemblies, rightly constituted of pastors, doctors, and elders, yearly or oftener, *pro re nata*, according to the liberty of the Kirk. The remedies:—That the service-book, book of canons and ordination, and the high commission, be still rejected; that the articles of Perth be no more practised; that episcopal government, and the civil places and power of kirkmen, be holden still as unlawful in this Kirk; that the pretended assemblies, 1605 to 1618, be hereafter held as null and of none effect; and that for the preservation of religion, and preventing all such evils in time coming, general assemblies rightly constituted, as the proper and competent judges of all matters ecclesiastical, be hereafter kept yearly and oftener, *pro re nata*, as occasion and necessity shall require—the necessity of these occasional assemblies being first shown to his majesty by humble supplication; as also that Kirk sessions, presbyteries, and synodal assemblies, be constituted and observed according to the order of this Church." By this act, which passed without opposition, the entire liberties, discipline, and government of the Church were as effectually secured as they could have been by the recognition of the assembly at Glasgow. Agreeably to his instructions, a declaration was added by the commissioner, reserving the question regarding the unlawfulness of episcopacy, *per se*, and limiting the application of the condemnatory expressions in this act to the Kirk and kingdom of Scotland. With this reservation the commissioner, in his majesty's name, subscribed the act, and promised to get it ratified by parliament. This declaration, though allowed by the assembly, served to stimulate them to fresh vigilance. To prevent the re-introduction of the episcopal system under any form, an act was passed ordaining that no innovation which might disturb the peace of the Church should be proposed in a general assembly without having been previously intimated to all the synods, presbyteries, and kirk sessions throughout the country, and by them maturely considered, so that commissioners might come prepared to state the views of their constituents on the subject. By this wise and salutary regulation all surreptitious introduction of matters affecting the constitution of the Church would be effectually prevented, and the deliverance of the assembly would as nearly as possible express the judgment of the whole collective body of the Church. The most difficult and delicate part of the business of the assembly still remained. How were they, without giving mortal offence to the king, and without express reference to the Glasgow assembly, to deal with the prelates whom that assembly had condemned? They adopted the only mode of proceeding that seemed open to them. The accusations against the bishops were heard afresh, the doctrinal errors of which they were found guilty were now once more condemned; but such was the desire of the assembly to gratify the king, that all who had been convicted merely of complying with the orders of the court, and were not chargeable with immoral conduct, were, if otherwise eligible, re-admitted to the office of the ministry on evidence of their repentance and submission to the constitutions of the Church.

The accusations against the bishops heard anew.

* Clarendon, vol. i. p. 128.

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The attention of the assembly was afterwards directed to the work entitled the "Large Declaration," which though published in the king's name, was in reality the production of Dr. Walter Balcanquhal, Dean of Durham. The commissioner urged that in dealing with this matter they would give evidence of their respect to his majesty, and "that they tendered his honour as the apple of their eye." In compliance with this recommendation, the assembly laid it down as a preliminary, that they should speak very tenderly of what his majesty saw or heard himself; but in so far as he had been grossly imposed on and misinformed, as appeared from a great part of that book, it was necessary fully to clear up the matter. They accordingly appointed a committee of their number to examine the book and report. In three days afterwards, the committee produced a voluminous report, in which they condescended on eight articles of the book deemed "dishonourable to God," thirteen "dishonourable to the Church," and a like number "dishonourable to this kingdom." Twenty-six assertions contained in it were pronounced "gross lies and untruths," and four "a miserable wresting of their intentions, words, and actions." The assembly, after serious deliberation, drew up a supplication to the commissioner, to be by him represented to the king, containing an earnest request that he should manifest his disapprobation of the offensive portions of the book, by ordering its immediate suppression; and grant commission to sue all such persons as are known or suspected to be the authors of it, particularly Dr. Balcanquhal, "that by their exemplary punishment others might be deterred from such dangerous and seditious courses." This petition was received by his grace in privy council, and he promised to report the same to his majesty.*

Examination of the Large Declaration.

Having now succeeded, with the full concurrence of the commissioner, in passing every measure which they deemed necessary for securing the constitution of the Church, the assembly were desirous of completing their triumph by obtaining the royal sanction to the national covenant. The concurrence of the commissioner was obtained more readily than they had anticipated; not, however, without some hesitation concerning the bond, but these scruples he said were more for the satisfaction of his royal master than for his own. As the most respectful mode of proceeding, a supplication, abounding in expressions of loyalty and affection to his majesty, was presented to the privy council, praying them to give to the covenant the sanction of an act of council, and to require it to be subscribed by all his majesty's subjects. The privy council acceded to the prayer of the petitioners, and passed an act to that effect, dated 30th August; and the commissioner immediately announced the agreeable intelligence to the assembly. The covenant was subscribed by every member of the council, including Traquair himself, who, however, subscribed with a reservation, declaring that, as his majesty's commissioner, the covenant, as understood by him, was "one in substance with that which was subscribed by his majesty's father of blessed memory, 1580, 1581, 1590, and oftener since renewed. Therefore," he concludes, "I, as his majesty's commissioner, for the full satisfaction of the subjects, and for settling a perfect peace in Church and kingdom, do, according to my foresaid declaration and subscription, subjoined to the act of this assembly of the date of the 17th instant, allow and consent that the covenant be subscribed throughout all this kingdom. In witness whereof I have subscribed the premises. (*Sic subscribitur*) John, Earl of Traquair, commissioner."* Even this reservation, which was declared by Traquair to be made only in his official capacity, and "in his majesty's name, and which no subject should have the benefit of, no, not even himself as Earl of Traquair," was sufficient to alarm the jealous vigilance of the assembly. They, therefore, ordered a declaration to be prefixed to the signatures in these terms:—"The article in this covenant, which was at the first subscription referred to the determination of the General Assembly, being determined, and thereby the five articles of Perth, the government of the Kirk by bishops, the civil places and power of kirkmen, upon the reasons and grounds contained in the acts of the General Assembly, declared to be unlawful within this Kirk, we subscribe according to the determination foresaid."†

Subscription of the covenant by the commissioner and privy council.

Though the satisfaction of the assembly was somewhat alloyed by the caveat of the commissioner, they could not repress their exultation at the wonderful result of their important labours. Even their far-seeing sagacity was unable to penetrate the thick veil of duplicity and deceit in which the king and his commissioner had enveloped themselves, and which was very soon to be thrown aside. They publicly expressed their joy and gratification by praising God, and praying for the king and his commissioner; and the latter, having assured them that their acts would be ratified in parliament, the assembly was dissolved with apparent cordiality, and amidst universal national rejoicings.‡

Dissolution of the assembly. National rejoicing.

When information of these proceedings reached the king, he was much dissatisfied; and he blamed Traquair for having gone beyond his commission, and thereby rendered it difficult to pursue that tortuous policy which he had meditated with regard to ecclesiastical affairs in Scotland. Traquair had subscribed and ratified an act declaring "that episcopal government and the civil places and power of kirkmen be holden still as unlawful in this Kirk." To this act, which by the treaty of pacification the parliament was

Dissatisfaction of the king.

* Stevenson, vol. iii. p. 792.

* Stevenson, vol. iii. p. 796. † Ibid., p. 797.
‡ Burnet's Memoirs, p. 158; Rushworth, vol. iii. p. 957.

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appointed to confirm, the king refused to assent. He had consented to an act abolishing episcopacy as "contrary to the constitution of the Church of Scotland," but the term "unlawful" seemed to him to imply a general condemnation of episcopacy, to which he would not assent. It seems never to have occurred to the overheated mind of the monarch, that he was making a distinction without a difference, and that what is unconstitutional in a particular Church must, so far as that Church is concerned, be also "*unlawful*." The terms of the act neither express nor imply anything more; and yet such was his ridiculous horror of the word "*unlawful*," that he "absolutely commanded" Traquair not to ratify the act in parliament unless the expression were altered.* Notwithstanding all that had occurred, Charles had never receded by a single hairbreadth from his purpose of forcing episcopacy upon Scotland, and he objected to the term "*unlawful*" from an apprehension, most probably, that it would form a ground for repealing those acts of the Scottish parliament which his father had laboured to procure, and "which," he said, "may hereafter be of so great use to us." Perhaps, too, he apprehended that if prelacy should be declared unlawful in Scotland, it might be concluded to be equally so in England; and thus the whole ecclesiastical fabric on which he leaned, as the chief support of his arbitrary government, might be thrown to the ground. To be the sovereign of a free people was in Charles's estimation to be hardly a sovereign at all. He disdained to share his authority with any other power in the State. He claimed, as a matter of absolute and indefeasible right, to have all the power, civil and ecclesiastical, concentrated in his own person; he would be fettered in its exercise by no human law; he would have every will subjected to his own. To this dream of unlimited prerogative, he would willingly sacrifice his own reputation as well as the affection of his subjects. With the phrase "the word of a king" frequently on his lips, he showed a most flagrant disregard to truth, and his very name was almost another word for insincerity. Even while subscribing the treaty of pacification, he was resolved to break it; and he now anxiously sought to find in the proceedings of his Scottish subjects some pretext for his premeditated perfidy. Writing to Traquair he says, "If you find that what we have commanded you to do is likely to cause a rupture, their impertinent motives give you a fair occasion to make it appear to the world that we have condescended to all matters which can be pretended to concern conscience and religion, and that now they aim at nothing but the overthrow of royal authority, and, therefore, we hope and expect that, if a rupture happen, you will make this appear to be the cause thereof, and not religion, which you know not only to be true, but must see it will be of great advantage to us, and, therefore, must be seriously intended by you."

* Burnet's Memoirs, p. 158.

Opening of parliament—

On the 31st of August, the day succeeding the rising of the assembly, parliament was opened with more than the customary solemnities. Traquair rode in great state from the palace, attended by forty-five nobles, forty-eight representatives of shires, and fifty-one representatives of burghs; the crown, sceptre, and sword of state being borne before him by the three eldest earls, Argyll, Crawford, and Sutherland.

After sermon by Mr. Alexander Henderson, the commissioner made a short address, in which he extolled "the king's goodness" to his people in convocating this parliament. His commission was then read and recorded, and the commissions of representatives of shires and burghs were given in and received.

—alteration in its constitution.

As the absence of one of the Estates might afterwards, as was really intended, be employed as an objection to nullify the subsequent proceedings, it became necessary, before proceeding to business, and, indeed, before the house could be properly constituted, to supply this deficiency. In order to maintain the semblance of a spiritual estate, it was suggested by the court party that lay abbots should be appointed in place of the absent prelates; but as, besides objections of greater weight, the very name was abhorrent to the great majority of the members, the representatives of the lesser barons were substituted as the third estate.

Election of lords of the articles.

The first business was the selection of the lords of the articles, without whose previous sanction, according to ancient usage, nothing could be submitted to the consideration of parliament. At first, this parliamentary committee had been freely chosen by the three Estates, separately, out of their respective orders; but afterwards, by a prelatical usurpation, the whole nomination was virtually thrown into the hands of these ambitious ecclesiastics. Eight bishops nominated eight nobles in whom they could confide; these jointly nominated eight confederate barons, and the whole collectively nominated eight burgesses. The absence of the prelates on this occasion afforded a fair opportunity of reverting to the original mode of election. Anxious, however, to avoid an acrimonious debate, the covenanters allowed, for the present, the commissioner to nominate the eight lords who had formerly been nominated by the bishops, and the other estates, apart, nominated their own representatives. Care, however, was taken to protest that the nomination by the commissioner should not be drawn into a precedent; but that in future the members of committee should be freely chosen by their respective estates, that their power should be limited to such matters as had been remitted to their consideration, and that, failing any report on these, they might again be submitted to parliament by their original proposers without the authority of the committee.

It soon became evident that the newly appointed lords of the articles would have an unusual amount

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of important business to prepare for the consideration of parliament. A great variety of bills for maintaining the privileges of the people, and for securing freedom of discussion, and curtailing the influence of the court in parliament, immediately poured in from all quarters. Among the most important of these were the following:—That the parliament be declared to consist of lords, barons, and burgesses only; and that all acts empowering any to sit in parliament as representatives of the Church be rescinded. That the act of assembly of the 17th of August, concerning the bygone evils of the Kirk, and their several remedies, as also the act ordaining a renewal of the national covenant, be ratified. That the power of naming the lords of the articles is in the three Estates. That the coin should be regulated by the advice of parliament. That the Castles of Edinburgh, Dunbarton, and Stirling, be entrusted only to natives of Scotland, and that these be chosen by the advice of the Estates. That the "Large Declaration" be condemned. That the privy council be subordinate to, and censurable by, the king and parliament. That no patent of honour be granted to any stranger, nor to any native, who has not at least ten thousand merks of land-rent yearly. That no commission of justiciary or lieutenancy be granted except for a limited time. And, That the president and other judges of the court of session be chosen by the advice of the Estates.* Several other important measures were in progress for reforming the abuses which had during the last forty years been accumulating in the State—particularly an act for abolishing hereditary jurisdictions, and above all an act for ratifying the measures passed by the General Assembly—when Traquair, who was still smarting under the royal displeasure to which he had been subjected on account of his conduct in the assembly, took the alarm. He considered many of the proposed measures as derogatory to the king's prerogative, he feared that none of them would prove agreeable to his majesty, and he resolved now to act with greater circumspection. Accordingly, that he might have time to receive instructions from court, he continued the parliament by not fewer than nine several prorogations† between the period of its first sitting and the 14th of November.

Bills submitted to the lords of the articles.

Prorogations of parliament.

In the meantime, the commissioner, anxious to regain his majesty's favour, prevailed on the privy council to alter their acts, which had been passed at his own instigation, condemning episcopacy and renewing the covenant; and even induced them to cancel entirely that clause by which they promised the ratification of these acts in parliament.‡

Retraction of the privy council.

Wearied out with repeated delays, convinced that the commissioner would agree to nothing without express instructions, and hopeless of obtaining a ratification of their acts by the king, parliament at last resolved to send the Earls of Dunfermline and Loudoun to the king, to implore his majesty to allow the parliament to proceed, and to determine on the important business before them. This design was intimated to Traquair, who seemed satisfied with it; and instructions were forthwith given to the two noblemen, subscribed by some of each estate, in the name and by the command of the whole parliament. At the same time the ministers who had been selected by the assembly to watch over the proceedings in parliament, appointed a day of solemn fasting and humiliation to be observed throughout the kingdom.

Dunfermline and Loudoun sent by parliament to the king.

Before Dunfermline and Loudoun had reached the English capital, they were met by a messenger, prohibiting them in the king's name from approaching within a mile of the court. At the same time peremptory orders were transmitted to the commissioner to to prorogue the parliament until the 2nd day of June in the following year. Traquair had not the courage to proceed in person to execute so ungracious a mandate; he transmitted the letter containing the king's order by the lord privy seal, to the chamber where the lords of the articles were assembled. Mr. Alexander Gibson, younger, of Durie, one of the three clerks of parliament, was desired to read it, but refused. At the command of the Estates, however, he read a lengthened remonstrance against it, in which it was declared that such a proceeding was "a new and unusual way, without precedent in this kingdom; contrary to his majesty's honour, so far engaged for present ratifying of the acts of the Kirk; contrary to the laws, liberties, and perpetual practice of the kingdom, by which all continuations of parliament once called, convened, and begun to sit, have ever been made with express consent of the Estates; contrary to the public peace both of the Kirk and kingdom, which by reason of the present condition thereof, and the great confusion like to ensue, cannot endure so long delay, and which is to the advantage of our malicious adversaries, who, for their own ends, are incessantly seeking all occasions, by dividing betwixt the king and the kingdom, to bring both to utter ruin and desolation." It was added, that although by the example of their ancestors, his majesty's indiction, and the articles of pacification, they might lawfully continue their sittings, yet out of their most reverend regard and humble desire to manifest their obedience, and to avoid giving his majesty the smallest discontent, they would dissolve, leaving only a small number from each estate to await at Edinburgh his majesty's answer to their humble remonstrance, which concludes in these emphatic words:—"And if it shall happen (which God forbid) that after we have made our remonstrances, and to the uttermost of our power and duty used all lawful

Traquair ordered to prorogue parliament until 2nd June, 1640.

Remonstrance of the Estates.

Dissolution of parliament. A committee appointed.

* Stevenson, vol. iii. p. 810. † Ibid. ‡ Ibid.

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means for his majesty's information, that our malicious enemies, who are not considerable, shall by their suggestions and lies prevail against the informations and general declarations of a whole kingdom, we take God and man to witness that we are free of the outrages and insolencies that may be committed in the meantime: and that it shall be to us no imputation that we are constrained to take such courses as may best secure the Kirk and kingdom from the extremity of confusion and misery."* In accordance with the resolution expressed in this declaration, a committee consisting of a small number from each estate was appointed, "who, or any three of each estate" were to attend at Edinburgh, to make remonstrances to his majesty, and receive his answers.

No sooner was parliament dissolved, than a request was presented by the committee to his majesty, that he would be graciously pleased to summon them, or some of them, into his royal presence, that they might state to him their grievances and desires. Mr. William Cunningham, of Brownhill, was dispatched as the bearer of this request, which the king received without any apparent reluctance, and on the 11th of December, liberty was granted to send up commissioners. Before the committee could take advantage of his majesty's permission, Traquair himself made his appearance at court. Though at first received coldly, on account of his ready compliance with the conclusions of the assembly, his vindication of his conduct at length satisfied the king of his sincerity, and restored him to his majesty's confidence. This point gained, he laboured not without success to ingratiate himself once more into the royal favour, by representing the proceedings of parliament as intolerable encroachments on the royal prerogative, and exasperating all those feelings against his Scottish subjects which his majesty was known to entertain. He endeavoured to persuade the sovereign that his Scottish subjects were now to be reduced to obedience only by force, and pointed out the methods by which he considered they might be most effectually brought to submission. These representations were seconded by Laud and Wentworth, and though opposed by Hamilton and Morton, who were better acquainted with Scottish affairs, yet such were the pride and obstinacy of the infatuated monarch that, yielding to those counsels which were most in accordance with his own headstrong and arbitrary temper, he had before the arrival of the commissioners fully resolved on the renewal of hostilities. Charles and his rash advisers now hoped to be able to persuade the people of England that the war had assumed a different aspect, that ecclesiastical affairs were no longer the object of contention; but that the Scots, by the proceedings of their parliament, had made a direct attack on the royal prerogative, and had actually initiated a revolution, having for its object the destruction of royal authority. The privy council of England did not fail to countenance this delusion, and to encourage the king to persevere in his resolution, by unanimously declaring that they now considered it necessary to reduce the Scots to their duty by force of arms.

Return of Traquair to court.

Renewal of hostilities resolved on.

* Stevenson, vol. iii. pp. 815—820.

On the 19th of January, the committee of parliament appointed the Earl of Dunfermline and Lord Loudoun to proceed a second time to court, and with them were joined Sir William Douglas of Cavers, and Robert Barclay, Provost of Irvine. In their instructions they were prohibited, as the representatives of a free and independent nation, from acknowledging the English council as their judges; they were required to use their best endeavours to remove from the mind of his majesty the unfavourable impressions occasioned by Traquair's aspersions on the conduct of the Scottish parliament; they were ordered to support the particular acts proposed by the lords of the articles; to insist on his majesty's assigning an early day for the assembling of parliament; and to remonstrate against the reinforcement of the Castles of Edinburgh and Dunbarton with strangers, and against exacting oaths from Scotchmen resident in England and Ireland inconsistent with the national oath and covenant.*

Dunfermline and Loudoun again sent to court.

On the 20th of February, they were admitted to an audience, and having been allowed to kiss his majesty's hand, they represented to him that it occasioned great grief to his subjects in Scotland to find that their proceedings had been traduced, and even their loyalty called in question. They besought his majesty that he would grant them a public opportunity, in presence of the councils of both kingdoms, of vindicating themselves and their countrymen from these calumnies, and particularly from the misrepresentations of Traquair in his account of their proceedings before the council of England. They also delivered to his majesty a message of thanksgiving from the General Assembly, with a supplication for ratifying their conclusions. Before taking leave, the king commanded them in future to put in writing whatever remonstrances they might have to make to him. This course was accordingly adopted, and, in like manner, Traquair wrote and subscribed all messages which he brought them from the king.

Their first audience of the king.

On the 2nd of March, the Scottish deputies were summoned by a message from his majesty to attend next day at the council-chamber; but information having reached them that there was only a select committee, including Laud and Traquair, to be present, they refused to attend unless they were favoured with a hearing in the royal presence. This was conceded, but a request that, in order to assist them in their vindication, they should be furnished with a copy of the charges preferred against them by Traquair in his information to the privy council, was peremptorily refused.

* Stevenson, vol. iii. p. 824.

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Their second audience. Loudoun's vindication.

Next day the deputies made their appearance in the council-chamber, when Loudoun addressed his majesty in a long and eloquent oration. In the outset he pointedly disclaimed all jurisdiction over Scottish affairs in the privy council of England. "Because," he said, "the parliament of that, your majesty's ancient and native kingdom, is independent, and not accountable to any other judicatory, we hope your majesty will pardon us for declining to speak or answer before any of your majesty's councils or judicatories whatsoever, as these who have any power to judge of the laws, actions, or proceedings of the parliament of that kingdom." He vindicated the parliament from the imputation of an intention to diminish his majesty's authority, or to shake off their allegiance. "We do, in our own name," he said, "and in name of the parliament who sent us, declare before God and the world that we never had, nor have, any thought of withdrawing ourselves from that humble and dutiful subjection and obedience to your majesty and your government, which by the descent and reign of so many kings is due to your majesty; and never had, nor have, any intention or desire to attempt anything that may tend to the diminution of your majesty's princely power; but, on the contrary, acknowledge our quietness, stability, and happiness to depend upon the safety of your majesty's person, and maintenance of your greatness and royal authority, as God's vicegerent set over us for maintenance of religion and administration of justice; and have solemnly sworn, not only to stand to the defence of your majesty's person and authority in the preservation of religion, liberties, and laws of the Church and kingdom, but also in every cause which may concern your majesty's honour, shall, according to the laws of the kingdom and the duty of good subjects, concur with our friends and followers, in quiet manner or in arms, as we shall be required."

Having thus cleared their own loyalty, and that of the parliament and people of Scotland, he proceeded to point out the reasons of their demands, and to show the equity of the proceedings in parliament. He complained that in making this defence he was reduced to the necessity of answering objections, which, notwithstanding repeated demands, were still concealed from them—a circumstance which ought to serve as an excuse, if he should not be able to give his majesty full satisfaction. "And," he added, "if any of the propositions or articles sought or craved in parliament shall seem harsh at the first view to those who know not our laws, we do expect from them the judgment of charity; and that they would distinguish betwixt the desires and actions of a parliament, who, being convened by royal authority, and honoured with your majesty, or your commissioner's presence, are makers of laws, and against whom there is no law, and the actions of private persons, against whom laws are made."

In vindicating the act of constitution of parliament, he remarked that as the assembly had, with the concurrence of his majesty's commissioner, removed episcopacy out of the Church of Scotland, and declared it to be unlawful in that kingdom for churchmen to hold civil places and power, it necessarily followed that bishops who usurped to be the Church, and did in name of the Church represent the third estate, being taken away, there must be an act of constitution of parliament without them, without which it would be impossible to have a valid parliament, or to ratify the conclusions of the assembly. "Neither," he continued, "doth the passing of these acts wrong the Church nor State; nor diminish your majesty's princely power and royal authority; nor the Church, because she hath renounced and condemned that civil power and worldly pomp conferred upon her in time of popery, esteeming the same not to be a privilege, but a detriment incompatible with her spiritual nature, and as being repugnant to the doctrine and discipline of that Church; nor is the State wronged, because the whole congregations of that kingdom, being represented by their commissioners from presbyteries in the General Assembly, have given their consent to the desires and conclusions of the Kirk, and have subscribed the confession of faith in that sense, and have always been, and are, your majesty's supplicants, that the parliament may ratify what the assembly hath found and concluded. Neither can we believe that your majesty, who we hear doth acknowledge princes to be like shining stars, which have their splendour for the benefit of the world, and who esteem the prosperity and welfare of your people your greatest content, and the having of their hearts to be your majesty's greatest security, will think that the granting of that which, upon so good reason, is so earnestly desired both by Kirk and State, to be any diminution of your majesty's royal prerogative and privilege of your crown, which doth pertain to your majesty inviolably, and is no way contingent, separable, nor mutable with the change of any of the Estates; but is that power which did justly belong to the king before any bishops were in Scotland, and which did belong to him in time of popery, when bishops were allowed, and had their dependence on the pope, and which did likewise pertain to the king in the time of Reformation, when episcopacy was abjured and removed out of Scotland."

Their third audience. Objections of the king.

On the 11th of March, the commissioners had another audience of his majesty, in the presence of Laud and other members of the English council. On this occasion they brought with them their instructions, but, before presenting them to the king, or entering on any further vindication, they desired that, although his majesty might have any of his courtiers present as auditors, such persons should not be allowed to interfere as judges, nor should the commissioners be compelled to answer any of their questions.

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They further desired that nothing spoken by them, and put in writing by any person present, should afterwards have any force or credit against them, unless first read to them, and allowed by them. Both these desires were conceded, the latter, however, not without difficulty and altercation. The instructions of the commissioners being now produced and read, the king objected that these were not subscribed by the noblemen of the greatest eminence. To this it was answered, that their first commission was signed by the Estates in parliament, and the second by the committee delegated by the parliament to sit during the prorogation; and that their authority, whatever might be their personal rank, was of greater account, as representing the kingdom, than that of the most eminent in the kingdom not clothed with the same commission. Finding this objection untenable, he asked what power they had to give him satisfaction, adding that their instructions were for justifying rather than satisfying; and though some of their desires were against law, they had no power to yield to any point. It was answered that the parliament had given them power to make it clear that their desires and proceedings were agreeable to the fundamental laws and customs of the kingdom, to reason, and to the act of pacification, which they were ready to do; nor was there any further power necessary, until the exceptions and objections were known; nor was it probable that parliament would invest them with the full decisive power of the legislature. It was added, that the acts themselves were no other than what the king was obliged, by the articles of pacification, to ratify. Then Laud, who sat on the king's right hand, and had been observed to smile contemptuously, begged his majesty to inquire of the commissioners how their assertion that their desires and proceedings were agreeable to the laws and customs of Scotland, which must be the present statutes, could be consistent with their desires that existing laws should be repealed? He added, that he did not believe the king was obliged to repeal them, or to ratify the conclusions of the assembly. The commissioners answered, that their desires might be agreeable to fundamental laws, and yet they might, without any inconsistency, crave that the acts repugnant to the conclusions of the assembly might be repealed; for, as the parliament may make laws for the good of Church and State, so they may repeal such laws as are inconsistent with the welfare of either; and they undertook to show that the king was obliged to ratify these conclusions. This reply roused the ire of the haughty primate, who testily answered that he was not so grossly ignorant as not to know that parliament had power to repeal laws as well as to make them; but what he desired to be informed of was, how their desires could be agreeable to the laws, when they crave standing laws to be repealed by reason of the conclusions of the assembly *ex consequenti?* for, if the convocation in England should take upon them to annul and repeal acts of parliament, what confusion would there be. To this it was answered, that acts of parliament, which depend upon acts of assembly, must necessarily fall and be repealed when an assembly had annulled those acts of the assembly of which those acts of parliament were merely ratificatory; but that the English convocation, consisting only of prelates and some of the clergy, was very different from their General Assembly, where his majesty or his commissioner sits, and where the whole congregations and parishes of the kingdom are represented by their commissioners from presbyteries, so that what is done by them is done by the whole Church and kingdom, and therefore ought to be allowed in parliament. The archbishop answered with much warmth, that the convocation in England was as eminent a judicature as theirs, and ought not to be so slighted; that himself and the clergy were members of the parliament, and no reformed Church had lay elders as they had in their assemblies, and he would lose his life before they should have them. The commissioners replied that they would not have meddled with his convocation if he had not himself introduced the subject; they denied that laics were members of their assembly, for the office of elders was ecclesiastic, and as orthodox and agreeable to Scripture as any order they had in their convocation; that what they craved was, that acts of parliament might repeal acts of parliament which had now no force. This contest was interrupted by Traquair, who remarked that all the acts referred to the lords of the articles were not consented to by the whole Estates, and he hoped that the commissioners would yield in some things to his majesty, who otherwise had more reason to inquire what authority they had. To this it was answered, that they knew well all was not determined on that was in the articles, as these were only propositions prepared for the consideration of parliament. The commissioners were now required to withdraw. After some consultation between the king and his courtiers they were recalled, and were then told, "That although his majesty in his own and the unanimous judgment of those that were with him, conceived they had no power to give them satisfaction, yet he would hear the particular reasons of their demands, and for that end his commissioner, Lord Traquair, should give them the objections thereunto;" and having thanked his majesty for this favour, the commissioners withdrew.*

Objections of Laud, and answers of the commissioners.

Several interviews were subsequently held, which were not—and certainly on the part of the king were not intended to be—satisfactory to either party; but, in the meantime, an audacious design was being prepared for execution. The king, finding the futility of all his objections triumphantly exposed, was anxious to precipitate his

* Rushworth, vol. iii. pp. 995—997; Proceedings of the Scots' Commissioners; King's Declaration; Stevenson, vol. iii. pp. 832—836.

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premeditated rupture with the Scots, and for this purpose eagerly seized upon a pretext which he vainly hoped would interest the people of England in the quarrel. He mistook those imaginary grievances that only wounded his own vanity, and which few could understand, for something that would rouse the resentment of a whole people, whose affection he had already alienated, and would induce them to rush headlong into civil war. The pretext was no other than the letter formerly referred to, which had been written before the pacification, and addressed, though never forwarded, to the King of France. This letter had been subscribed by Loudoun and six others of the principal nobility, and was intended to vindicate their conduct in the eyes of a foreign power, and to solicit assistance in the struggle which seemed to be approaching. On this document a charge of treason was meant to be founded against the covenanters, inasmuch as it was held to furnish incontrovertible evidence that they were prepared to transfer their allegiance to a foreign prince, and introduce into Britain the ancient enemy of England. On the strength of this letter, which was without a date, and evidently addressed by a different hand, the whole of the commissioners were arrested by order of the king, and committed to the Tower. The letter itself was of the following tenour:—

Letter to the King of France.

"Sire, your majesty being the refuge and sanctuary of afflicted princes and states, we have found it necessary to send this gentleman, Mr. Colvil, to represent unto your majesty the candour and ingenuity as well of our actions and proceedings, as of our intentions, which we desire to be engraved and written to the whole world with a beam of the sun, as well as to your majesty. We therefore most humbly beseech you, sire, to give faith and credit to him, and to all that he shall say on our part, touching us and our affairs; being much assured, sire, of an assistance equal to your wonted clemency heretofore, and so often showed to this nation, which will not yield the glory to any other whatsoever, to be eternally, sire, your majesty's most humble, most obedient, and most affectionate servants."

This letter, which is said to have been written by Montrose, and transcribed by Loudoun,* was signed by both these noblemen, together with Rothes, Mar, Montgomery, Forrester, and General Leslie; but owing to an inaccuracy in the language, the word *raiy*, a cray-fish, having inadvertently been employed instead of *rayon*, a sunbeam, the transmission of the document was delayed, and, on farther consideration, the design was afterwards abandoned. By some accident it fell into the hands of Sir Donald Goram, by whom it was given to the Earl of Traquair, who communicated the matter to the king. The address, "*Au Roi*," with which it had been surreptitiously superscribed, being the style appropriated by subjects to their native sovereign, was construed into an evidence of treason, and Loudoun was marked out as the first victim of royal vengeance. When that nobleman was examined before the council, he candidly admitted that the hand-writing and subscription were his, but said the letter was written before the pacification, when his majesty was on the point of invading his native country; and that in these circumstances the King of France, being the most nearly related by affinity to his majesty of all the princes of Europe, was naturally looked to as the fittest person to intercede with his majesty in their behalf, and to mitigate his resentment. The idea, however, he added, had not been suggested until his majesty had almost reached the Scottish Border, and was therefore considered too late, and consequently the letter had never been forwarded, or even addressed; besides, he argued, if he had been guilty of any crime, he had been included in the act of oblivion; or if he must be tried, it must be by his peers, and in the country where the offence was committed. The king, however, was unwilling to allow such an opportunity to pass of crushing a formidable adversary, and Loudoun was in imminent hazard of being brought to the block, not only without the benefit of his peers, but without trial or conviction. About three o'clock the same afternoon the king sent a warrant to Sir William Balfour, lieutenant of the Tower, authorising and commanding him to have Lord Loudoun's head struck off by nine o'clock the following morning. This awful intimation was received by the earl with astonishing composure; but Balfour, unwilling to incur the responsibility of putting a nobleman to death without trial, carried the warrant to the Marquis of Hamilton, whom he considered bound in honour to interfere.

Warrant from the king to behead Loudoun.

It was now midnight, and the marquis and lieutenant with difficulty obtained access to the king, who had retired to rest. The warrant was scarcely named when his majesty, in a violent passion, exclaimed, "By God, it shall be executed!" Hamilton, however, represented to him the odium he should incur by thus violating the safe-conduct he had granted to Loudoun, as well as all legal forms, by putting a nobleman to death without conviction or even trial. He assured him that, if he persevered in his resolution, not only would Scotland be lost for ever, but his own person would be in danger from the resentment of the populace;* and at last his majesty, calling for the warrant, tore it in pieces, and sullenly dismissed Hamilton and the lieutenant from his presence.

Intercession of Hamilton. The warrant withdrawn.

It was not until nearly three months afterwards that Loudoun was liberated from his confinement, and permitted to return home, on promise that he would conceal from his brethren in Scotland the hard treatment to which he had been subjected,

* History of the Stewarts, vol. i. p. 140.

* Birch's Inquiry into the Transactions of Glamorgan, App. 375; Oldmixon's History, p. 140; Burnet's Memoirs, p. 161; Stevenson, vol. iii. p. 847.

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and contribute his endeavours to dispose them to peace.

Charles, however, was in the meantime cherishing sentiments and maturing designs far from pacific. As early as the month of November in the preceding year, when Traquair had made his report to the council of England, a renewal of hostilities had been determined on, irrespective of anything which might be urged by the Scots in their own defence, and preparations for the campaign had during all that time been silently advancing. The Earl of Northumberland, lord-admiral, was ordered to have a fleet ready by the 10th of April, and at the same time was appointed general of the army about to be raised. Strafford was appointed lieutenant-general, and Lord Conway was constituted his deputy. The lords-lieutenants of counties were ordered to raise a certain number of able-bodied men to be instructed, in companies of one hundred each, in military exercises until the 10th of May, when they were to proceed under their respective officers to Newcastle. A similar order was issued for raising seamen, a third for the pressing of horses and carriages for the artillery and ammunition to be at Newcastle by the middle of June, and a fourth for laying in at Berwick a large quantity of forage by the end of the same month.

Preparations for war.

These preparations were made in the face of very formidable difficulties. The covenanters were zealous and unanimous, and were still in such a complete state of organisation that they were ready at a moment's warning to rally in defence of the country. On the other hand, the people of England were universally discontented. The wide diffusion of the Scottish supplications had fully informed them of the real object of the contest; they considered their own grievances as in many respects similar to those of the people of Scotland; and the communications which took place between the two armies while encamped within sight of each other, had led to an increase of that mutual sympathy which a sense of common wrongs and sufferings had already excited. Above all, his last inglorious campaign had exhausted his treasury—and how could he expect the sinews of war to be furnished by a discontented people, with whom the war was unpopular? Such, indeed, was the dissatisfied state of the public mind, that for eleven years Charles had not ventured to assemble a parliament, and he was now more reluctant than ever to have recourse to that detested method of raising supplies—well knowing that, if granted at all, they would be preceded or accompanied by an importunate demand for redress of grievances. In these circumstances he once more resorted to his old method of raising money by illegal exactions, voluntary contributions, and other means equally criminal and undignified. The order for levying ship-money was renewed and executed with more than its former severity. At the instigation of Strafford, the Irish parliament voted five subsidies, amounting in all to two hundred and forty thousand pounds sterling. Strafford himself contributed twenty thousand pounds, and the Dukes of Lennox and Richmond an equal, if not a greater sum. Many others of the nobility, and not a few of the gentry, subscribed largely; and, at the desire of the queen, the papists contributed so liberally that the royal forces were subsequently styled in derision *the popish army.** With the means thus furnished an army was raised, though not without difficulty; but it was plainly perceived that such resources would be quite inadequate to its continued maintenance. The council accordingly advised his majesty to summon a parliament; and never had an English parliament met under circumstances more unfavourable to the designs of the sovereign. But Charles had not the sagacity to perceive the full extent of the difficulties with which he had to contend. He was credulous enough to believe that the demands of the Scots would appear as exorbitant to the parliament as they did to himself, and that they would be ready to resent as a national indignity what appeared to no one but himself to be an attack on his royal authority. He hoped, too, that the exhibition of the letter intended for the King of France would excite a strong feeling against the Scottish leaders, upon whom he had no doubt of being able to fix a charge of treason, and of premeditated hostility against England, by attempting to introduce her ancient enemy in warlike guise into the island.

Difficulties of Charles.

Parliament met, according to the king's appointment, on the 13th of April. The opening had been purposely delayed until, as Charles supposed, the pressing urgency of his affairs was such as to leave no time for deliberation on public grievances, and to demand an immediate grant of money to meet the exigencies of the State. The session was opened by the Lord-keeper Finch in a florid speech, in which he exaggerated to the utmost all the complaints against the Scots; and, in order to stimulate their generosity, set before them the example of the Irish parliament, who had granted such liberal subsidies to his majesty. The king then produced the letter to the French king, which was read by Finch, and commented on in a manner intended to rouse the indignation of the house against the Scots. All was to no purpose; the letter was entirely disregarded. In vain did Charles insist that they should, in the first instance, grant him the necessary supplies; while he assured them, on the word of a king, that he would give them an early opportunity of inquiring into the abuses of the State, and applying such remedies as they might judge to be expedient. They considered the public grievances as claiming their first regard, and determined that the consideration of these should take precedence of the granting of subsidies, and all other business whatsoever. Agreeably to this resolution they proceeded to deliberate on the complaints of the people, which now began

Meeting of the English parliament.

* Stevenson, vol. iii. p. 849.

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to pour in from all quarters; and the king at last, irritated by their refusal of his demands, and apprehensive of the gathering storm, hastily dismissed them, before they had sat much longer than a month. The abrupt termination of a parliament to which the people were fondly looking for a vindication of their just rights, and some alleviation of their sufferings, greatly increased the prevailing discontent, which was still farther augmented by the arbitrary and unconstitutional acts that immediately followed. The very next day Henry Bellasis, Esq., knight of the shire for the county of York, and Sir John Hotham, were subjected to an examination before the privy council regarding their conduct in parliament; and declining to compromise the independence of parliament by answering the questions proposed to them, were both committed to the Fleet. At the same time John Crewe, Esq., afterwards Lord Crewe, who had been chairman of the committee for religious affairs, having refused to give up the names of such parties as had petitioned against innovations in religion, the high commission court, and other grievances, was committed to the Tower; and the Earl of Warwick and Lord Brooks, having been suspected of holding communication with the Scots, were subjected to the gross indignity of having their cabinets broken open, and even their pockets searched, in quest of a private correspondence, no traces of which could be discovered.*

Its dissolution.

Arbitrary and unconstitutional proceedings of the king.

While the nation were deeply disappointed by the sudden dissolution of the parliament, from whose proceedings they had expected to reap so many advantages, they were exasperated to find that, contrary to all precedent, the convocation were allowed to continue their sittings for a month longer. During this period they passed various enactments, which occasioned many grievous complaints. They made not fewer than seventeen new canons, by one of which all clergymen and graduates in the universities were enjoined to take an oath approving the doctrine and discipline established in the Church of England, and binding themselves never to give their consent to any alteration in the government of this Church by archbishops, bishops, deans, archdeacons, &c. This canon, which was no doubt designed as a preventive against the spread of presbyterian principles, excited much ridicule among the Scots from the loose manner in which it was expressed. Swearing a man to an *et cetera* was certainly something extraordinary, inasmuch as it bound him to conditions of which he was necessarily ignorant, and which might at any time be altered at the will of those by whom the oath was exacted. What parliament would not grant, however, was granted by the servile convocation. They voted a supply to his majesty for assisting in the prosecution of the war, of twenty thousand pounds sterling annually for six years.

Sitting of the convocation.

* Stevenson, vol. iii. pp. 852, 853.

Charles now made the most desperate efforts to recruit his finances independently of his refractory parliament; and the expedients to which he had recourse were at once illegal, dishonourable, and oppressive in the highest degree. He ordered the counties to advance coat and conduct-money for their respective troops; he purchased on credit from the East India merchants all their pepper, and re-sold it under its value for ready-money; he extorted a bonus of forty thousand pounds from the merchants who had bullion deposited for safety in the Tower, under the iniquitous threat of seizing on the whole in case of refusal; and levied a contribution to a large amount on the city of London, under pain of forfeiting its privileges as a corporation.*

Illegal and oppressive exactions of the king.

By these and other means equally discreditable, Charles at length succeeded in raising and equipping an army of nineteen thousand foot, and two thousand horse, with which he was ready to take the field by the month of July. By means of their friends in London, the Scots were from the first fully aware of these preparations. Even as early as Dunfermline and Loudoun's first mission as a deputation to the king, the resolution of Charles and his council to recommence hostilities was no secret to the Scottish leaders. Many circumstances tended to corroborate the warlike intelligence they from time to time received. The Castle of Edinburgh was repaired, and its garrison reinforced; all Scottish ships in England and Ireland were arrested; and many coming from distant ports were intercepted by English cruisers, and their owners and passengers were robbed of their property, laid in irons, and treated with shocking barbarity; and the Irish parliament, under the influence of Strafford, had publicly denounced the Scots as rebels. All these foretokens of hostility were anxiously watched by the Scottish leaders, who, at an early period, began to concert measures for the national defence. Even at the time of the pacification, when they were disbanding their army, and delivering up the strongholds of the country, their oft-repeated experience of the royal treachery had completely shaken their confidence in the king's sincerity, and they accordingly still retained their veteran officers in pay—not only with a view to future service if necessary, but as an act of justice to men who had voluntarily relinquished their posts and emoluments abroad, and hastened home to the assistance of their countrymen. The zeal formerly manifested by all ranks of the people continued unabated; their organisation had never ceased to be maintained; and the brave and patriotic men who had so recently taken arms in defence of civil and religious liberty, were ready once more, at the call of their leaders, to range themselves under the banner of the covenant. Meanwhile, preparations were silently in progress: persons possessed of wealth contributed their money and their plate, and in

Preparations in Scotland.

* Stevenson, vol. iii. pp. 854, 855.

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many instances their personal guarantees to the public service; women cheerfully brought their gold and silver ornaments and most costly jewels to the public treasury, and provided cloth for the tents of the soldiers; the collections at the church-doors were greatly increased, not merely by the large donations of the rich, but by the gifts, though small individually, which poured in incessantly from the lower and middle ranks of the community; and the merchants busied themselves in the importation of arms and ammunition. All these measures, however, were merely precautionary, and the leaders resolved to abstain from all hostile demonstrations until these should be resolved on and authorised by parliament, which was expected to meet as soon as the prorogation had expired. In the meantime *remonstrances* and *informations* were printed, and extensively circulated throughout England, with a view of counteracting the insidious misrepresentations of the government, and securing the sympathy, if not the co-operation, of the English people in the impending crisis.

Meeting of the Scottish parliament.

Parliament met on the 2nd of June, the day to which it had been prorogued from the last meeting in November. Traquair had received a commission under the great seal to represent his majesty, but having rendered himself extremely odious to the people of Scotland by his report to the English council, and the encouragement he had given the king to recommence the war, he durst not venture to make his appearance amongst them. In consequence of this, commissions under the quarter seal were issued to the Lords Elphinstone and Napier, the lord justice-clerk, and the king's advocate, who, or any three of them, were empowered to act as commissioners to prorogue the parliament in Traquair's absence and upon his order.* By some oversight, Traquair had omitted to forward this authority to his substitutes, and consequently, when the warrant to prorogue was read before parliament, Elphinstone and Napier, doubtful of the legality of proceeding, refused to act without Traquair's authority; and the other two, unable to proceed without their concurrence, or that of one of them, could only enter their protest. By this omission of Traquair's, the policy of Charles was defeated. The parliament having been at first convoked by the king's authority, and afterwards by the same authority adjourned to that day, voted themselves a lawful parliament, and having made choice of Lord Burleigh as their president, proceeded to business. The acts which had been prepared in the preceding year by the lords of the articles were now submitted to the consideration of the house, and, with slight variations, were all passed. The principal of these were—An act settling the constitution of parliament, which was henceforth declared to consist of nobles, barons, and burgesses, and rescinding all former acts in favour of bishops and other ecclesiastics, particularly those of 1597 and 1606;—an act declaring that all subsequent parliaments should be at liberty either to choose committees for articles or not, as they should think fit, and that when it should be judged expedient to appoint such committees, each estate should choose out of its own number only so many as should be allowed by the parliament;—an act ratifying, approving, and perpetually confirming the act of the General Assembly of the 17th of August, 1639, entitled, "Anent the six causes of our bygone evils;"—an act ratifying and approving the supplication of the General Assembly to the privy council, praying them to enjoin the renovation of the national covenant;—the answer of the council to that supplication;—the act of the General Assembly ordaining the subscription of the confession of faith and covenant, and the said confession of faith and covenant itself, as first sworn in the year 1580, together with the bond adapting it to their circumstances in the year 1638, and the assembly's explication of the whole as excluding the articles of Perth and the other innovations intended upon the Church;—an act declaring that the sole and only power of jurisdiction within the Church stands in the Church of God as it is now reformed, and in the general, provincial, and presbyterial assemblies and kirk sessions—and rescinding all acts conferring on archbishops, bishops, abbots, priors, and other ecclesiastics, civil places, and the power of representing the Church in parliament;—an act approving the supplication of the assembly in 1639 against a book called "A Large Declaration," with the assembly's act relative thereto, and ordaining the authors and spreaders thereof to be most severely punished, as leasing-makers and raisers of division and discord betwixt the king and his subjects;—an act appointing a full and free parliament to be held at least once in three years, or oftener, as his majesty shall be pleased to call them;—an act ordaining that the Castles of Edinburgh, Stirling, and Dunbarton, be kept only by natives, true and faithful subjects to his majesty, and well-affected countrymen;—an act discharging any to vote by proxies in parliament, and ordaining that none be raised to the rank of nobility in Scotland unless they have at least ten thousand merks of yearly rent within the kingdom;—an act appointing that instead of giving in grievances to the clerk-register, as was the former practice, through which many of them were suppressed, the same be given in and presented openly in parliament;—an act declaring the privy council subordinate to the king and parliament, accountable to them, and in case of giving wrong counsel to be punished as leasing-makers;—an act annulling all unjust and unlawful proclamations issued since the commencement of the late troubles;—an act declaring that the former laws prohibiting bonds and covenants amongst the subjects do not extend to nor include any bonds, leagues, councils, conventions, assemblies, committees or meetings, made, holden, and kept by the subjects, for maintenance and preservation of the king's majesty,

Acts of the parliament.

* Stevenson, vol. iii. pp. 866, 867.

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the religion, laws, and liberties of the kingdom;—an act concerning the common relief—in other words, to meet the expenses of the war—approving an offer made of the tenth part of all rents, in burgh and land, and further appointing a twentieth part of all annual rents to be applied in like manner (the act contains directions for ascertaining the due extent of the rents and annual rents, and for the collecting of the tenths, and ordains that bonds shall be given by the shires for the same until paid; and because money would be required before these supplies could be raised, the committee were authorised to borrow of any who had money, and to give their own security for it in the meantime; and if any refused to lend, they were, upon proof of their having money, to be constrained to lend it upon such security);—an act ordaining the whole subjects and lieges of this kingdom to obey, maintain, and defend the conclusions, acts, and constitutions of this present session of parliament, and to subscribe a bond to that effect;—and, finally, an act declaring the parliament current, and continuing the same until the 19th day of November next, and ordaining all the acts passed during the session now terminated to be printed and published.

Thus were the constitution and independence of the parliament secured, provision made for its frequent convocation, its power declared paramount over the privy council and incapable of being superseded by arbitrary proclamations, and its enactments supported by a national bond declared to have the force of laws with or without the royal assent; while in the present exigencies of the country, when the royal authority had been employed to trample on the privileges of parliament, and the laws and liberties of the nation, it was deemed necessary to transfer the whole executive power to the committee of Estates.*

Besides the important public acts just enumerated, decree of forfeiture was pronounced against General Ruthven, for refusing to surrender the Castle of Edinburgh after being duly summoned to do so, and for killing certain of the citizens and destroying their houses by the discharge of musketry and ordnance from the batteries. The conduct of Sir Alexander Leslie, as general of the Scottish forces, during the preceding campaign was formally approved of, and his commission as commander-in-chief of the army for this year was confirmed.

Rising of parliament.

Parliament rose on the 12th of June, and on the 17th the general committee transmitted a copy of the acts that had just been passed to Lord Lanark, the secretary, to be presented to his majesty, together with an humble supplication praying for the royal approval. A letter was at the same time addressed to his lordship, containing a vindication of the proceedings of parliament, as the conclusions of a free national assembly convoked and continued by his majesty's authority. They desire him to represent to his majesty that they continue steadfast in their loyalty to his person and government, and are seeking nothing but to be allowed the peaceable enjoyment of their religion and liberties. They conclude, however, with a remark which ought to have convinced Charles and his reckless advisers that they were dealing with a people not to be overawed either by the assertion of prerogative or the fear of hostilities, but who, knowing their just rights, had resolved to defend them to the last extremity. They could no longer endure, they said, the violence offered to them in their persons and goods by castles within and ships without the kingdom, and they concluded by praying for a speedy redress, adding, significantly, otherwise they must provide for their own deliverance and safety. These representations Charles affected to consider as striking at the very root of his royal authority; he did not deign to return an answer, but wrathfully denounced them as treasonable. At the same time, the Irish parliament declared the Scots to be rebels, and authorised every attempt to reduce them to subjection by force of arms.

Commencement of hostilities.

As the trade of the country was everywhere obstructed by English cruisers, the war was justly considered as already commenced; and the general committee accordingly issued orders to the freeholders of the counties and the magistrates of burghs to embody every fourth man capable of bearing arms, and immediately to take the measures appointed by parliament for raising the necessary supplies. Lord Almond, brother to the Earl of Linlithgow, was appointed lieutenant-general under Leslie, who had now assumed the chief command; W. Baillie was nominated major-general; Colonel A. Hamilton, general of artillery; Colonel John Leslie, quartermaster-general; and A. Gibson, younger, of Durie, commissary-general. The nobles, as in the former campaign, held the rank of colonel; but being still deficient in military experience, they were assisted as before by veteran officers, who ranked as lieutenant-colonels. The Earls of Argyll and Eglinton were dispatched to the west coast, to be in readiness to repel the threatened invasion from Ireland. Argyll was subsequently ordered to proceed against the Murrays, Ogilvies, and other disaffected clans and chieftains in the north, while the inhabitants of Cantire and Mull were left to defend their own shores; and Eglinton, assisted by the people on the coasts of Ayr and Galloway, guarded the country in these districts. Argyll, with a force of about five thousand men and a small train of artillery, now penetrated into the wild and unfrequented districts of Badenoch, Mar, and Atholl, levied the taxation decreed by parliament, and reduced the refractory inhabitants to submission. Some opposition, however, being manifested by the Earl of Atholl at the ford of Lyon, he was apprehended by order of Argyll, together with Sir Thomas

Argyll sent to the north.

* Rescinded Acts; Balfour's Annals, MS.; Laing, vol. iii. p. 192.

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Stewart, younger, of Grandtully, Mr. John Stewart, the earl's factor, and twelve others of the leading men of Atholl. The earl was sent prisoner to the Castle of Stirling, and the rest to Edinburgh, to be detained until they should find security for their good behaviour, and pay a fine of ten thousand pounds Scots for support of the army raised on their account. Marching eastward into Angus, Argyll demolished the house of the Earl of Airlie, who had fled on hearing of his approach. Here Argyll permitted his men to live at free quarters on such of the tenantry as had joined their lord in opposition to the national cause; and having secured the submission and tranquillity of the district, he returned to Argyleshire in time to relieve the soldiers in that quarter, who had been ordered to march eastward and join the main army.

The conduct of Argyll in this expedition, though maligned by Bishop Guthrie* and subsequent party writers, is susceptible of an easy and complete vindication. That he suffered his men to ravage the surrounding country, and return home laden with plunder, is contradicted by Sir James Balfour,† who represents the soldiers as under the strictest discipline, in proof of which he informs us that four of them were hanged for stealing. That he subsisted his army for a short time on the tenantry of Atholl was not only in accordance with the rules and practice of war, but was in itself perfectly legal, as they had resisted the authority of parliament, which, during the suspension of the regal functions, was the only competent authority that remained in the country. The conduct of Monro does not admit of the same justification. Having been sent to Aberdeen with one thousand foot soldiers to suppress the Marquis of Huntley, the Earl of Aboyne, and others, who were raising forces in support of the royal cause, he treated the king's adherents with all that relentless severity to which he had become habituated in the wars of Germany, under the stern dictation of the Swedish monarch. One of his first acts on his arrival at Aberdeen was to impose the covenant on all whom he suspected of disaffection; and for disobedience to this arbitrary requirement twenty-six burgesses of that city, together with Sir Alexander Irvine of Drum, his brother, and about twelve other country gentlemen, were arrested and sent prisoners to Edinburgh. For this proceeding, although he had the example of Montrose, he certainly "had no authority either from Church or State."‡ Having received some accessions to his army, he next marched against Strathbogie, where he encamped, and made no scruple of cutting down the trees in the neighbourhood to form huts for the soldiers. He next took possession of the Bog, now Castle Gordon, where the men were permitted to riot at will on the best cheer the place afforded, and to supply themselves with beef, mutton, and poultry from the stocks of the neighbouring tenantry.

Unwarrantable severities of Monro.

* Guthrie's Memoirs, p. 77. † Balfour's Passages.
‡ Stevenson, vol. iii. p. 880.

Here he left the main body of his army, while he proceeded with a force of three hundred men and some fieldpieces to Spynie, the residence of Guthrie, Bishop of Moray, where he seized and appropriated a quantity of military stores. Leaving a garrison of twenty-four men at Spynie, he returned to Strathbogie, and taking possession of the residence of the Marquis of Huntley, he placed a garrison there, set fire to his camp, and marched with the remainder of his army to Banff, where he destroyed the magnificent mansion and fine garden of Sir George Ogilvie. In allusion to the latter, Sir George, who was then at court, on hearing of the disaster remarked, "As for the house, it mattered not much—money could build it up again in a short time; but it was cruel to destroy his garden, which years could not repair." These severities, while they contributed to the advancement of the national cause by crushing the power and intimidating the adherents of the adverse party, were regarded with disapprobation by the popular leaders and the great body of the covenanters, and would no doubt have subjected their author to merited punishment, had the troubled state of the country not prevented any rigid inquiry into the misconduct of those intrusted with the command of the national forces.

Meeting of the General Assembly.

On the 28th of July, the General Assembly, according to appointment, met at Aberdeen, and, after waiting for one day in expectation of a commissioner from the king, proceeded to business in virtue of the authority vested in them as the representatives of the Church.* The cordiality and unanimity of this assembly were unhappily disturbed by a keen discussion respecting private meetings. While the articles of Perth and other prelatical innovations continued to be forced on the people of Scotland, it became customary for many religious people, particularly in Edinburgh, and in the south and west parts of the kingdom, to absent themselves from the places of worship where these had been introduced, and to meet together in private for the reading of the Scriptures, prayer, and other religious exercises. This practice had become still more general in the north of Ireland; for the presbyterian ministers having been expelled from their charges by the bishops, many pious persons found these social meetings a means of mutual support and edification. Some of them, however, from having become attached to a practice so similar to that of the independents, began to imbibe similar principles, in which they were still farther confirmed by some Brownists, as they were called, from England, who at that time paid them a visit, carrying with them many of the peculiarities by which their sect was distinguished—such as refusing to worship with the congregation, meeting during the night, discussing curious questions, and censuring others as less holy than themselves. When at last the persecution waxed hot in Ireland, great numbers of them sought refuge in Scotland,

* Stevenson, vol. iii. p. 885.

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where, notwithstanding their peculiarities, they were regarded as men of exemplary piety, and were affectionately welcomed. At this time, the Laird of Leckie, who had previously suffered much from prelatical persecution, and was esteemed an intelligent, good man, attracted around him at Stirling, where he had fixed his residence, a number of the lower orders, whom he encouraged to associate for religious exercises; and many of them who were unable to read, were in the habit of assembling in his house at family worship, often to the neglect of that exercise in their own homes. Some who were afterwards supposed to have attended as spies, carried to the minister, Mr. Henry Guthrie, subsequently better known as Bishop of Dunkeld, some expressions which were said to have been employed by Leckie in prayer, and were represented as casting reflections upon him. Guthrie, without delay, cited Leckie before the presbytery, by whom he, and those who attended the meetings at his house, were condemned as encroaching on the office, and bringing into contempt the ministers of the Church; and on this sentence the magistrates, urged on by Guthrie, expelled them from the town.* Not satisfied with this flagrant act of persecution, Guthrie, with a view to root out a party whom he stigmatised as heretics, collected every report he could hear to their prejudice, and brought the matter under the notice of the assembly of 1639, for the purpose of getting these private meetings prohibited. His attempt was frustrated, however, chiefly through the instrumentality of Mr. Samuel Rutherford and Mr. Dickson, who, afraid lest the reputations of innocent persons, and even religion itself, should suffer for the peculiarities or imprudence of a few individuals, succeeded for the time in quashing the proceedings. Guthrie was still bent on his purpose, and studiously laboured to fan the flame; but some of the more cautious and moderate of his brethren procured a conference, to be held in Edinburgh, between the leaders on both sides. These were Mr. Alexander Henderson and Eleazer Borthwick, who were opposed to these private meetings, and Mr. David Dickson and Mr. Robert Blair, who were favourable to them. Their deliberations terminated in the drawing up of certain caveats to prevent abuses. The people were admonished to beware of doing anything to induce others to abstain from public worship, as well as to avoid abstaining themselves; it was recommended that the numbers assembled should be few, and that unseasonable hours should be avoided, particularly the time of public or family worship, or the night season; that their meetings should not interfere with their relative duties or necessary secular employments; that they should only be occasional, and should not be a cause of division in esteem or affection between those by whom they were attended, and the other members of their respective congregations; that if they have any doubts regarding the established order, they should communicate these to the ministry and the assemblies of the Church; that the exercises be confined to prayer and conference, and the proper distinction be observed between what belongs to private Christians, and what belongs to the function of the ministry; and, finally, that all things be done with prudence, humility, and charity, that the Church may be built up in one body, and not divided or destroyed.*

* Stevenson, vol. iii. p. 868.

This paper was extensively circulated throughout the country, and as it appeared to give general satisfaction, it was hoped that the matter was now finally disposed of. Guthrie, however, was not so easily satisfied. He would be contented with nothing short of an entire suppression of private religious meetings; and having gained over to his views a number of the ministers and elders in the north, he brought the subject by overture before the assembly now met at Aberdeen. A protracted and stormy discussion ensued, in the course of which Guthrie and others of his party attacked Leckie and the private meetings with great virulence, and insisted that such convocations should be entirely prohibited. Unfortunately, they were supported in this attempt by several influential men, who appear to have conscientiously believed that the encouragement of such meetings might open a door for the introduction of many errors and extravagances, and ultimately lead to a schism in the Church. Among these was Mr. David Calderwood, who, while in Holland, had witnessed among the independents, who abounded in that country, many things of which he could not approve, and he consequently entertained a great dread of the rise of that sect at home. The meetings, however, were ably defended by Mr. David Dickson, Mr. Robert Baillie, and others. The discussion waxed hotter every instant, and the moderator, Mr. Andrew Ramsay, one of the ministers of Edinburgh, no longer able to control the meeting, "the clamour and noise," it is said, "were shameful."† At this climax, Mr. Samuel Rutherford, who had hitherto remained silent, and indeed was seldom disposed to say much in the church courts, threw in a syllogism, and required them all to answer it:—"What Scripture does warrant," said he, "an assembly may not discharge; but privy meetings for exercises of religion, the Scripture does warrant: Malachi iii. 16, 17—'Then they that feared the Lord, spake often one to another, and the Lord hearkened and heard it,' &c.; James v. 16—'Confess your faults one to another, and pray one for another.' These things cannot be done in public meetings, *ergo*, &c." No satisfactory, much less formal answer was given to this argument, though Mr. Rutherford was subjected to many bitter taunts and reproaches, and Lord Seaforth jeeringly remarked he "would not have Mr. Samuel trouble them with any of his logic syllogisms."‡

The subject of private meetings brought before the assembly.

Protracted and warm discussion.

* Stevenson, vol. iii. pp. 891, 892. † Ibid., p. 893.
‡ Baillie, vol. i. p. 200.

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The noisy discussion at length terminated in the passing of an act, in which one party, for the sake of peace, conceded more than was warrantable, while the other still felt dissatisfied. It was drawn up by Mr. Guthrie, and entitled, "Act anent the ordering of family worship." Its principal provisions were, that none should be admitted to family worship but the members of the family in which it is held; that the reading of prayer is lawful when no member of the family is qualified to pray *ex tempore;* and that none be permitted to explain the Scripture but ministers and expectants approved by the presbytery.

Having appointed their next meeting to be held at St. Andrew's, on the third Tuesday of July, 1641, the assembly dissolved after a sitting of ten days. At the same time, the moderator was instructed, either through the privy council or in some other convenient way, to request his majesty to send his commissioner to the next assembly; and it was arranged that, if any extraordinary emergency should in the meantime arise, the presbytery of Edinburgh should be authorised to convoke a *pro re nata* meeting. During the sitting of the assembly, a tumultuous rabble congregated in the town, and manifested their zeal against popery by pulling down or defacing many of the remnants of idolatry which had survived the Reformation.* More has been made of these violent proceedings than perhaps their importance deserved; but whatever may be said of them, they are certainly not chargeable on the great body of the covenanters, by whom they were neither authorised nor approved.

Tumults in Aberdeen.

About the end of July, the advance of the English army towards the Border gave warning for the Scots to assemble. The general committee at Edinburgh immediately issued orders to the various sub-committees throughout the country to dispatch the regiments from each county with all expedition to the general rendezvous, with provisions for thirty or forty days. Each regiment was, as formerly, attended by a chaplain, generally one of the most eminent clergymen of the district in which it was raised. As a proof of this, it may be sufficient to mention that among others there were Mr. Alexander Henderson, Mr. Robert Baillie, and Mr. George Gillespie.† In the beginning of August they arrived at Dunse, where they took up their former station on the hill. Their numbers amounted to twenty-two thousand foot, three thousand horse, and a train of heavy artillery. They had besides a number of cannon formed of tinned iron, bound round with leather, and capable of sustaining twelve successive discharges. This species of artillery had been invented, or at least first employed by Gustavus in the German wars, and was so light that it could be carried on horseback.‡

Assembling of the Scottish forces.

Their arrival at Dunse.

* Spalding, vol. i. p. 246.
† Stevenson, vol. iii. p. 897. ‡ Burnet, vol. i. p. 36.

For nearly three weeks the army lay upon the Borders, receiving from their officers daily instructions in the art of war; and from their revered chaplains those still higher instructions, seasonable at all times to all, but especially to men who had taken up arms to conquer or die in defence of their country, their civil liberties, and their religious privileges. Nor were the exercises of prayer and praise neglected. "It was refreshful," says one of their chaplains, "to remark that, after we came to our quarters at night, there was nothing to be heard through the whole army but singing of psalms, prayer, and reading of Scripture, by the soldiers in their several tents."*

Their resources, however, were too limited to admit of their remaining much longer inactive, and it began to be seriously deliberated whether under such circumstances they should wait until the country was actually invaded, or anticipate the movements of the royal army by boldly marching into the English territory. Various circumstances conspired to recommend the latter alternative. A very brief space of time would apparently leave them no choice between this decisive measure on the one hand, and the disbanding of their forces, with all its miserable train of consequences, on the other. But their decision on this important point was precipitated by the receipt of a letter from an English nobleman, Lord Saville, inviting and encouraging them to march immediately into England. This document bore also the names of Bedford, Essex, Broke, Warwick, Saye and Sele, and Mandeville; and though it was afterwards found to be a forgery, it does not appear that at the time any suspicion of this was entertained by the Scottish leaders. At all events its authenticity appeared to be confirmed by the intercourse which the Scottish commissioners, when in London, had had with these noblemen, as well as with Hampden, Pym, and others of the leading patriots, who represented to them the extreme reluctance of the English people to assist the king in the war, and encouraged them to stand resolutely to the defence of their liberties, hoping that their successful resistance might contribute towards the emancipation of England from royal and prelatical tyranny. Lord Saville also wrote to Lord Loudoun, while in confinement in the Tower, assuring him that the advance of the Scots into England would be cordially welcomed by the friends of liberty in that country, who would unite with them in a remonstrance comprehending the grievances of both nations, with a demand for redress, which it would be impossible to resist. He declared that the people of England looked to the Scottish army as the chief instrument for effecting their own liberation, and he promised them reinforcements of men, supplies of money, and abundance of provisions.† With such assurances of support, and in the critical circumstances in which

Letter inviting the Scottish army to enter England.

* Livingstone's Life, p. 33.
† Aikman, vol. iii. p. 550.

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they were placed, it is not improbable that the Scottish leaders, even without Saville's spurious letter, would have adopted the course to which it invited them.

This bold measure was still further recommended by the following letter, which had been received at head-quarters:—"Such is our affection to your cause, and care of your affair, that nothing hath been omitted which might conduce to the furtherance of your design, nor the discharge of our own promises; but your often failing in point of entrance, after solemn engagements, by word and write, hath deadened the hearts of all your friends, disabled the most active to do you further service, and disappointed yourselves of near ten thousand pounds, which was provided and kept for you till you had twice failed, and that there was little or no hope of your coming. The Lord hath given you favour in the eyes of the people, so as I know not whether there are more incensed against our own soldiers or desirous of yours. If you really intend to come, strike while the iron is hot; if you be uncertain what to resolve, let us know, that we may secure our lives, though we hazard our estates by retiring. There is no body of an army to interrupt you, no ordnance to dismay you, no money to pay our own; the city hath once more refused to lend the trained bands to be pressed, the country storms at the billeting of soldiers, quarrels arise every day about it. If you have a good cause, why do you stand still? If a bad, why have you come so far? Either die or do, so shall you be sons of valour.—P.S. If there be anything of consequence, you shall have speedy intelligence of it."

Thus encouraged, and considering that by adopting this advice they would transfer the seat of war from their own country, where the army could not much longer be maintained, into England, where they had the prospect of abundant supplies, it is not wonderful that the leaders should be induced to embrace the only course of action that seemed open to them, except the abandonment of their great enterprise. The step, however, was not taken without solemn deliberation. On the 3rd of August, the committee attending on the general met, and having summoned to their assistance the whole noblemen, barons, ministers, and burgesses, who were with the army, it was, after a long debate, resolved unanimously to carry the war into England. This resolution was immediately transmitted to the committee at Edinburgh, where it was agreed to on the following day, and an act to that effect was formally drawn up and signed by both committees.* The committee at Edinburgh further prepared, printed, and widely dispersed two papers explanatory of their views and motives, and defending the expedition in which they had resolved to embark. One of these was entitled, "Six considerations, manifesting the lawfulness of their expedition into England;" the other, "The intentions of the army of the kingdom of Scotland, declared to their brethren of England." In the former of these, their first plea was necessity, which they affirm "justifies actions otherwise unwarrantable." Either, they said, they must seek their peace in England, or undergo burdens they were unable to bear; they must maintain an army on the Border to protect the country from invasion; they must submit to a continued obstruction to their trade, to the ruin of the commercial interests of the kingdom, and to the suspension of the administration of justice, and the consequent introduction of anarchy and confusion. The expedition they declared was, on their part, purely defensive. His majesty, not they, had violated the articles of pacification; he had refused to ratify the acts of their parliament, denied an audience to their commissioners, and, without listening to the dutiful representations of the Scottish parliament, resolved to renew the war, and entrusted the Earl of Northumberland with the command of the army. The parliaments of England and Ireland were required to grant subsidies for the prosecution of the war; Scottish merchant vessels were seized at sea, their cargoes confiscated, their crews and passengers stript of their property, and treated with revolting barbarity; and numbers of the citizens of Edinburgh, including women and children, were killed by the garrison in the castle. They protested their readiness to lay down their arms so soon as they should obtain a sure peace, and be satisfied in their just demands; and they vindicated their own conduct by quoting the sentiments of the royalists themselves, who held the wars of the protestants of France against the king and the Guisian faction to be lawful defensive war, because they were ready to disband their forces on assurance being given of peace and religious liberty. In all their remonstrances they affirmed that there was not one word against a defensive war, which they conceived to be as lawful for a nation when invaded or blocked up, as for a private man when his house is blockaded, so that he is unable to procure the necessary supplies for himself and his family. They maintained that they were called on by Divine Providence to engage in this expedition for the glory of God, the good of the Church, the advancement of the Gospel, and their own peace; that they had received manifold encouragements from Providence to go on with it, particularly through the proceedings of the last parliament in England, whose grievances so much resembled their own; that they had earnestly sought by supplications and all other means to avoid this expedition, but were constrained to it by their enemies; they professed their hope that their coming into England, so far from producing a national quarrel, which was what their enemies aimed at, would link the two nations together in a closer bond; and they declared that they considered their national covenant as binding them to this course. They vindicated their expedition by the consideration of the party against whom it

Resolution to carry the war into England.

The Scottish manifestoes.

* Stevenson, vol. iii. p. 902.

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was directed, not the people of England, but the Canterburian faction of papists, atheists, Arminians, prelates—the misleaders of his majesty, and the common enemies of both kingdoms; and they hoped their brethren in England, so far from making themselves parties against them, would furnish them with victuals and such other necessaries as they might require—not indeed for nought, but on payment, or on security, if money should fail. The object of their advance into the sister kingdom, they declared to be, not to do any act of disloyalty against his majesty, or to enrich themselves with the wealth of England, but to do that kingdom all the good in their power. The blessed effects which they expected to flow from this expedition, they sum up in these concluding words:—"Scotland reformed as at the beginning; the reformation of England so long prayed for, brought to pass; papists, prelates, and all other members of the antichristian hierarchy packed away; the names of sectaries and separatists no more mentioned, and the Lord One, and his name One throughout the whole island."*

The other paper, which embodied many of the sentiments and declarations contained in that of which we have just given an epitome, was intended as a species of manifesto from the Scots to their brethren of England. They begin by observing that in all ages the best and greatest works have been censured and condemned by the ignorant and malicious, and express their conviction that no calumny which perverted ingenuity could devise would be wanting, in order to bring into discredit the good work in which they were engaged, and to render them odious. To some of these groundless charges they reply by anticipation. One of the most obvious of these was, that, by their entering England they intended an invasion, and to enrich themselves with the possessions and goods of their dear brethren. In answer to this accusation, which was naturally to be expected, they refer to their hitherto peaceable demeanour, their declarations and remonstrances, their willingness to lay down their arms on some small hopes of enjoying their religion and liberties, and their forbearing to make reprisals on the ships and goods of the English for the seizure of their own vessels, with their cargoes, and the injuries inflicted on their crews and passengers. They express, in strong terms, their gratitude to the English parliament, as well as to the City of London, for having refused to grant subsidies for carrying on the war against them, and they solemnly protest that they should look for vengeance from God if they should move hand or foot against the English nation. They take God to witness that they intend no enmity or rapine, and that they shall not proceed to the shedding of blood by fighting, unless forced to do so by papists and prelates, by whom alone they expect to be opposed; and they warn their brethren, that by taking part with the common enemy they might with their own swords extirpate their own religion, lay a foundation for the building of Rome in the midst of them, and be made the authors of their own perpetual slavery. They proceed to an enumeration of the wrongs they had sustained, and refer to the peaceable manner in which they had until now sought redress. To send new commissioners and petitions they declare to be against sense and experience, while to sit still in security and wait for their own destruction, at the mercy of their enemies, would be against religion and nature. They admit that although they had many encouragements to persevere in their expedition, they could not justify their entering into England if they could have found peace at home, but being no longer able to endure threatenings and invasions year after year, they saw no alternative but to seek peace where they could find it; and that being once secured to them, they would by laying down their arms make it manifest to all the world that they had taken them up not for invasion but defence. They protest that what they were about to do was under the compulsion of necessity, for which, they add, "no positive law need be pleaded, it being written in every man's heart by nature; and no greater necessity can there be than the preservation of religion, their country, their lives, all which are in hazard. The question is not," they continue, "whether they shall content themselves at home with their own poverty, or enrich themselves in England? nor whether they shall defend themselves at home or invade their dearest brethren? but whether they shall keep themselves at home till their throats be cut, and their religion, laws, and country destroyed, or seek their safety, peace, and liberty in England? and whether they, a whole kingdom, shall lie under so many accusations, receive the service-book and the whole body of popery, embrace the prelates and their abjured hierarchy, renounce their solemn oath and covenant, forget their former slavery, fill the hearts of their enemies with joy and of their friends with sorrow, dishonour the Son of God, whose cause they had undertaken, draw on themselves the judgments due to apostates, and wait for their own slavery in souls, bodies, and estates, by basely standing to their defence, which they know is impracticable?" In conclusion, they exhort all who loved their religion and liberty to unite with them against the common enemies, who intended nothing less than the ruin of both kingdoms. They "attested the God of heaven," that their intentions were such as they had declared, and that, for obtaining those ends, they would not "spare their pains, fortunes, or lives." They solemnly declared that they would not without price or security, if money should fail, take from their brethren "from a thread even to a shoe-latchet;" that they should demand nothing of his majesty, but the securing of their religion and liberties; that their abode in England should be no longer than was necessary in their parliament for effecting this end, redressing their just grievances, and giving assurance of

* Stevenson, vol. iii. p. 906.

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the trial and punishment of the authors of their evils; that their return should be peaceable, and that they hoped the effect should be "the extirpation of popery, reformation of the Church, flourishing of the Gospel, and a durable union between the two kingdoms."*

The Scots declared rebels.

When intelligence of the diffusion of the papers reached the court, they were declared false and treasonable, the Scots were pronounced rebels; and, on the 20th of August, the king set out to place himself at the head of his army, a considerable portion of which had already reached Newcastle, while the remainder were on their march between that town and York.†

As the resources of the Scottish army were beginning to fail, Rothes and Loudoun, accompanied by Mr. Alexander Henderson and Mr. Archibald Johnston, were dispatched to Edinburgh to use their influence with the citizens, in order to procure an advance of money; and as it would probably give offence to the people of England if their plantations were to be cut down to form huts for the soldiers, the deputation were desired to endeavour to procure as much coarse cloth as would be necessary to form tents during their encampments. They did not reach Edinburgh until a late hour on Saturday evening, but their errand was proclaimed next day from the pulpit, accompanied with many fervid exhortations; and so strongly were the people impressed with the importance of the crisis, and so eager were they to manifest their zeal in the national cause, that on Monday the women brought supplies of coarse linen and other cloths sufficient for the whole army, and the men, with equal alacrity, advanced on security one hundred and twenty thousand pounds Scots, with a promise, which was faithfully fulfilled, of sending as much more without delay.

Entry of the Scottish army into England, 21st August.

Being now fully prepared for their great enterprise, the Scottish army, in high spirits, broke up their encampment at Dunse, and on the 21st of August crossed the Tweed at Coldstream. It had been previously arranged that the different regiments should take the van and rear by turns, and the lot on this occasion fell on the regiment under Montrose. He dashed fearlessly into the river, which he crossed first on foot and alone, and then returning, marched through at the head of his men. All the other colonels with their respective regiments immediately followed his example—the College of Justice troop, consisting of one hundred and sixty gentlemen, under Sir Thomas Hope, being stationed in the river on the right wing until all had passed over. The passage was effected with the loss of only one man, belonging to the regiment of Montrose. After prayer for guidance and protection from the Lord of Hosts, the army was separated into three divisions, the first being headed by Lord Almond, the lieutenant-general; the second or middle division by Major-general Baillie; while the brave General Leslie brought up the rear. They halted on the 22nd near Woolwich, where they were attacked during the night by the garrison of Berwick, who, falling suddenly upon the outposts, succeeded in capturing three fieldpieces; but, the alarm being given, these were speedily retaken, and the assailants were driven back, with the loss of several prisoners.*

They encamp on Newcastle Moor, 26th August.

Maintaining a distance of eight or nine miles apart, the divisions proceeded by easy marches through Northumberland, and met by appointment on the 26th at a place called Frewick, on Newcastle Moor,† where they encamped. Thence the committee dispatched two letters, one to the commander-in-chief of the English army at Newcastle, and the other to the mayor and aldermen of that town, enclosing copies of their manifestoes, and declaring that they had no intention of doing injury to any one, though they were ready to defend themselves against all who should attempt to bar their access to their sovereign, before whom they designed to lay their grievances; and, therefore, desired that a free passage should be allowed them by the king's highway, which lay through the town. These letters, which were transmitted by the drum-major of Lord Montgomery's brigade, were returned unopened, and their messenger was desired to inform them that no sealed communications would in future be received.

Thus repulsed, the army next day turned to the right, and marching to Newburn, posted themselves on an eminence behind that village. During the night they kindled large fires at a considerable distance around their camp, and thus deceived the enemy into the belief that their numbers were much greater than they really were.

Discontent of the English army at York.

Meanwhile discontent and insubordination had begun to manifest themselves to an alarming extent in the main body of the English army stationed at York. A party of the soldiers had risen upon their officers, one of whom, a suspected papist, they put to death. Others had broken into a church, and after demolishing the altar, had torn up the rails by which it had been surrounded, and burned them before the minister's door; while the officers durst not interfere either to prevent those outrageous violations of military discipline, or punish those by whom they had been committed. Such was the state of the English when Charles, who had left London on the same day that the Scots entered England, was on his way to place himself at their head. Nor was this the only discouragement which awaited the infatuated monarch. In expectation of his arrival, the gentlemen of the county had assembled at York to present him with a petition praying for relief from the billeting of soldiers, and for an advance of fourteen days' pay to the troops levied within the county, as without

* Stevenson, vol. iii. p. 914. † Baillie.

* Aikman, vol. iii. p. 555.

† Baillie. Rushworth, vol. iii. p. 1223, calls the name of the place Creich.

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this they should not be able to prevail on them to join the army. In addition to these sources of anxiety and distraction, he was met by dispatches from Lord Conway, who, with strong detachments of horse and foot, had advanced to guard the passage of the Tyne, informing him of the approach of the Scottish army, and desiring instructions. Immediately on his arrival at York, the king summoned the gentlemen of that county into his presence, and informed them that the country being now actually invaded, this was no time to dispute about pay, as all persons were bound to serve his majesty at their own proper costs and charges. This unwelcome announcement excited general irritation, if not positive disaffection, which was unnecessarily increased by the harsh and offensive manner in which it was delivered by Strafford, who acted as the king's mouthpiece on this occasion.*

Relative positions of the Scots and English at Newburn.

Conway was still at Newburn with a force consisting of four or five thousand foot and two thousand five hundred horse. Here he had erected two four-gun batteries, one opposite each ford on the south side of the river, and had placed in them five hundred select musketeers. The rest of his troops were stationed about a mile in the rear at the foot of a small eminence. The Scottish army were encamped on the opposite side of the river on a rising ground, from which they could easily see the exact position of the English trenches. Taking advantage of this circumstance, they planted their heavy cannon immediately opposite, which they were happily enabled to do without being observed, under cover of the houses of Newburn, and the trees and shrubs which grew in the neighbourhood. Cannon were also placed on the steeple of the church, the body of which was occupied by a party of the musketeers, while others were dispersed throughout the streets, lanes, and hedges of the town and its environs.

Engagement at Newburn.

Such were the relative positions of the two armies on the 28th, when an express reached Conway ordering him to prepare for an engagement. When the messenger arrived he was holding a council of war with his general officers at Stella, about half a mile distant from the army, but scarcely had he time to peruse the despatches, when another messenger arrived informing him that the two armies were already engaged. About noon, a Scottish officer, while watering his horse in the river, happening to fix his eyes inquiringly on the English intrenchments, was observed by a sentinel, who instantly shot him dead. The Scottish musketeers, seeing him fall, immediately commenced firing, and a well-directed volley from the concealed artillery threw the English into consternation and disorder, and made a breach in their works, which were in consequence speedily abandoned. As it happened too at the time to be low water, the general's guard, or College of Justice troop, under the command of Sir Thomas Hope, younger, of Craighall, were ordered to march through the river and take possession of the batteries. This was effected without opposition, and all the men who had the courage to remain in the trenches were made prisoners. The guard being speedily joined by four troops under Colonel David Leslie, and one troop under Sir Patrick M'Ghie, set out in pursuit of the fugitives, who were making their way towards the main body. Arriving at a narrow pass, however, the English rallied, but being vigorously attacked by Sir Thomas Hope, supported by Leslie, were again driven back, and were on the point of being completely routed, when they were joined by twelve troops of English cavalry, and once more faced about on their pursuers. These having incautiously advanced too far were in danger of being overwhelmed by the main body of the English, who were rapidly advancing towards the scene of conflict. In these critical circumstances the Scots thought it prudent to retire, under the protection of their own cannon, until a sufficient number of foot should come up to their support. The English, however, in turn advanced too far, for a battery of cannon, which they had not perceived, having suddenly opened fire upon them, they were thrown into the utmost disorder, and compelled to seek for safety in a precipitate retreat. The whole Scottish army was now in motion, the men, scarcely waiting for orders, rushed impetuously forward; but before the brigades under the command of Lords Loudoun, Lindsay, Queensberry, and Montgomery, who were in the van of the infantry had time to reach their comrades, victory had declared in favour of the Scots. The English foot threw down their arms* and fled in disorder to the shelter of a neighbouring wood; and the horse, attempting to cover their retreat, were attacked by a fresh body of the Scots, and completely defeated. The commanders were taken prisoners, and the men, dispersed in all directions, escaped under cover of night, to carry to the main body the intelligence of their disaster. The loss of life on both sides was inconsiderable, but the rout of the English was complete. Their whole army was panic-struck; their cavalry retired to Durham, and their foot to Newcastle; but not considering themselves safe within these towns, the entire force, early next morning, was in full retreat into Yorkshire,† leaving their dead unburied behind them. The Scots, however, performed with decent solemnity the last rites to their fallen enemies.‡

Total defeat of the English—

—they retreat into Yorkshire.

Surrender of Dunbarton Castle.

The 28th of August, on which this victory was gained, was a happy day to the Scots on two other accounts. The scurvy having broken out in Dunbarton Castle, cut off a large portion of the men,

* Rushworth, vol. iii. p. 1235.

* Stevenson, vol. iii. p. 919.
† Aikman, vol. iii. p. 558.
‡ Stevenson, vol. iii. p. 921.

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and the remainder, being through sickness unable to continue the defence, surrendered the place by capitulation. The possession of this fortress, by far the strongest at that time in Britain, was an important acquisition to the national cause; and as it was found to be amply stored with provisions and ammunition, it might but for this providential interposition have continued for an indefinite period to resist all attempts at reduction. The other incident was the defeat by the Earl of Haddington of an attempt made by a party from the garrison of Berwick to surprise the Scottish depot at Dunse. They had succeeded in getting possession of a number of cannon and a quantity of ammunition, which they were carrying off in triumph, when they were attacked and stripped of their spoil; and in the carts and waggons which they had brought to transport it, they carried nothing back but their wounded men and the bodies of their slain.* A melancholy catastrophe moderated the joy which these events had diffused. This was the explosion of a powder-magazine under the Castle of Dunglas, which, falling upon its hapless inmates, buried in its ruins the Earl of Haddington, two of his brothers, a number of gentlemen, and about eighty other persons of inferior rank. This dreadful calamity was suspected at the time to have been occasioned by a servant of the Earl of Hamilton, Edward Paris, an Englishman, who, it was supposed, had been induced by the desire of revenge for a personal injury to fire the train which led to his own destruction.†

Blowing up of the Castle of Dunglas.

This terrible misfortune was, however, soon after partly compensated by the surrender of the Castle of Edinburgh—an event which it indirectly contributed to bring about. During the sitting of parliament in July, the garrison had commenced firing upon the town, occasioning considerable destruction of property and loss of life. When required in the name of the parliament to desist or surrender, the captain continued obstinately to persist in his hostility, and refused to give up his charge, except on an order from the king. An attempt was then made to besiege the place. Batteries were erected on the Castle Hill, in the Grey Friars' churchyard, and at the West Kirk—but as the cannon of the besiegers were light, little progress was made in the work of destruction. At last, towards the end of July, a mine was sprung, by which part of the wall was blown down, and a breach effected. An assault was then made, but some of the leaders being wounded, and a number of inferior rank slain, the assailants were obliged to retire, and the breach in the wall was speedily repaired by the garrison. The siege was now turned into a blockade, and the covenanters looked to the gradual approach of famine as the only means of inducing the garrison to surrender. The terrific explosion at Dunglas, however, having alarmed the inhabitants of the surrounding districts, the beacons were immediately lighted up, and, in a very brief space, those warning signals were seen blazing from every eminence, both in Fife and the Lothians. The garrison of the castle, who had been for some time in daily expectation of being relieved by the English fleet, mistaking the beacon-fires of the covenanters for an announcement of the arrival of the king's ships, were so overjoyed that they made a great feast, in which they consumed nearly the whole of their remaining stock of provisions in a single day, in the confident expectation that an abundant supply was at hand. The mortifying mistake was soon discovered, and, finding it impossible any longer to hold out, they proposed to capitulate. Honourable conditions were allowed them in consideration of their gallant defence, and this important fortress, commanding the capital, was once more in the hands of the patriots.* During the various military operations preceding the surrender, the English lost about sixty killed and three hundred prisoners, while the total loss of the Scots did not exceed twelve.†

Surrender of the Castle of Edinburgh.

Unfortunately, the Scottish commanders were in no condition to follow up their victory at Newburn. Their provisions were nearly exhausted, and there was little prospect of a speedy supply. The surrounding country was in a great measure deserted by its inhabitants, who carried with them almost everything of value which they had the means of transporting; and the king, in expectation of the advance of the invaders, had given orders that all the cattle and horses should be taken out of their way, and that all the millstones should be concealed or broken. The night after the battle was spent by the Scottish army under arms, in readiness to repel any sudden attack from Newcastle, where they understood eleven thousand of the English were still quartered. On learning, however, that these troops had evacuated the town, the Scots sent Sir Archibald Douglas of Cavers, with a trumpeter, and not more than two gentlemen as witnesses, to assure the mayor and aldermen of their friendly disposition, and to advise the inhabitants to remain at home and prosecute their usual avocations,—as the Scottish army, so far from offering them any violence, would not even enter the town, but would encamp on the neighbouring heights; while guards should be placed in and around the town to prevent any stragglers from committing depredations during the night.

Critical position of the Scottish army—

Next day the general, escorted by his life-guard, and accompanied by the lieutenant-general, a considerable number of the committee, with several other nobles, and a troop of horse under Sir William Douglas, entered the town by the bridge. They were received with great respect and cordiality by Sir Peter Riddell, the mayor, and aldermen—by

* Stevenson, vol. iii. p. 922. † Ibid.

* Rushworth, p. 1236; Baillie; Balfour's Annals; Guthrie's Memoirs, p. 86.

† Lord Conway's Narrative in Hardwicke and Hailes.

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whom they were invited to a sumptuous entertainment, at which they drank the king's health with the customary demonstrations of loyalty and affection. They afterwards went to church, when Mr. Alexander Henderson preached an eloquent discourse adapted to the occasion. Leaving Sir William Douglas and his troop in the town, the general and attendants returned to the camp.

—their entrance into Newcastle—

Next day, with the concurrence of the authorities, the whole army advanced into the town, where they found five thousand stand of arms, together with a large supply of biscuits, cheese, and other provisions, which the English, in their haste, had left behind. The Earl of Lothian, with a body of two thousand men, having been left to occupy the town, the rest of the army encamped on Gateside Hill, about half a mile to the south, whence, stretching downward, they took possession of Tynemouth and Shields, where some vessels containing stores for the royal army fell into their hands. Here a favourable opportunity occurred for the Scots to manifest their friendly disposition to the people of England, and they did not fail to improve it. The coal mines in that district, which had given constant employment to about ten thousand men, were left deserted—the colliers having been terrified by an absurd rumour industriously propagated, that the Scottish army would put them all to the sword and grant no quarter; and out of four hundred vessels that had been employed in conveying coals to the city of London very few would venture to come in, and the greater number had actually left the port without completing their cargoes.* Two noblemen were deputed to invite the workmen to return to their employment, under an assurance that they would not be molested; and to inform the masters of the coal vessels still in the river that they had nothing to fear in remaining and transacting their business, as the Scottish army had come to assist, not to molest their brethren in England. A letter was also dispatched to the lord-mayor and aldermen of London, abounding in protestations of friendship and affection, and assuring them that the trade in coals for the supply of the capital should suffer no interruption from the army, although they had found it necessary for their own security to occupy the town of Newcastle.

—they take possession of Tynemouth, Shields—

The ease with which they had gained possession of Newcastle encouraged the Scots to make an attempt on Durham, which also surrendered without resistance; and the Earl of Dunfermline was appointed governor, and left there with a brigade.

—and Durham.

Accounts of these disasters reached Charles at Northallerton, whither he had advanced in expectation of being able to join the army before any engagement should take place. He now hastened back to York, where he found the scattered fragments of his army once more united after their disorderly retreat.

* Rushworth, vol. iii. p. 1230.

With most remarkable moderation and praiseworthy consistency the Scots, though no doubt elated by their recent successes, once more assumed the attitude of suppliants. They prepared an humble petition to his majesty, which they enclosed in a letter to Lord Lanark, the secretary, and transmitted from Newcastle by Mr. Hugh Cathcart of Carleton. It was dated the 2nd of September, and was to this effect:—That, after their many sufferings, they had been at last constrained by necessity to come into England, where they had lived on their own means and provisions, harming no one, either in person or goods, until, pressed by strength of arms, they had been obliged to disperse such forces as, against their own conscience and inclination, had opposed their peaceable passage of the Tyne, and thus brought their blood upon their own heads; and that they had resolved to persevere in maintaining the humble and submissive attitude of petitioners, from which no provocation, prosperity, or adversity, should divert them. They therefore entreated his majesty that he would at last consider their pressing grievances, provide for redressing their wrongs and repairing their losses, and, with the advice of a parliament in England, settle a firm and durable peace, that they might cheerfully pay their duty to his majesty as their native king, and his throne might be established in the midst of them.*

The Scots again petition the king.

A few hours after the presentation of this petition, a supplication was given in from the Lords Bedford, Essex, Hertford, Warwick, Rutland, Bolingbroke, Exeter, Mountgrave, Saye, and Sele, Mandeville, Howard, and Brook, complaining of their own grievances, and praying that a parliament should be summoned to redress them. This was speedily followed by similar petitions from the city of London, the county of York, and some other counties. The court party had hitherto laboured but too successfully to prevent the voice of the people from reaching the royal ear. The privy council, on learning the intention of the city of London to petition, wrote to the lord-mayor and aldermen, warning them to give no countenance to such a proceeding; and the Lords Wharton and Howard, who had undertaken to present some of the petitions, were arrested and lodged in prison. A council of war was held to consider their conduct, and, on the motion of Strafford, it was ordained that they should be shot at the head of the army as movers of sedition. The execution of this iniquitous sentence was prevented through the address of the Marquis of Hamilton, who, after the rising of the council, drawing Strafford aside, asked him if he was sure of the army. The question took Strafford by surprise, but on inquiry the astounding fact was disclosed that an attempt to carry the sentence into effect would most probably be followed by a

Petitions from the English nobility, the city of London, and other places.

Lords Wharton and Howard condemned to be shot.

* Rushworth, vol. iii. p. 1255.

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general mutiny, if not a universal revolt throughout the army.*

To the supplication of the Scots, Charles paid comparatively little regard; he was probably rather pleased than otherwise to find them still inclined to be submissive, but the petitions from his English subjects affected him very deeply. These seem to have given him the first decided intimation of the general discontent that prevailed in his southern dominions, and to have awakened him to a sense of the difficulties and perils in which he had so rashly involved himself. But it has been remarked "he had not the dexterity to extricate himself. He loved high and rough methods, but had neither skill to conduct them nor genius to manage them. He hated all who offered prudent and moderate counsels; he thought it flowed from a meanness of spirit, and a care to preserve themselves by sacrificing his authority, or from republican principles. And even when he saw it was necessary to follow such advices, yet he hated those that gave them; and, therefore, it seems he would not deign to answer to any of them except the lords' petition, and to theirs in such a way as showed his contempt of it." †

The king's answer.

In order, however, to stay the advance of the Scottish army, he returned, by the Earl of Lanark, an answer to this effect, dated at York, September 5th:—"That their petition being only in general terms, he requires them to set down their particular demands, he having been always willing to hear and redress his people's grievances. And for mature deliberation therein, he hath given out summons for the meeting of the English peers at York, the 25th of this month, that, with their advice, they may receive an answer to their petition. He commands them, in the meantime, to advance no further with their army, which is the way to a reconciliation, of which he assured them they were not more desirous than himself." ‡

By this device Charles hoped to soothe, if not to satisfy, the Scots without convoking the English parliament—a measure with which he was to the last degree reluctant to comply. The covenanters, however, had now lost all faith in the royal promises, however solemnly made, and would not be satisfied with any arrangement not guaranteed by the representatives of the English people, who were labouring under grievances similar to their own.

Reply of the committee.

The committee lost no time in preparing and forwarding a reply, in which they entered into an explanation of what his majesty had complained of as too general in their last supplication. They reminded his majesty that their particular desires were contained in the conclusions of their last parliament, which he had declined to ratify, and in their own printed declarations; nevertheless, in compliance with his majesty's desire, they proceeded briefly to enumerate them:—1. That the acts of the last parliament should be ratified. 2. That the Castle of Edinburgh and fortresses of Scotland should be occupied exclusively for the defence and security of that kingdom. 3. That their countrymen in England and Ireland should be free from molestation on account of having subscribed the covenant, and from all attempts to force on them oaths and subscriptions contrary to that engagement. 4. That the common incendiaries, the authors of the conflagration in which both kingdoms were involved, should be subjected to merited punishment. 5. That the ships and goods taken from their countrymen should be restored, and indemnification made for the losses occasioned by these seizures. 6. That the losses sustained and the charges incurred in the prosecution of the war be repaid. 7. That the proclamation in which they are denounced as traitors be recalled. And, finally, that his majesty would, *by the advice and consent of parliament*, remove the garrisons from the Borders, and all other obstructions to free trade; and, *with the same advice and concurrence*, "condescend to all things which may establish a firm and well-grounded peace." They express regret that the meeting of his majesty with his nobility should be so long delayed, and assure him that the more time can be saved they will be the better able to obey his majesty's injunction not to advance with their army—a command which they will observe, unless compelled to act otherwise from invincible necessity.*

The boldness of this reply must have been deeply mortifying to the haughty spirit of Charles, but he was in no position to manifest his resentment; and though Strafford advised him to resort to the most desperate measures, he thought it prudent to yield to the milder counsels of Hamilton, who dreaded the disaffection of the nobles and the army.

Discovery of the defection of Montrose.

The fidelity of Montrose, notwithstanding all his apparent zeal in the national cause, had been for some time suspected. An accidental circumstance now brought his defection clearly to light. An act had been passed by the committee in the army, that no individual, of whatever rank, should send any letter to court unless it had first been seen and approved by three of their number. In obedience to this order, Montrose submitted to the inspection of the committee several letters which he had written to friends at court. These were passed without exception, but, before sealing them, he enclosed within one addressed to Sir Richard Graham another, which had not been shown to the committee, addressed to the king. On Sir Richard opening his letter, the enclosure accidentally fell out, and the Scottish envoy, Sir James Mercer, who happened to be near, politely stooping down to pick it up, observed the address. On his return, he informed the general of this discovery, and the cautious old soldier adopted an indirect method of impeaching the delinquent. Without

* Burnet, vol. i. p. 37. † Ibid., p. 38.
‡ Stevenson, vol. iii. p. 929.

* Stevenson, vol iii. pp. 930, 931.

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explaining his motive, he proposed, in a meeting of the committee of which Montrose happened to be president, that they should send for the gentlemen who had been entrusted with the conveyance of their letters to court. Sir James was immediately in attendance, and, on being interrogated, frankly related to the committee what he had observed. Montrose at once confessed what he found it now impossible to deny; but apologised by saying that others were guilty of the same offence. Whether this was really the case does not appear, but it is certain that suspicion, at least, had been attached to the Lords Drummond, Fleming, Boyd, and some others. He was reminded, however, that the guilt of others, even if established, could not exculpate him; and he was ordered, in the meantime, to confine himself to his chamber. While this delicate and important matter was under consideration, Montrose was detected in endeavouring to form a party in his favour, but a hint from Leslie that he might by such a proceeding expose himself to a trial and a capital conviction by a council of war, induced him to relinquish his intrigues and to seek for safety in submission; and on production of what he alleged to be a copy of the letter he had sent to the king, expressing sorrow for his offence, and humbly craving pardon, it was thought prudent not to risk a breach in the army at this critical juncture by inflicting punishment upon an influential and powerful offender.

Difficulties of the Scottish army. They levy contributions on the English.

Unfortunately, this was not the only untoward circumstance with which the Scottish leaders had at this time to contend. The provisions which they had brought with them were nearly exhausted, and those offered for sale by the English were often rated at double their value; their ready-money was almost all expended, their credit was low, and they had as yet received none of that assistance which they had been led to expect from their friends in England. In these trying circumstances they had no resources left but to levy contributions on the inhabitants of the towns and the surrounding country—a harsh and oppressive measure, which they had at first resolved at all hazards to avoid, and to which they now resorted with extreme reluctance. The property of the Canterburian faction, the common enemies of both kingdoms, was indeed considered lawful prey, but it was found totally inadequate to supply the wants of the army. Their expenses, at the lowest estimate, amounted to eight hundred and fifty pounds per day; and of this sum the town of Newcastle was required to furnish two hundred; the county of Northumberland, three hundred; and the bishopric of Durham, three hundred and fifty.

It was not to be expected that such heavy imposts should be borne without a murmur, and the manner in which they were exacted soon began to exasperate the minds of the people against the Scots. Notwithstanding the utmost care and vigilance of the committee, many abuses crept in, of which the people justly complained. The cattle of such as were unable to furnish their proportion of the sum levied were in many instances seized, and either turned into money, or, without any accurate valuation, appropriated to the use of the army. Many of the persons employed in the collection fraudulently exacted double the authorised amount, and kept one half to themselves; and it not unfrequently happened, that, through ignorance or error, friends and enemies suffered indiscriminately. The town of Newcastle having entreated for some alleviation, on the plea of inability, a guard was placed upon the town-house until the required sum should be raised. But the greatest and most flagrant abuses and extortions were perpetrated by some of the English themselves. Numbers of the lower orders having procured blue bonnets, in order to personate Scotchmen, went about robbing and plundering their own countrymen; and many of the servants of the fugitive clergy carried off the property of their masters, and laid the blame upon the Scots.* These multiplied grievances occasioned loud complaints against the Scots, but it is to be remarked, in exoneration of the commissioners, that security was offered for all the money levied, which was thus considered in the nature of a loan.†

Leslie writes to Scotland for reinforcements.

Their experience of the king's duplicity had long since taught the Scots that he was not to be depended on, and they, therefore, wisely prepared for the worst. Leslie wrote to the committee at Edinburgh, requiring a reinforcement of four or five thousand men; and as the country was now happily free from intestine commotions, there was little difficulty in complying with this demand. Accordingly, the Lords Marischal, Home, and Lindsay, and Major-general Monro, were dispatched with about four thousand foot, who had been employed in the north. Shortly afterwards Argyll followed with a numerous and resolute band of gentlemen and vassals belonging to his clan; and the Earl of Eglinton, who had been employed in guarding the west coast, in expectation of an invasion from Ireland, was ordered to hold himself in readiness, with all the troops under his command, to march at a moment's notice to the assistance of their brethren in England. Nor were these preparations unnecessary, for, amidst all his pacific declarations, Charles was anxiously preparing for a renewal of the contest. He ordered all the train-bands north of the Trent to be ready to march at a day's warning; the counties were required to furnish provisions with the utmost dispatch; and all the garrisons were reinforced with fresh troops, and supplied with arms and ammunition.

The king makes preparation to renew the war.

On the 7th of September the king issued writs convoking the peers of the kingdom to meet him in full council at York, on the 24th of the same

* Rushworth, vol. iii. pp. 124—178.
† Ibid.; Baillie.

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month. At the time and place appointed, sixty of them assembled in the dean's house near the minster; and the king, who arrived at nine o'clock in the morning, having seated himself in a chair of state prepared for him, addressed them to the following effect:—"That it having been the custom of his predecessors, upon sudden invasions, which would not admit of the delay of calling a parliament, to assemble the great council of peers for their advice and assistance; and an army of rebels being now lodged within the kingdom, he thought fit to conform himself to the custom of his predecessors. He said he desired nothing more than to be rightly understood of his people, and to that end had resolved to call a parliament, and had ordered writs to be issued out for their assembling the 3rd of November. In the meantime, he desired their advice in two points: 1. What answer he should give to the petition of the rebels, and in what manner he should treat with them. And, 2. How his army should be maintained till parliamentary supplies might be had."*

Meeting of the great council of peers at York. Commissioners appointed to treat with the Scots.

On the first point it was resolved to send to Northallerton, by the 1st of October, sixteen English peers, as commissioners to treat with the Scots; but as these noblemen were comparatively unacquainted with the laws and present condition of Scotland, it was thought advisable to send as their assistants the Earls of Morton, Traquair, and Lanark, the Secretary Vane, Sir Lewis Stewart of Blackhall, and Sir John Borrough. On the same day, Lord Lanark was instructed to write to the committee at Newcastle, acquainting them with the nomination of the commissioners, without, however, naming their assistants; and offering a safe-conduct to such persons as the committee on their part should appoint. The council met again the next day, when the king, by their advice, altered the place of meeting to Ripon, a town about fifteen miles from York, and intimation of this change was immediately forwarded to the committee. With regard to the second point on which the king required advice, Strafford represented that the army, consisting of twenty thousand foot, two thousand three hundred horse, and three regiments of loyal Scots, required sixty thousand pounds a month for their maintenance, and, besides, were in arrear of a fortnight's pay; and, as the royal treasury was completely drained, it was proposed to borrow from the city of London two hundred thousand pounds, so as to maintain the army, if necessary, three months in the field. This motion having been agreed to, six peers were deputed to the capital to negotiate the loan, which was ultimately obtained on the faith of the security given for its repayment by the noblemen present.

The Earls of Rothes, Dunfermline, and Loudoun, Sir Patrick Hepburn of Wauchton, Sir William Douglas of Cavers, William Drummond of Riccarton, John Smith of Edinburgh, Alexander Wedderburne of Dundee, Hugh Kennedy of Ayr, Mr. Archibald Johnston, advocate, and Mr. Alexander Henderson, minister, were appointed by the committee to meet with the English noblemen at Ripon. When the representatives of the two belligerent parties had exchanged commissions, the English commissioners were desirous of immediately proceeding to business, but the Scots objected, *in limine*, to the assistants, who had not been named in the commission, being any way parties to the treaty. Above all, they insisted on the removal of Traquair, who was one of the incendiaries for whose punishment they had prayed in their last supplication. The English commissioners represented that in consequence of their ignorance of the Scottish constitution and laws, it was necessary that they should be assisted in their deliberations by persons acquainted with these subjects. The Scottish commissioners, however, were inflexible, and the matter was at last referred to the king, who agreed that the functions of the assistants should be limited, as, he affirmed, was originally intended, to private advice and consultation.

Meeting of the commission at Ripon.

In some desultory conversation that passed between the parties, while awaiting the king's decision on this preliminary point, the English took occasion to rally the Scots on their extreme caution. The Scots retaliated by accusing the English of indecision in delaying so long the fulfilment of the promises which had contributed not a little to determine the advance of the Scottish army into England. This accusation excited the astonishment of the English noblemen; and, on an explanation being demanded, the letter of Lord Saville was produced, which was instantly pronounced to be a forgery. So accurately, however, had the various signatures of the noblemen present been imitated, that they confessed had it not been for the circumstance of their never having before seen the document to which they were appended, they durst not have affirmed that they were not in their own handwriting. This explanation, however, led to very beneficial results. From that instant a more friendly feeling was established between the English and Scottish commissioners, and a mutual understanding afterwards issued in united action.*

Saville's forgery detected.

The difficulty respecting the assistants having been got over, the commissioners now proceeded to the transaction of the important business assigned to them. The English deputies commenced with proposing an armistice. To this the Scots signified their readiness to agree, but on one startling condition, that during its subsistence they should be supplied with money for the maintenance of the army. They frankly admitted that their own resources were exhausted, and that as the districts in their occupation were incapable of furnishing them any longer with the necessary supplies, and his majesty had prohibited them from advancing

* Rushworth, vol. iii.; Stevenson, vol. iii. p. 934.

* Clarendon, vol. i. p. 152; Burnet, vol. i. p. 35.

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farther, they could neither remain where they were during a protracted negotiation, nor return with safety to their own country, until they had concluded a treaty securing an honourable and durable peace. It became, therefore, indispensably necessary as a preliminary to a cessation of hostilities, that provision should be made for the daily subsistence of their army. The English commissioners acknowledged the reasonableness of this demand, which, however, before coming to any decision, they referred to the great council of the nobility. The demand of the commissioners was forty thousand pounds a month—a sum which, in addition to that necessary for the maintenance of their own army, the English treasury, in its present impoverished state, could not possibly supply. The council were placed in a dilemma between the difficulty of meeting such a claim and the ruin which, in the event of its being denied, would inevitably be brought on the country by the farther advance of the Scottish army. Much difference of opinion prevailed in the council. Lord Herbert alone, however, flattered the obstinacy and pride of the king by counselling determined resistance. His advice was either to obstruct the progress of the Scots by fortifying York, or else to disband both armies until a treaty should be concluded; but he argued, to maintain a rebel army during the dependence of negotiations which, after all, might have no beneficial result, was a thing altogether unprecedented, and at once disgraceful to the country and derogatory to the honour of his majesty. "Let the money," he said, "be retained for the subsistence, and, if necessary, for the reinforcement of the king's troops." * The wholesome terror of the Scottish arms proved more than a counterpoise to this piece of bravado. The majority of the council admitted the justice, or, at least, the necessity of yielding, and objected only to the amount of the demand. At length it was agreed that twenty-five thousand pounds a month should be granted until the middle of December, together with suitable lodging and fuel; that the provisions requisite for the army should be allowed to be imported from Scotland duty free; that competent persons should be nominated on both sides to regulate the price of such supplies as might be procured in the counties occupied by the Scots; and that a committee named by the council should be empowered to levy a contribution of eight hundred and fifty pounds a day on the county of Northumberland, the bishopric of Durham, and the town of Newcastle, and to take measures for their relief from the rest of the nation. The Scottish commissioners acquiesced in this arrangement, and engaged that so long as these conditions were punctually fulfilled, they would molest neither papists, prelates, nor their adherents—would abstain from levying contributions, and would take measures to prevent all plundering on the part of the army.†

Preliminaries agreed on.

* Rushworth, pp. 1294, 1310.
† Stevenson, vol. iii. pp. 938, 939.

It has been supposed that a secret understanding existed between the commissioners to protract their negotiations until the meeting of parliament, for in the conferences which followed, the whole of October was permitted to elapse before arriving at any definite conclusion. As the time appointed for the assembling of the parliament was now at hand, and the presence of most of the English commissioners was required there, the king, at their request, allowed the treaty to be transferred from Ripon to London, and agreed that the Scottish army should remain in England until its conclusion. In granting this request, Charles acted without his accustomed caution, and with an absence of foresight which the enemies of civil and religious liberty have never since ceased to lament. The proud claim of exclusive and indefeasible prerogative was thereby virtually abandoned, and the people by their representatives in parliament very soon wielded the whole power of the State. The public discontents, of which London was the focus, were cherished and extended by the eminent Scotchmen whom the negotiations drew thither; and the continued presence of the Scottish army, on whose support the parliament placed their main reliance, encouraged that body to assume an attitude of most determined resistance to the unconstitutional powers arrogated by the crown. The nation now looked to the parliament for the redress of grievances of which they had long and justly complained; and one of the strongest proofs of the almost universal disgust which the arbitrary rule of Charles had excited, may be found in the patient acquiescence of a brave and high-spirited people in the continued occupation of a portion of their territory by a hostile army.

Transference of the treaty to London.

In agreeing to the transference of the conference to London, the Scottish leaders were naturally anxious to obtain a renewed and unquestionable security for the maintenance of their army during the negotiations. This the English commissioners were by no means indisposed to grant, and accordingly agreed to the ratification of a truce, by which the previous demands of the Scots were fully allowed and guaranteed. It was signed by the commissioners on both sides on the 26th of October, and consisted of the following articles:—"1. That from this time there be a cessation of arms both by sea and land; and that all acts of hostility shall cease. 2. That during the treaty both parties retain what they now possessed. 3. That those in his majesty's forts beyond the Tees should not exempt their lands in Northumberland and the bishopric of Durham from the contributions agreed on. 4. That the king's forces in those bounds should not hinder the contribution, or take anything but what the owners voluntarily bring them; and that any detention of victuals, &c., made by the Scots for their maintenance shall be no breach. 5. That no recruits shall be brought to either army during the treaty. 6. That the

A truce concluded, October 26.

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eight hundred and fifty pounds a day shall be raised only out of Northumberland, the bishopric of Durham, Newcastle, Cumberland, and Westmoreland; and that the non-payment thereof shall not be a breach of the treaty, only the Scots shall have power in case of failure to raise the same, with allowance for the expenses of driving to be fixed by the commissioners of the forage. 7. That the river Tees shall be the boundary for both armies, with liberty nevertheless to the Scots to send out necessary convoys to gather their contributions if unpaid. 8. That private insolencies committed shall be no breach, provided on complaint reparation shall be granted. 9. If victuals be refused on the agreed price, it shall be no breach to take the same on payment thereof. 10. No new fortifications to be made on either side during the treaty. 11. The subjects of both kingdoms to go freely to and fro, but not the soldiers without a formal pass under the hand of the chief commander. And, 12. That the ports be opened and free trade permitted."*

These advantageous terms, as well as the transference of the treaty to London, greatly elated the Scottish leaders, and were a source of much joy to the whole nation. The increase, if not the ultimate ascendancy of presbyterianism in England—a consummation eagerly desired by the covenanters—seemed now in the fair way of being accomplished. The committee at Newcastle ordered three of their ablest ministers to proceed to London as chaplains to the commissioners, taking care to select such as had already distinguished themselves in the religious controversies of the times. Mr. Robert Blair was chosen for his dexterity in combating the independents, Mr. Robert Baillie for his skill in confuting the Arminians, and Mr. George Gillespie for his ability in exposing the errors of episcopacy.

Departure of the commissioners for London.

On the Friday, the 5th of November, they set out with the commissioners, in high spirits, for London, and halted on Sabbath at Darlington, where they received their safe-conduct, together with a letter from the Earl of Bristol urging them to proceed without delay.†

Meeting of the Long Parliament.

The English parliament, afterwards known in history as "the Long Parliament," met on the 3rd of November; and, as might have been expected in the circumstances of the country, consisted for the most part of men whose reputation both for piety and patriotism had marked them out as fitting representatives of a people burning to shake off the double bondage of civil and ecclesiastical tyranny. Charles, in his opening speech, betrayed, as usual, a fatal blindness to the real nature of his situation. He appears not to have been aware of the extent to which disaffection had spread among his subjects, or the character and temper of the men whom they had selected as their representatives. But, in fact, the evident design of Laud to introduce popery had alarmed and disgusted many of the stanchest adherents of episcopacy; the arbitrary and shocking cruelties of the Star Chamber had roused the indignation of the whole kingdom; while the systematic oppression of the religious puritans, who were adverse to the discipline and presumptuous claims of the Church, and of the political puritans, who aspired after civil liberty, had led to a union between these two bodies, who now presented a most formidable opposition both to the prelates and the court. Nor was this all: the presbyterians, who had already become a numerous and powerful body, contributed to swell the general discontent; so that a speedy redress of grievances, or the entire overthrow both of Church and State, seemed to thoughtful men to be inevitable. The king was among the last to perceive the difficulties in which his policy had involved him, or the perils by which he was surrounded. He commenced his address in a conciliatory tone, expressing his reliance on the loyalty and affection which he did not seem to know he had forfeited; and claimed the first attention of parliament to the chastising of "the rebels," on whose support and co-operation that very parliament depended for their continued existence. On their providing for the common safety, by assisting him to expel the invaders, he promised that he would then most cordially concur in the redress of every grievance of which they could justly complain. Taught by repeated experience, the parliament set no value on such promises. They were persuaded that, but for the pecuniary embarrassment to which the king was reduced by his own rash and iniquitous policy, they would never have been convoked; and they were firmly resolved not to disappoint the long-cherished hopes of the nation by permitting such an opportunity to pass unimproved of—at once relieving the people of their burdens, and punishing the authors of the public calamities. They accordingly commenced, contrary to his majesty's recommendation, with the consideration of grievances, against which petitions now poured in from almost every county of the kingdom, attended by multitudes of gentlemen of the first rank.* They next proceeded to extend and consolidate their own powers—a measure in which the pressing exigencies of the king induced him reluctantly to concur. They were willing to vote a subsidy for the sustentation of the two armies, but persons possessed of money, afraid of an abrupt dissolution, refused to lend, unless an act was passed securing the continuance of parliament until they should think fit to dissolve themselves. An act to that effect was accordingly drawn up and passed, to which the king, rather than want money, gave his assent. This was followed by an act ordaining that a parliament should be held every year, and directing that in case three years should at any time be suffered to elapse without the assembling

Opening speech of the king. He stigmatises the Scots as rebels.

The powers of the parliament extended.

* Stevenson, vol. iii. pp. 939, 940.
† Ibid., p. 941.

* Stevenson, vol. iii. p. 943.

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of parliament, the lord-chancellor or keeper of the great seal should issue writs according to a certain prescribed form. If he should fail to perform this duty, a certain number of lords were empowered to summon a parliament; and, in the event of their neglecting to do so, the sheriffs and constables were invested with the same authority. Finally, if all these should be wanting in their duty, the people of England were authorised to meet and elect members to serve in parliament, though not summoned by any officer appointed for that purpose.*

These important measures, by which the parliament was rendered independent of every other power in the State, and which, in fact, tended directly to the introduction of democracy, were followed by an act abridging the illegal and unconstitutional powers assumed by the convocation.

Resolution of parliament condemnatory of the illegal powers assumed by the convocation.

A resolution was passed that the clergy had no power to make canons binding either clergy or laity, and that the canons promulgated by the late convocation were contrary to the laws of the land, and tended to faction and sedition. The subsidies also granted by that convocation were voted illegal, and a committee was appointed to examine who were the parties chiefly implicated in these unlawful proceedings; and, in particular, how far the Archbishop of Canterbury had been engaged in promoting the treasonable design of subverting the laws and religion of the realm, and to draw up and prepare a charge against him.†

Charges of the Scottish commissioners against Archbishop Laud.

To assist the parliament in this investigation, the Scottish commissioners drew up and presented to the House of Lords a series of charges against the archbishop, whom they accused as the principal author of the late troubles in Scotland. They complained of his having introduced into that country innovations in religion at variance with the laws of the land and the established order of the Church; of his having ordered a list of such of the senators of the College of Justice as refused to communicate according to a form not received in their Kirk to be sent up to him, that they might be punished; of his having warrants for the sitting of a high commission court in Edinburgh once a week; of his having obtruded a book of canons and ecclesiastical constitutions, devised for the establishment of a tyrannical power, in the persons of the prelates, over the consciences, liberties, and goods of the people, and for abolishing the discipline and government of the Church as settled by law; of his having violently introduced the book of common prayer, and alterations in the mode of administering the sacraments and other parts of divine worship, and, without warrant from the Church, ordered these to be universally received as the only form of divine service, under the highest penalties, both civil and ecclesiastical. They farther complained that, on their refusal to receive the service-book, the Scots were by Laud's instigation declared rebels and traitors; an army was raised to subdue them; and a prayer was composed and printed by his direction to be read in all the parish churches in England, in which prayer they are called traitorous subjects, who have cast off all obedience to their sovereign, and supplication is made to the Almighty to cover their faces with shame as enemies to God and the king. The commissioners, therefore, pray that the archbishop may be immediately removed from his majesty's presence, and that he may be brought to a trial, and receive such censure as he deserved, according to the laws of the kingdom.*

* Stevenson, vol. iii. p. 951. † Ibid., pp. 951, 952.

Impeachment of Strafford—

In the meantime, the House of Commons proceeded to take measures for bringing to justice another incendiary, whose punishment seemed necessary for securing the tranquillity of both nations. This was Thomas Wentworth, Earl of Strafford, who, from being a strenuous opponent of the measures of the court, had become one of its most zealous and unscrupulous supporters; and from the great talents and remarkable decision of character which he undoubtedly possessed, was perhaps of all the public men of his time the most formidable and dangerous enemy of the laws and liberties of the country. In the month of November he had been impeached by Mr. Pym, in name of the commons of England; and a committee, consisting of some of the leading members of the house, was subsequently appointed to prosecute him. On the 22nd of March he was brought to trial before the House of Peers. None of the charges were sufficient *per se* to constitute treason, but they were held to amount to that crime by accumulation. Strafford was found guilty and condemned to death. Charles would most willingly have interposed to save his favourite minister, but was deterred by the fear of a rupture with parliament at this critical juncture; and on the 12th of May, the unfortunate nobleman was beheaded on Tower Hill.

—his trial—

—condemnation, and execution.

Impeachment of Laud by the commons.

Laud was marked out as the next victim, though his fate was longer delayed. When the charges brought against him before the upper house were reported to the commons, their long-smothered resentment was kindled into a flame; and, on the motion of Mr. Grimstone, it was resolved that these charges should be supported by an impeachment of their own. Accordingly, Mr. Hollis was immediately sent up to the bar of the House of Lords to impeach the archbishop in the name of all the commons of England. Laud was, in consequence, immediately taken into custody; but matters of greater moment prevented his being brought to trial at this juncture.

* Stevenson, vol. iii. pp. 952—954.

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CHAPTER XLVIII.

A.D. 1641—1644.

THE helpless condition in which the king was now placed, and the prodigious advance which parliament had recently made in power and independence, gave a fresh impulse to the aspirations of the people of England for the attainment of civil and religious liberty. Complaints and petitions without number were presented from all quarters to the first English parliament in which the national voice could be heard, and the national grievances freely discussed. Intent on the investigation of these, and unwilling to lose the support which they derived from the presence of the Scottish army in the north, and the Scottish commissioners in London, the parliament were in no haste to conclude the treaty; nor, on the other hand, were the Scots, who now began to entertain hopes of the entire overthrow of episcopacy and the establishment of presbyterianism in England, at all anxious to bring the negotiations to an immediate close. The commissioners and the distinguished men who accompanied them as chaplains had been received in London with a cordial, respectful, and affectionate welcome. Ever since their arrival they had been entertained at the public expense, and had been provided with a suitable residence and a place of worship. Here they had an opportunity, but lately far remote from expectation, of publicly, and without fear or restraint, exemplifying, defending, and inculcating the presbyterian mode of worship in the heart of the great metropolis of England—the very focus of prelatical pride, power, and influence, and in the immediate vicinity of the court itself. That opportunity was joyfully embraced. Vast crowds of the citizens attended their ministrations from Sabbath to Sabbath, filling the very passages of their place of worship, and even surrounding the doors and clambering up to the windows. The discourses of these able and zealous men were not confined to a mere defence of the system of presbyterian church polity: the corruptions of the Church of England, its Romanising tendencies, the tyranny, worldly-mindedness, indolence, and lax morality of the prelates, were exposed and denounced with unrestrained freedom, and with a warmth to which the people of England had been but little accustomed in discourses from the pulpit. Besides this the Scotch ministers published a variety of tracts, many of which are still preserved, and are still regarded as remarkable for acuteness, close reasoning, learning, and eloquence. The effect produced on the public mind was great and immediate. A petition from the citizens of London was presented to parliament, praying for the reformation of the liturgy, ceremonies, and discipline of the Church of England; and shortly afterwards another supplication, signed by fifteen or twenty thousand persons, was presented, craving a total extirpation of episcopacy. These were speedily followed by great numbers of petitions from other quarters of the country, complaining of the tyranny and usurpations of the clergy, and craving redress. The favourable reception which these petitions met with in the House of Commons endeared that branch of the legislature to the hearts of the people, and led them to regard it as the last remaining bulwark of national liberty.

Treatment of the Scottish commissioners in London.

Popularity and boldness of the Scottish ministers in London.

Petitions to parliament from the citizens of London.

The vast accession of power which the parliament had now acquired, the universal discontent of his subjects, and the boldness of their petitions and complaints, began to give Charles serious uneasiness, and he clearly perceived that the support derived from the continued presence of the Scottish army in the north had contributed greatly to these results. In the hope of being able to put an end to this state of matters, he sent a message to both houses of parliament, requiring their attendance upon him at Whitehall. In his address, he expatiated on the inconvenience of continuing to maintain two armies at the same time, and urged them to bring their business to a speedy termination, assuring them that he would afterwards willingly concur with them in removing every cause of complaint, and promoting reformations both in Church and State; but at the same time reminding them that there was a great difference between reformation and alteration—to the latter of which he would never be willing to agree. Despite this remonstrance, and the king's promises, the parliament resolved to persevere in the course they had begun; and not until they had discussed nearly the whole list of grievances did they apply themselves to the task of concluding the treaty. The articles had already been separately and carefully debated by the commissioners, and when at length submitted to parliament, were found to be substantially the same as those contained in the specification given in to the king at York. The ratification of the acts of the Scottish parliament was at first resisted by the king, because, implying, as it undoubtedly did, the total abolition of episcopacy, it might at that peculiar crisis be regarded as a precedent for the subversion of the same system in England; but the English commissioners having concurred with the Scots in urging this measure, the king was constrained, though with great reluctance, to consent "That the acts of the parliament assembled by his authority at Edinburgh, 1640, should be proclaimed along with those of the next session of the same parliament." The second article, that the Castle of Edinburgh, and the other strongholds of the kingdom, should be garrisoned according to the original intention, and the third, by which Scotsmen in Ireland were liberated from the imposition of oaths inconsistent with the covenant, were

Consideration and conclusion of the treaty.

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agreed to with little opposition. The fourth, however,—requiring that the public incendiaries, the authors and principal promoters of the late troubles, the sowers of discord between the king and his subjects, should be brought to trial and punished according to the sentences pronounced by the parliaments of their respective countries,—gave rise to a protracted discussion; and the king who, warned by the fate of Strafford, now trembled for that of Traquair, strove hard to evade giving his consent. He conferred first with the nobles alone, then with the whole of the commissioners, and finally with such of the nobles as he hoped to be able to gain over to his purpose,—particularly with Rothes,—urging them to employ their influence either to obtain the omission of that article, or a reference of the matter to his own decision. The commissioners were inflexible, and the unhappy king was obliged to submit. The fifth article, that ships and goods detained should be mutually restored, and that mutual indemnification should be made for damages, was agreed to; and four thousand pounds were allowed for the refitting of eighty Scottish vessels that had been damaged during their detention in English harbours. The sixth article was one of considerable difficulty and delicacy. It referred to the losses which the kingdom of Scotland had sustained by the war, and especially the amount of indemnification for the expense incurred during the two campaigns. Unwilling to run the risk of occasioning any disunion between the Scots and their friends in parliament, the commissioners agreed to refer the matter to the decision of the house. The Scottish commissioners, however, thought proper to give in a detailed specification of the expenses, amounting in all to five hundred thousand pounds, a sum which some of the members considered quite exorbitant. The Scots insisted that as the whole of that sum had been expended in resisting the common enemy, they were in justice entitled to its restitution, but declared themselves willing to submit to the arbitrament of parliament; adding that, but for the poverty of their country, they would cheerfully have borne the whole expense. After considerable discussion, the sum of three hundred thousand pounds was allowed, under the name of a brotherly assistance, which was accepted by the Scottish commissioners with protestations of affection and gratitude. By the seventh article, all declarations, acts, books, libels, and whatever had been published by either side to the disparagement of the other, were recalled and suppressed; and by the eighth and last, it was agreed that the garrisons of Berwick and Carlisle should be placed on the same footing as before the commencement of the late troubles. To these articles the Scots proposed to add another for securing unity in religion and uniformity in church government; but, though it does not appear that parliament were averse to this proposal, it was one of too great importance to be summarily disposed of, and accordingly was not allowed to be inserted in the treaty. The king's answer to this proposed article stands in strong contrast with many of his former haughty and imperious declarations, and shows that he was not without a humiliating perception of the altered circumstances in which he was placed. He had seen enough of the steadfast adherence of the Scots to the principles they professed to convince him that, by unity in religion and uniformity in church government, they could only mean presbyterianism—by the attempts to suppress which he had rashly hazarded the peace of both nations, as well as the security of his crown; yet his answer is at once cautious and conciliatory. "His majesty, with the advice of both houses of parliament, doth approve of the affection of his subjects in Scotland, in their desire of having conformity of church government between the two nations; and as the parliament hath already taken into consideration the reformation of church government, so they will proceed thereon, in due time, as shall best conduce to the glory of God, the peace of the Church, and of both kingdoms."

Conclusion of the treaty.

The treaty thus concluded and ratified was accompanied with an act of oblivion, from the benefit of which Charles, however reluctant, was constrained to exclude the Earl of Traquair, Sir Robert Spottiswood, Sir John Hay, Mr. Walter Balcanquhal, and the Scottish bishops. With regard to the latter, the exclusion was of little consequence, as they were now reduced, both spiritually and temporally, to their former level, and were not likely to return to Scotland, or if they did, were probably now too insignificant to be molested; but it was different with the others, and especially with Traquair, whose offences had chiefly originated in his zeal to obey the royal commands, and whom therefore Charles manifested such painful anxiety to save that their punishment was, though not nominally, at least virtually left to himself.

Act of oblivion.

The unhappy king, finding his authority almost annihilated by the increasing power of the parliament, and being baffled in an attempt to gain over the army to his support—an attempt which rendered him still more suspected and disliked—now bethought him of making a strenuous endeavour to conciliate the Scots, and, if possible, break up that unity of purpose that he now clearly perceived to exist between them and his English parliament. He had already, as we have seen, gained over Montrose; his next attempt was on the Earl of Rothes, who, though one of the most popular and able of the Scottish leaders, appears to have been destitute of principle, and to have joined the covenanters rather from personal than from public motives. He fell into the snare which Charles had laid for him, and but for his sudden death would have sacrificed, for the promise of a rich marriage and the offer of a post in the king's bedchamber, all claim to consistency or patriotism. The popular cause, however, was now too strong to suffer much from his defection. He was despised and soon forgotten.

Defection of Rothes.

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Still further to ingratiate himself with the Scots, Charles once more determined to try the influence of his personal presence in his native country. That all might be in readiness for his speedy departure, he required the parliament to be prepared within fourteen days to present him with such bills as required the royal assent. This undoubtedly precipitated the conclusion of the treaty. Parliament, taking the alarm lest this movement of the king should be merely a feint to conceal the purpose of putting himself at the head of the army in the north, immediately dispatched Lord Holland with money to pay them off and disband them. A fourth part of the "brotherly assistance" was advanced, with an assurance that the arrears should be paid by equal instalments within two years; and the Scots returned home, elated with the result of their expedition, and bound more closely than ever to their English brethren.

The king proposes to visit Scotland. Return of the Scottish army.

The Scottish parliament of 1640, after several adjournments, at length met for the dispatch of business on the 15th of July, 1641. Lord Loudoun, however, having represented to them that his majesty would be in Scotland about the middle of August, they thought proper to defer the concluding of any important business until his arrival, and in the interval continued their sittings, which were mostly occupied in preparing and arranging matters for subsequent deliberation.

Meeting of the Scottish parliament. Secret correspondence of Montrose—his imprisonment.

In the meantime an intercepted letter of Montrose's revealed a new secret correspondence on the part of that nobleman, upon which he and a number of his friends, who were implicated or suspected, were arrested and closely confined in the Castle of Edinburgh.

On their leaving London, Dunfermline and Loudoun received instructions from the king desiring a further prorogation of parliament, and requiring them to insist that the parliament would be content with such a share in the nomination of the officers of state as he had expressed in his answer to the fourth article of the treaty; that they would accept of Traquair's submission, and pass from all who had been cited to appear before the parliament until some crime should be proved against them; that they would restore the keepers of Edinburgh and Dunbarton castles to their dignities and estates; and that no new acts should be proposed derogatory to his royal power, honour, and benefit. Parliament, however, resolved that their meetings could be no longer prorogued, though, for the king's satisfaction, they promised that, until the 17th of August, they should pass no definite sentence on any matter of weight unless constrained by necessity. Traquair's submission they rejected; and to the king's other demands they thought fit to delay giving any particular answer until his majesty should appear in person or by his commissioner. A copy of the treaty was at the same time delivered to each estate for their deliberate consideration, before they should be called on to approve of it.*

A committee was now appointed to regulate the order of the house. They ordered that fines should be imposed for absence or for coming too late, varying in amount according to the rank of the parties. Lords Durie and Craighall entreated that the lords of session, the supreme judges by whom the laws were administered, should be present to assist in framing them; but this the house would not allow. The lord-advocate insisted on being present, as a privilege belonging to his office. This gave rise to a keen debate, which resulted in the concession of the privilege under certain restrictions. An attempt was also made to insure to some of the ministers, commissioners of the General Assembly, the privilege of being present to hear the debates. This, on the motion of Argyll, was peremptorily refused, as being likely to pave the way for the introduction of churchmen into parliament. A like claim on the part of the eldest sons of the nobility was also to their great chagrin disallowed, and a general order was passed that none but the regular members of the house should be suffered to enter. Finally, it was ordered that an oath should be administered to the members of this and all subsequent parliaments, as a security against "tentation and court corruption."

Committee for regulating the order of the house.

The king left London for Scotland on the 10th of August; but instead of being attended as formerly by a numerous and brilliant retinue of obsequious courtiers, he was accompanied by a committee of parliament, ostensibly appointed as commissioners to the Scottish Estates, with instructions to transmit information of the proceedings of the house, but in reality to act as spies on the conduct of the king, who had by his systematic duplicity rendered himself an object of suspicion. He was received during his progress with the greatest coldness, and everywhere the marks of discontent were visible. He halted on the 13th at Newcastle, where he dined with General Leslie. Here numbers of the Scottish officers were introduced to him, all of whom he received with unwonted condescension and affability. On reaching the Scottish Borders he was attended by numbers of the neighbouring gentlemen, and on his arrival at Gladsmuir he was welcomed by a deputation from the Estates, consisting of the Earl of Argyll and Lord Almond, the Barons Innes and Ker, and the burgesses of Aberdeen and St. Andrew's. On the evening of the 14th he found himself once more in his royal palace in the capital, his whole retinue amounting to not more than three persons—his nephew, the Elector Palatine, the Duke of Lennox, and the Marquis of Hamilton. Notwithstanding the fatigue of his long journey, he held a levée the same evening in

Departure of Charles for Scotland.

Arrival in Edinburgh.

* Baillie, vol. i. pp. 377, 378.

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the long gallery, where he received the compliments of the nobility and barons, all of whom were allowed the honour of kissing his majesty's hand.

The manner in which he felt constrained by his altered circumstances to receive the homage of men whom he had denounced as rebels must have been deeply afflicting to the mind of Charles—especially when he traced, as he could scarcely fail to do, his present humiliation to his own overweening pride, his insane persistence in a project at once flagitious and hopeless, and his own systematic duplicity and perfidy. These men, so lately in arms against him, he now courted as the last support of his tottering throne; and with this view, probably rather than from any other motive, the intolerant upholder of prelacy was fain to affect a respectful homage to the church that he had so long laboured to subvert. On the first Sabbath after his arrival he attended the chapel-royal, where Mr. Alexander Henderson had been appointed to preach, and the service was conducted entirely after the presbyterian form. During the whole of his residence in Scotland he persevered in the same course, nor did he evince either disgust or impatience, though the discourses sometimes extended to a length that many of the presbyterians themselves complained of as tedious.

On Monday the king remained within doors, and held a close consultation with his privy council. It was now no time to stand on his prerogative, to yield had become a necessity, and the only question was how this was to be done without the appearance of yielding. Some discussion arose as to the manner of his proceeding to the opening of parliament. The ceremony of riding was urged by the advocate, who adduced several precedents in its favour; but as this might be supposed to cast some doubt on the legality of their former meetings, it was thought better to omit it on this occasion. Accordingly next day, after hearing sermon, his majesty, as had been previously arranged, drove up the Canongate and High Street in a coach, and alighting at the Ladies' Steps, walked to the house, preceded by the Marquis of Hamilton carrying the crown, the Earl of Argyll bearing the sceptre, and the Earl of Sutherland the sword of state. The king entered the house about eleven o'clock, attended by the Elector Palatine, for whom a richly embroidered seat was prepared on the left of the throne. Having courteously saluted the members, the king then addressed them in the following words:—"My lords and gentlemen, there has been nothing so displeasing to me as those unlucky differences which have of late happened between me and my subjects, and nothing I have more desired than to see this day, wherein I hope not only to settle these unhappy mistakings, but rightly to know and be known of my native country. I need not tell you, for I think it is well known to most, what difficulties I have passed by and overcome to be here at this time; yet this I will say, that if love to my native country had not been a chief motive to this journey, other respects might easily have found a shift to do that by a commissioner which I am come to perform myself. All this considered, I cannot doubt but to find such real testimonies of your affection for the maintenance of that royal power which I do enjoy after one hundred and eight descents, and which you have so often professed to maintain, and to which your own national oath doth oblige you, that I shall not think my pains ill bestowed. Now the end of my coming is shortly this, to perform whatsoever I have promised, and withal to quiet these distractions which have and may fall out amongst you; and this I mind not superficially, but fully and cheerfully to do—for I assure you I can do nothing with more cheerfulness than to give my people contentment and a general satisfaction; wherefore not offering to endear myself to you in words, which, indeed, is not my way, I desire in the first place to settle that which concerns the religion and just liberties of this my native country before I proceed to any other act." *

The king's opening address.

To this address the president replied, thanking his majesty for all the former demonstrations of his goodness, and for the present expressions of his love to this his ancient and native kingdom. The president was followed by Argyll, in an eloquent speech, in which he compared the kingdom for some years past to a vessel tossed in a tempestuous sea, and congratulated his majesty on having, like a skilful pilot, steered her in safety through many rocks and shelves during seasons of the greatest difficulty and danger; and he humbly entreated that his majesty would not desert her until he had brought her safely to anchor, and settled her in the haven so ardently longed for.†

Ratification of the acts of 1640 by touch of the sceptre refused by parliament.

The king was about to evince his sincerity and zeal by touching with the sceptre the acts of the parliament of 1640; but the house in the exercise of a wise caution interfered to prevent this proceeding, on the ground that it was unnecessary. The real reason, however, was a suspicion that the king had some latent intention of destroying the previous validity of these acts, by making it appear that they had not the force of law until this ceremony was performed, and thus bringing in question the legality of all that had been done in virtue of them during the past year. This it was evident would be to unsettle even the treaty itself, as it was only from that parliament that the commissioners had derived their authority to treat at all. It was represented to his majesty that, having already confirmed these acts by treaty, no farther ratification was requisite than their publication in his name.

Encroachment of the king on the privileges of parliament—

On the afternoon of the same day, a committee consisting of two members from each estate were appointed to wait on the king, to remonstrate against a breach of the privileges of parliament in his having confined one of the members

* Stevenson, vol. iii. p. 998.
† Ibid., p. 999; Balfour's Memorials, p. 41.

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A contest having occurred between the Earl of Wigton and Sir William Cockburn of Langton, regarding the office of hereditary usher to the parliament, Cockburn, whose title was afterwards sustained, had, before the case was decided, seized the mace and carried it before the king at his entrance into the house. A complaint having been made, his majesty, without investigation, issued a warrant for taking Cockburn into custody, and confining him in the castle. On the representation of the committee the king apologised, and two days afterwards declared before parliament that he was not aware when he issued the warrant of Cockburn's having been a member of the house, and promised for himself, his heirs, and successors, that they should never commit any member during the sitting of parliament without the consent of the house. This declaration gave universal satisfaction, and it was ordered to be inserted in the record.

—his apology.

On the following day the national covenant, with the bond of obedience to the acts of the parliament of 1640, was approved by the king and the Estates, and, with a view to exclude from the house all who were unfriendly to these bonds, the following oath was appointed to be taken by every member before being admitted to his seat:—"We, undersubscribers, and every one of us do, in the presence of Almighty God, promise and vow that in this present parliament we shall faithfully and freely speak, answer, and express ourselves upon all and everything which is or shall be proposed, so far as we think in our conscience may conduce to the glory of God, the good and peace of the Church and State of this kingdom, and employ our best endeavours to promote the same, and shall in no ways advise, vote, or consent to anything which to our best knowledge we think not most expedient and conducible thereto; as also that we shall respect and defend, with our life, power, and estate, his majesty's royal person, honour, and estate, as is expressed in our national covenant, and likewise the power and privileges of parliament, and the lawful rights and liberties of the subjects, and by all good means and ways oppose and endeavour to bring to exact trial all such as either by force, practice, counsel, plots, conspiracies, or otherwise have done, or shall do, anything in prejudice of the purity of religion, the laws, liberties, and peace of the kingdom; and, farther, that we shall in all just and honourable ways endeavour to preserve union and peace betwixt the three kingdoms of Scotland, England, and Ireland, and neither for hope, fear, nor other respects shall relinquish this vow and promise." One member only, the Earl of Carnwath, refused to take this obligation.

Oath to be taken by members of parliament.

While the Scots were thus anxious to secure for themselves the blessings of civil and religious liberty, they were not indifferent to the claims of their brethren abroad on their sympathy and support. The king laid before parliament his manifesto in favour of his nephew, the Elector Palatine, with the resolution of the English parliament to support it; and the Estates having taken the matter into consideration, in a few days unanimously resolved to raise and maintain ten thousand men to unite with the English in endeavouring to recover the inheritance of the prince, and restore peace to Germany. Both the king and the elector warmly thanked the house for this resolution; and, although the troubles in which both kingdoms were shortly afterwards involved prevented its being carried into effect, yet the prince ever after entertained sentiments of high respect and gratitude both to the Scots and to the English dissenters, and could never be induced to take part with his uncle in the civil war raised against them.

Resolution to assist the Elector Palatine.

When the treaty had been confirmed, an act was passed by previous arrangement similar to one that had been passed by the English parliament, having for its object to provide some effectual security for the tranquillity of both kingdoms. Its provisions were:—that neither kingdom should declare war against the other without giving three months' warning, nor without the consent of parliament; that each parliament should assist the other to prevent or repel foreign invasion, and suppress internal disturbance; and, lastly, that during the interval between triennial parliaments commissioners should be intrusted with the preservation of the peace. The first of these provisions was wise and salutary; the second occasioned some animosity by leading to the interposition of the Scots in the dissensions of England; and the third led to the total, though temporary, subversion of the monarchy.

An act securing tranquillity between the two kingdoms.

With consent of the Estates, the king now ordained that the thirty-nine acts of the parliament of 1640 should, in conformity with the treaty, be published in his majesty's name as laws in force from the time of their enactment; and they were proclaimed accordingly on the first day of September following. Orders were also given by the king and parliament for disbanding the army, paying up their arrears, a mutual exchange of captures between the Scots and the English, and the demolition of all intrenchments thrown up on the Borders; and the 7th of September was appointed to be observed as a day of public thanksgiving in all the churches of the kingdom for the many blessings the Almighty had bestowed on both nations, and, in particular, for the happy cessation of hostilities granted by the treaty.

There was one point of great importance, which had occasioned much dissension at the framing of the treaty in London, and which, being then referred to the consideration of the Scottish parliament, was now resumed and contested with unabated obstinacy on both sides. This was the right of appointing the officers of State. The king insisted that the nomination of these officers was an un-

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alienable part of his prerogative, and one of the principal supports of his government. This he maintained was a right which had at all times been exercised by the kings of Scotland, and had never before been called in question, either there or in England. The parliament, on the other hand, adduced a variety of instances, both in law and ancient usage, in which these functionaries had been chosen with advice of the Estates; and maintained that their election by the king alone had already occasioned many evils, and was likely to continue to do so, while the king from residing at a distance was necessarily but little acquainted with the state of the country, and consequently liable to be misled by the misrepresentations of selfish and designing parties. In justice to Charles, it must be admitted that this was an invasion of that prerogative which, even according to our modern notions, ought to belong inalienably to the crown. Deprived of this, indeed, it is difficult to conceive how a monarchical government can exist; and it affords a striking proof of the king's conviction of the helplessness of the position into which he had fallen from his own perversity, and through the influence of evil counsel, that he was at last prevailed on to surrender this last shadow of that kingly power, which he had vainly imagined to be unlimited. When he intimated his acquiescence to the house every member, rising from his seat, bowed reverentially to the throne in gratitude to his majesty for his condescension to the desire of his parliament. An act was then framed and passed, with one dissentient voice, proceeding upon the narrative of this concession on the part of the king, who now declared for himself and his successors that they would make choice of their counsellors with the advice and approbation of the Estates during their sitting, and in the intervals that might occur, only by the advice of their privy council, to be warned fifteen days previous to their assembling.

Act respecting the nomination of officers of State.

In return for these concessions, the Estates gratified the king by agreeing to liberate the "incendiaries and plotters," whose number was reduced to five. Their trial was referred to the committee during the recess, and their punishment was left to the determination of the king. Considerable difficulty was felt in making the appointments to the high offices of State, which were nearly all vacant, and for the more lucrative of which there was some competition. At length, however, it was arranged that the office of treasurer should, in the meantime, be put in commission, while Lord Loudoun was appointed chancellor; Gibson of Durie, clerk register; Roxburgh, lord privy seal; Sir Thomas Hope, lord-advocate; and Sir John Hamilton of Orbiston, lord justice-clerk. The Earl of Lanark was continued as secretary. Mr. Archibald Johnston received the honour of knighthood, and was appointed one of the lords of session, under the title of Lord Warriston. These offices were confirmed to their respective holders during good behaviour or life. Sir Robert Spottiswood, the president of the court of session, and three of the judges were, on account of certain alleged offences, removed from the bench; and, at the request of the Estates, eight of the privy counsellors were struck off the roll.

Appointment of officers of State.

It was scarcely to be expected that the arrangements now completed would please all parties. The ultra-royalists and the less moderate of the presbyterians were both dissatisfied—the former with the concessions extorted from the king and the favours bestowed on the covenanters,* the latter with the leniency with which their enemies had been treated. The covenanters became reconciled to the Marquis of Hamilton on account of the moderation of his counsels, and consented to the withdrawal of his name from the list of "incendiaries;" and he soon rose to such influence among them that, in conjunction with Argyll, he in a great measure directed their councils. Falling in consequence under the suspicion of the king, he became an object of dislike and calumny to the royalists, who now meditated vengeance against both him and Argyll. The open reproaches and insults to which they were daily subjected at length attracted the attention of parliament, and led to an inquiry, in the course of which Lord Carnwath was accused of having said, "Now there are three kings in Scotland, but by God two of them" (naming Hamilton and Argyll) "shall lose their heads!" The charge, however, was dropped, as only one witness was adduced in its support. But Lord Henry Ker, eldest son of the Earl of Roxburgh, accused Hamilton of being a juggler with the king, and a traitor both to him and his country; and, in a fit of intoxication, sent Lord Crawford, who was in the same condition, to deliver a message to that effect, together with a challenge to the marquis, who was at the time closeted with the king. Crawford burst furiously into the chamber, and, in the presence of the king and all around him, delivered his message in a most insolent and outrageous manner. Hamilton mildly replied, that if he would return on the morrow he would give him an answer; but the indignation of parliament was roused at such an insult having been offered to one of their members in the very presence of the sovereign. They accordingly complained to the king, but Hamilton interposed on behalf of the offender, to whose father he acknowledged he owed many obligations, and, on his knees, supplicated forgiveness for both him and Carnwath, to whose condition at the time he imputed the indiscretion. Parliament, however, refused to be satisfied until Ker had publicly

Hamilton insulted by Lord Crawford in the presence of the king.

* Clarendon says the king "seemed to have made that progress into Scotland only that he might make a perfect deed of gift of that kingdom." The rewards bestowed upon the leaders of the opposition drew from the Earl of Carnwath the bitter jest, "That he would go to Ireland, and join Sir Phelim O'Neale, chief of the rebels there, and then he was sure the king would prefer him."

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acknowledged his fault, and sued for pardon both from them and the king.*

Exculpation of Hamilton by parliament.

Hamilton embraced this favourable opportunity of applying to parliament for a public exoneration from all the charges that had been made against him, and the suspicions with which he was still haunted; and he had the gratification to obtain from the house a unanimous deed clearing him from all imputations of disloyalty to his king or country, and declaring him to be a true patriot and a faithful and loyal servant to his majesty.†

"The Incident."

Not long after this a mysterious and alarming plot came to light, which, from its apparent want of connection with the leading events of the period, has been denominated "the Incident." The alleged principal conspirators were the Earl of Crawford, Colonel Cochrane, and Lieutenant-colonel Alexander Stewart; but several other persons, including the king himself, were said to have been in the secret. The object was to entrap the Marquis of Hamilton, his brother, Lord Lanark, and the Marquis of Argyll, and either to put them to death or hurry them on board a ship of war in Leith Roads, there to be detained until measures were taken to bring them to trial on a charge of treason. Colonel Cochrane was to have brought his regiment from Musselburgh to command the capital, and to secure some other of the leading members of parliament; many of the Kers, Homes, Johnstones, and other borderers were to repair to Edinburgh, and a strong effort was to be made to liberate Montrose and his fellow-prisoners, and give them the command of the castle. Fortunately, however, the secret transpired, and on the night in which the plot was to have been executed, the intended victims made their escape to Kinniel, a place of some strength, belonging to the Earl of Lanark, and situated near the confluence of the Avon with the Forth. Meanwhile, the report spread, the whole city was speedily in an uproar, and armed bands of the citizens kept watch during the night to preserve the peace and protect the popular nobles.

The king attempts to overawe the parliament.

Next day the king repaired to parliament attended by about five armed men, who entering in a menacing way into the outer hall, excited great confusion and alarm among the members, who refused to proceed to business until General Leslie was commissioned to protect them with all the train-bands and other troops in the town and its neighbourhood, and every stranger who could avouch no lawful business was dismissed from the court and the city. When the house proceeded to investigate this extraordinary affair, the king expressed strong, and not unnatural, indignation against Hamilton, whom he accused of cowardice for having fled from the city, thereby, he alleged, giving rise to false and injurious reports dishonouring to himself and prejudicial to his government. He declared he had turned a deaf ear to insinuations made against Hamilton by persons of the first rank and greatest trust about him, but he would not interfere to screen from justice the best subject in all his dominions; and had Hamilton not been secured by the late declaration of parliament, he would himself have impeached him of treason. He professed an utter abhorrence of all plots, and swore by God that the parliament and the fugitive lords too behoved to clear his honour.*

A committee appointed to investigate the plot.

A committee, consisting of the Lord-president Balmerino, the lord-chancellor, the Duke of Lennox, four barons, and four burgesses, were appointed to investigate the whole affair. But no two of the witnesses examined agreed in their depositions, and the whole affair is still involved in impenetrable obscurity. There is reason to suspect, however, that a plot of some kind had been formed against Hamilton and Argyll, whose ulterior views had now been made known to the king. It was, therefore, declared that they had good reason for withdrawing themselves, and they were requested to resume their places.

Alarm and precautions of the English parliament.

Intelligence of these events was transmitted by the English commissioners to London, where it excited considerable alarm among the members of the English parliament, who thought they saw in the Scottish conspiracy evidence of a design on the part of the king to interrupt the proceedings of the Estates; and as a rumour prevailed that a similar attempt was in contemplation in England, it was judged necessary to take immediate measures for the protection of the capital and of the parliament. A message was at the same time sent express to Scotland, offering to grant assistance for suppressing any internal disturbance.†

Irish massacre.

At this time a general apprehension was felt by the Protestants of both countries, arising from some vague reports of a secret correspondence indicating some movement on the part of the Romanists. It is impossible to say how far these surmises were connected with the Irish massacre, intelligence of which reached the king by express from the lords-justices of Ireland, on the 1st of November. With the exception of the Massacre of St. Bartholomew, history affords no parallel to this horrible transaction. The Irish people, though conquered, had never been civilised by their conquerors, and had consequently never been completely subdued. From the first they entertained feelings of hostility against the Scotch and English settlers, whom they considered as intruders. These feelings, natural to all men, but particularly intense in a brave and semi-barbarous population, were aggravated to the highest degree by religious fanaticism. The new settlers were hated by the natives, because they belonged to a race that had conquered their country, and held them under the iron rule

* Stevenson, vol. iii. p. 1012. † Ibid., p. 1013.

* Stevenson, vol. iii. p. 1015.
† Rushworth, vol. iv. p. 390; Nelson, vol. ii. p. 492.

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of despotism; but still more because most or all of them professed a creed adverse to their own, and which, in their estimation, rendered them fit objects of vengeance both human and Divine. This animosity was kept alive and exasperated by the priests, who, though tolerated in the exercise of their religion, and favoured by the government, notwithstanding the penal laws, viewed with indignation the appropriation of the ecclesiastical revenues to the maintenance of a worship which they denounced as heretical. In these circumstances there wanted but a spark to explode the mine that lay beneath the whole fabric of Irish society. Encouraged by the example of successful resistance on the part of the Scots, and the sturdy opposition of the English to the measures of government, it was at length considered that now was the time for re-asserting their national independence, reclaiming the revenues of their church, and sweeping the detested invaders from their soil. Accordingly a conspiracy was formed, having for its object the utter extermination of the intruders by one simultaneous and indiscriminate massacre. At the head of this atrocious combination were Lord Maeguire and Sir Phelim O'Neale, men of great influence from their wealth and their ancient lineage, together with Roger More, a gentleman held in high reputation for his ability and courage. A certain day towards the end of October was fixed on for the commencement of the work of carnage. To O'Neale and his associates, who were ramified throughout the country, was assigned the task of making a simultaneous attack on the whole of the English settlements in the provinces, while Maeguire and More were to surprise the Castle of Dublin. The discovery of the plot prevented the principal stronghold of the country, as well as the capital itself, from falling into the hands of the insurgents; but the work of death commenced on the appointed day throughout the whole provinces of the country, and was pursued with a fiendish cruelty, from the bare recital of which human nature recoils.

The details of this dreadful insurrection do not properly belong to Scottish history; but it may be proper to mention that every form of cruelty which the perverted ingenuity of the infuriated natives could devise was perpetrated upon the unfortunate settlers. No age, sex, or condition was spared. Husbands and wives, parents and children, were butchered in each other's sight, and in many instances subjected to the most lingering agonies. Whole families were stripped naked, and driven from their homes, to perish of cold and hunger on the hills or in the morasses. Children were induced in their terror to murder their parents, and parents their children, and then put to death themselves, while writhing under the agonies of remorse. Many were invited to mass, and being induced by promises of safety to renounce their profession, were then murdered lest they should relapse. It is shocking to think that these hellish cruelties were encouraged by the priests as meritorious acts in the sight of heaven, and that before the work of carnage began they administered the sacrament to the people, and over the elements exacted an oath to exterminate every Protestant in the island.

The numbers who perished in this massacre have been variously estimated, but have never been ascertained with any approach to accuracy. The episcopalians, with an evident desire to extenuate the horrors of the fearful tragedy, reckoned the number of the victims about forty thousand; while the papists, who gloried in it as a work of merit, boasted that they had slaughtered two hundred thousand persons.

The king supposed to have been privy to the rebellion.

It is painful to be obliged to record that suspicions were entertained that Charles himself was implicated in this shocking transaction. The rebels affirmed that they had acted under the king's authority, and, in proof of this, actually produced a commission, dated from Edinburgh, and sealed with the great seal of Scotland. It was alleged, however, that this document was a forgery, and no satisfactory evidence regarding it has ever been produced. Subsequent events contributed to strengthen the suspicions which were entertained of the king's complicity. Attempts have been made, not unsuccessfully, to throw the odium upon the queen; but these served only to deepen the suspicions against her husband, who seems to have been greatly swayed by her counsel.*

The despatch submitted to parliament.

The first despatches received by the king related only to the province of Ulster, where the settlers being more numerous were not so easily attacked. Numbers of them had time to withdraw from the country, and those who remained combined for their own defence. Nevertheless many of them suffered the same dreadful calamities that befell so many of their countrymen; but the extent and revolting barbarities of the rebellion were not yet disclosed. The king hastened to submit his despatches to the consideration of parliament, and in doing so expressed a hope that the rising was but partial, and would be easily suppressed; but he added, that if he should have occasion to apply to them for assistance, he fully relied on their cordial support. A committee was appointed, who, after taking the matter into consideration, reported that they considered it would not be proper in the Scottish parliament to interfere at present—lest their motives should be mistaken, and a jealousy might thus be occasioned between them and the parliament of England, of which country, rather than Scotland, Ireland was a dependency; but they recommended, that in the event of the insurrection proving so serious as to call for assistance, the Scottish forces should be ready to co-operate with those of England in its suppression. When at last intelligence arrived of the extent and enormity of the rebellion, they made an offer of an immediate force

Offer of assistance

* Brodie's British Empire, vol. iii. pp. 190—199; Aikman, vol. iv. p. 44.

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of ten thousand men,* and three thousand stand of arms. They at the same time ordered the troops to the west, and all the shipping on the west coast was directed to be in readiness to transport them to Ireland with the utmost dispatch.

Instructions of the English parliament to their commissioners.

When intelligence of the rebellion reached the English parliament, they immediately transmitted instructions to their commissioners to request his majesty to return thanks in their name to the Estates for their kind offer of assistance, which was gratefully accepted, and the commissioners were directed to employ the aid thus granted for the relief of those parts of Ireland which lie nearest to Scotland. At the same time the English parliament plainly intimated their suspicion that the outbreak in Ireland had originated in the councils of the king himself, and was only part of a scheme for subverting the liberties of the three kingdoms. In making this startling declaration, however, they were careful not to impeach the honour of the king himself. "They had just cause," they said, "to believe that these conspiracies and commotions in Ireland are but the effect of the same councils, and if persons of such aims and conditions shall continue in credit, authority, and employment, the great aid which we shall be forced to draw from his people for subduing the rebellion in Ireland will be applied to the fomenting and cherishing of it there, and encouraging some such like attempt by the papists and ill-affected subjects in England; and, in the end, to the subversion of religion and destruction of his loyal subjects in both kingdoms." They therefore humbly entreated his majesty to dismiss these evil counsellors, and to employ such ministers only as should be approved by parliament.

The king now became suddenly impatient to leave Scotland, and parliament began to draw their sittings to a conclusion. Before rising, however, they passed a number of salutary acts, among which were—an act providing that each of the commissioners of shires should have a separate vote, instead of only one vote for each county, as had formerly been the practice, and that every one of them should be paid the sum of five pounds Scots daily during the sitting of parliament;—an act for regulating the commissary courts and fixing their fees;—and an act for the better administration of justice and the encouragement of learning. A commission of justiciary was also appointed to proceed, under the protection of a hundred and twenty armed men, to take order with the troublesome banditti who still continued their depredations in the north Highlands.

Rising of parliament.

This parliament, the longest that had ever been held in Scotland, rose on the 17th of November, after having appointed another to meet on the first Tuesday of June, 1644; and in the evening the members were entertained by the king at a sumptuous banquet in the great gallery of the palace. The results of the session seemed to be satisfactory to all parties, with the exception of the king, who, with that infatuation which had already involved both himself and the nation in so many calamities, was, at the instigation of the lord-advocate, on the point of protesting that nothing done by the parliament should be injurious to his royal prerogative; and he already began to cherish hopes, secretly suggested by some of his pernicious counsellors, that all the acts to which he had reluctantly assented might be safely annulled so soon as the present excitement of the public should be allayed, and his apparent acquiescence should lull the covenanters into fancied security.* Before taking his departure, the king seemed anxious to conciliate some of the leading Scottish nobility. By a patent passed under the great seal, and bearing date at "Holyrood House, 15th of November, 1641," Archibald, Earl of Argyll, was created a marquis, with the superadded titles of Earl of Kintyre and Lord of Lorn; Lords Loudoun and Lindsay were raised to the rank of earls; and the brave old General Leslie was created Earl of Leven, and had a handsome pecuniary recompense bestowed upon him. Some provision was also made for the more regular and adequate maintenance of ministers, and for the support of the universities—a provision, however, which was never punctually realised.

Meeting of the General Assembly.

The General Assembly, according to appointment, had met at St. Andrew's on the 20th of July; but as parliament was to meet about the same time, and as many of the commissioners to the assembly were also members of parliament, it was judged expedient to adjourn until the 27th of July, and to transfer the meetings to Edinburgh. Both of these great councils accordingly were convened in the capital, the assembly holding its sittings in the forenoon of each day, and the parliament in the afternoon. The assembly was opened by the Earl of Wemyss, as the king's commissioner, who delivered a message from his majesty, in which he intimated an intention to secure the liberties of the Church, and, in the exercise of the patronage of the crown, to appoint none to the vacant parishes but able and efficient ministers. He promised also to concur in every measure tending to the encouragement of learning, by the supporting of schools and colleges; and in return requested their prayers in his behalf, and their endeavours to inculcate upon the people the duty of paying honour and obedience to him as "God's vicegerent for good." The assembly, in their reply, assured his majesty of an interest in their prayers, of their exertions to preserve tranquillity, and to enforce both by precept and example the duty of paying that honour to his majesty to which he was entitled by all laws human and divine. Henderson was once more chosen moderator, as several difficult and important matters, requiring much prudence and ability in their management, were

* Baillie, vol. i. p. 396.

* Aikman, vol. iv. p. 48.

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expected to occupy, and possibly to divide, the assembly.

Contest regarding private meetings resumed.

The decision of the assembly at Aberdeen regarding private meetings, so far from setting that question at rest, had been satisfactory to neither party, and the contest between Mr. Henry Guthrie and the Laird of Leckie was now renewed with greater warmth than ever. Guthrie was still bent on the entire suppression of these meetings, while Leckie and his adherents were urgent for the abolition of the act of Aberdeen, as still laying an injurious restriction on the liberty of private Christians. The contest was not confined to the assembly: many of the private citizens of Edinburgh still kept up the meetings in defiance of the act of Aberdeen, and demanded its repeal. This dispute, both sides of which were supported by able and distinguished men, threatened to introduce disunion into the assembly, and to be productive of serious injury to the cause of religion, if not to the stability of the Church. It was in a great measure owing to the management of Henderson that the question was at last brought to a satisfactory solution. The act of Aberdeen was set aside, and a new act passed, securing to private Christians the privilege of holding unmolested, meetings for prayer, exhortation, and religious conference; and simply guarding against particular dangers and abuses to which such meetings might be liable. It is but justice to many of the distinguished men who were opposed to these meetings, except in the family circle, to observe that they seem to have been in a great measure influenced by the fear of the spread of independency to which such meetings were supposed to tend, and to which, as presbyterians, they had strong conscientious objections.

The efforts of the Scottish ministers in London to propagate presbyterian principles had been attended with a large measure of success; and now that prelacy was on the eve of being subverted in England, it became a question of grave importance what form of church government should be adopted.

Communication from English churches.

A communication was at this time received from several ministers in England, particularly in London and its neighbourhood, requesting the opinion of the assembly on this subject. They expressed a hope of getting presbyterian discipline ultimately established in England, but added, "Almighty God, having now of his infinite goodness raised up our hopes of removing the yoke of episcopacy under which we have so long groaned, sundry other forms of church government are, by sundry sorts of men, projected to be set up in the room thereof, the chief of which is independency—a system which asserts that every separate congregation forms a complete Church within itself, subject to the authoritative influence of no other, and possessing all the powers requisite for conducting the spiritual concerns of its members." It would not appear from the request they made to the assembly that they were much disinclined to independency themselves, or, at all events, that they considered the choice between it and presbyterianism to be of vital importance; and they seemed to have been under the impression that the party in the assembly favourable to the religious meetings viewed the matter as one nearly of indifference. In requesting the opinion of the assembly they indirectly apologised by saying, "as some famous and eminent brethren among yourselves do somewhat incline unto an approbation of that way of government." The assembly unanimously rejected independency as being contrary to the national covenant, and directed the moderator to write a courteous letter to their English brethren, informing them of their unanimous decision against independency as well as episcopacy.* They expressed, however, an earnest desire "that there might be in both kirks but one confession, one directory for public worship, one catechism, and one form of kirk government," as laying "a sure foundation for a permanent peace." The last act of this assembly was to appoint the next to be held at St. Andrew's, on the 27th July, 1642.

State of the nation. Political and ecclesiastical parties.

The king's visit to Scotland had in some degree retrieved his lost popularity. He left behind him a government in whose integrity and ability the nation had confidence; every concession that had been demanded had been made to the Church; and parliament, now in a great measure reformed, was rendered free and independent. There still existed, however, two hostile parties in the State—the ultra-royalists, or the advocates of unlimited prerogative; and the constitutional party, who approved of a limited monarchy, and were contented with the order of things that had now been established. At the head of the former were Traquair and Montrose; the principal men among the latter were Argyll, Loudoun, and Balmerino—noblemen of tried patriotism, ardent love of liberty, and distinguished talents. Nor was the Church undivided. The zealous conscientious presbyterians, anxious for the preservation of their church polity, because they considered it most in accordance with scriptural example and conducive to the interests of religion, or what in later times has been denominated the evangelical party, formed one section; while another was composed of men who were violent sticklers about outward forms, but were reputed to be less solicitous about practical piety. These were the "moderates" of that time—a name which they assumed to themselves, and which has survived even to the present day. Among the former were Rutherford, Blair, Gillespie, and Cant, who afterwards became martyrs to their principles; among the latter, Guthrie, Dalgleish, and Colville, whose inconstancy was subsequently rewarded with a mitre. For the present, however, they acted in concert; the evangelical party submitting, for the sake of peace, to

* Baillie, vol. i. 364.

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many things of which they did not altogether approve.

No sooner had the king returned to London than the bishops, who could not penetrate his motives or his secret designs, loudly reproached him for having conceded to the Scots all their demands, and thus undone in a day all that his father and himself had been labouring for forty years to establish. Charles was deeply affected by these remonstrances, but suppressing for the present his real sentiments, he accepted of a splendid entertainment given him by the city of London, in testimony of their grateful approbation of the concessions he had made to the Scots; and he even issued orders that in all the parish churches in England the Scots should be declared his faithful and loyal subjects.*

The Scots declared to be faithful subjects.

The example of Scotland had contributed not a little to rouse the spirit of the English nation; and their representatives in parliament were now fully resolved to impose such limits on the royal prerogative as should for the future secure the liberties of the country from arbitrary invasion. One of their first steps was to frame the celebrated remonstrance, in which they exhibited an appalling picture of the state of the kingdom. The grievances of the people were painted in the strongest colours; the whole history of Charles's reign up to that time was passed under review; every act of misgovernment, with its calamitous consequences, was strongly depicted, and the whole traced to the influence of evil counsellors, many of whom were still retained about the royal person. For these complicated evils they pointed out as an effectual remedy the removal of his majesty's present advisers, and the appointment of others possessing the confidence of the parliament and the nation. In this demand, which seemed necessary for their own safety, they were encouraged by the concession already made to the Scottish parliament of a potential voice in the nomination of the high officers of the State; and their well-grounded distrust of the king's sincerity, led them to look on a similar concession to themselves as a measure without which every other would be nugatory.

The remonstrance.

The commission of the Earl of Essex, as captain-general of the army, having expired on the king's return, that nobleman hastened to return it into his majesty's hands, and intimated to the house of peers that the army was no longer under his command. The king now sent for the lord-keeper, and ordered him to inform the parliament that as he considered his personal presence a sufficient safeguard, he had dismissed the guard which had been appointed to protect them during his absence; but, at the same time, assured them that if he should see any necessity for further security it should be at once provided. This unexpected message excited the jealousy and alarm of parliament, and an answer was instantly returned in the name of both houses, praying that the guard should be continued until they should have time to convince the king of its necessity. The king's reply, which was sent down the next day, did not serve to quiet their apprehensions. He told them, "That he had commanded the guards to be dismissed, because he knew no cause they had to fear, and because it was a great trouble to his subjects that were to perform that service, besides disquieting the people with strange apprehensions and jealousies; and that his majesty expects, when the parliament shall require anything extraordinary, as this is, they shall give particular reasons for it; yet his majesty is so tender of the parliament's safety that he will command the Earl of Dorset to appoint some of the train-bands, only for a few days, to wait on both houses, and if in that time he should be satisfied there is just reason, shall continue them, and likewise shall take such a course for the safety of his own person as shall be fit, of which his majesty doubts not they will be as careful as their own."

Dismissal of the parliamentary guard by the king.

Any feeble remains of mutual confidence between the king and the parliament were now extinguished, and a mutual distrust and jealousy had succeeded, which could not long subsist with safety to the State. The "Incident" in Scotland had made a deep and lasting impression on the English parliament, and among their reasons for desiring a continuance of the guard, the dread of a similar attempt being made upon some of themselves was freely expressed. Their apprehensions, they acknowledged, were heightened by the numbers of suspicious and desperate characters who were known to be lurking about Westminster; they referred to the circumstance of the plot in Scotland having been known in London several days before its discovery in that country, as a proof of its having originated in no casual or sudden impulse; as a further ground of alarm, they instanced the declaration of some of the leaders of the Irish rebellion, that a similar outbreak was in contemplation both in England and Scotland, the threatening speeches and secret meetings of papists in different parts of the kingdom, and the rumours that had reached England from the Continent, that a general expectation prevailed among the Roman Catholics of foreign countries of a great religious and political change being about to take place, in which "the necks of both parliaments should be broken."

Immediately after the transmission of this reply a committee was appointed to present the remonstrance, together with a petition to the king. His answer was evasive, and expressive of so strong a resolution not to abridge the power of the bishops,—for some modification of which the parliament had supplicated,—that the jealousies of both parties were rather fomented than allayed. During this interview an expression dropped from the king which served to corroborate the suspicions that were entertained of his having been privy to and encouraged

Presentation of the remonstrance.

* Stevenson, vol. iii. p. 1037.

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the Irish rebellion. He had been requested to reserve the lands which might be forfeited by the Irish rebels for the support of the crown and the indemnification of the people of England for the expense of suppressing the rebellion, on which he remarked, "We must not dispose of the bear's skin until the bear be dead." The contrast of the indifference and levity thus manifested, with the ready offer of the estates of the Scottish nobility and gentry to such of their vassals and tenants as should attach themselves to the royal cause, was regarded as affording a strong presumption of his guilt.

On the first intelligence of the rebellion the parliament had resolved to borrow money and raise troops for its suppression; and a message on that subject now arriving from the king, a bill was introduced for a compulsory levy of men for this service; but this urgent measure was obstructed by the mutual distrust of the commons and the king, each of whom, anxious to obtain the command of the army, contended for the right of appointing the officers. In the meantime, the protestants in Ireland still continued to suffer from the fanatical cruelty of their persecutors; and the Scots having sent commissioners to concert measures with the English parliament for sending forces to the relief of their brethren, the commons passed a vote that the offer of the Scots to raise ten thousand men should be accepted; but to this the House of Lords refused to assent unless an English army equal in amount should be sent—the ostensible reason being that the Scots if successful might take possession of the island for themselves.

This was not the first occasion on which important measures passed by the commons had been delayed, mutilated, or rejected by the House of Lords; and the former, strong in the support of the nation, and emboldened by their success in grappling with the illegal powers usurped by the crown, were now in no humour to submit to be baffled by the nobility. A committee was accordingly appointed to draw up the basis of a conference between the two houses, the object being to represent the dissatisfaction of the commons with the rejection by the peers of many measures which the former had deemed of essential importance to the public weal; and to intimate that, if this course should be persisted in, the commons would be constrained, in conjunction with such of their lordships as might be disposed to co-operate with them, to represent the matter to the king, in order that some means might be adopted to prevent interruption to the public service. These obstructions were chiefly owing to the lords spiritual, who, in combination with a small body of the peers, could at any time form a majority, and thus nullify any measure displeasing to the court. Various indirect attempts had been made by the commons to remove the bishops from the House of Lords—a measure now ardently wished by the great body of the citizens of London, and, indeed, by the majority of the nation. The imprudence of the bishops contributed to bring about this event sooner than had been expected. In passing to the House of Lords through a tumultuous assemblage of the citizens, Williams, Archbishop of York, having been assailed by the cry of "No bishops!" rashly turned aside to seize with his own hands a young man who had been particularly loud and forward in his vociferations. The youth was rescued by the crowd, but some of the king's attendants, having with inconsiderate zeal attacked them with drawn swords, a tumult ensued, which soon spread through the whole of London and Westminster; and the bishops, seizing the opportunity, withdrew from parliament under the pretence that their persons were in danger, at the same time protesting against the validity of all acts which might be passed in their absence. The object of this adroit movement was to interrupt the progress of a bill then actually in dependence for the abolition of episcopacy. When information of the protest reached the commons, they immediately impeached of high treason all who had signed it, and the prelates were forthwith committed to the Tower.

Threatened rupture between the two houses of parliament.

Rash conduct of the bishops.

Their impeachment by the commons.

Charles was impatient to get rid of the parliament, which, however, he could not dissolve without their own consent; but enraged at the boldness of some of the leading members of the House of Commons, he ordered the attorney-general to enter an accusation of high treason against five of their number in the House of Peers. A sergeant-at-arms was accordingly sent down to the commons to demand that the accused might be delivered up. This demand was resisted by the Speaker until the house should have time to consider a matter of such grave importance. Impatient of delay, Charles the day after hastened to the house, attended by a body of five hundred armed men, for the purpose of arresting the obnoxious members, but they had received private information of the king's intention, and had sought refuge in the city. This rash and most culpable step put an end to all hope of reconciliation, and may be regarded as the final cause of the civil war. The next day the king ordered the lord-mayor to summon a meeting of the common council at Guildhall, and having proceeded thither in person, he commanded them to take measures for the arrest of the fugitives. His order was disregarded, and his authority was treated with contempt. It is worthy of remark that only a day or two before, in answer to a petition from the commons for a guard to be selected from among the citizens of London, and commanded by the Earl of Essex, he had protested before almighty God that he had neither knowledge or belief of any violence being intended against them, and assured them, on the word of a king, that he should ever be as solicitous about their security as

Violent and unconstitutional proceedings of the king.

Duplicity of the king.

about that of himself or his children. The breach between the king and the commons was now complete. This unconstitutional proceeding was justly regarded as an attempt to re-establish his power on the ruins of parliament. The cry of "Privilege! privilege!" was raised by the members and echoed by the nation, and the whole country was agitated and alarmed. The commons voted that they could sit no longer without a guard in whom they could confide, and an ample vindication of their outraged privileges; and, having appointed a committee of their number to meet at Guildhall, they immediately adjourned. The citizens of London presented a petition to the king, in which they freely expressed their alarm at the attack which he had made on the privileges of parliament; but Charles obstinately persisted in the fatal course he had begun. He fortified Whitehall, supplied it with men and ammunition, placed a garrison in the Tower, with orders to employ violence if there should be occasion, and issued a proclamation for the apprehension of the accused members. But the current of popular feeling was too strong to be resisted. The five members returned in triumph to the house, with an escort of armed boats by water, and a strong body of the train-bands by land. Matters had now arrived at such an extremity that the king considered his dignity, if not his person, to be in danger. In order at once to avoid the contempt of the populace, and apparently to meditate revenge,* he adopted the fatal resolution of retiring from Whitehall, with the determination not to return until his authority should be completely re-established. He could not then foresee that in a short time he should return as a prisoner. He removed with the queen and the whole royal family first to Hampton Court, and two days afterwards to Windsor. Here, in presence of the queen, he held a cabinet council, at which it was resolved that her majesty should proceed to Holland, taking with her the Princess Mary, who, though quite a child, had been for some time affianced to the Prince of Orange. It was further arranged that she was to endeavour to secure foreign assistance, and to carry with her the crown jewels, which she was to pledge for ready money, for the purchase of arms and ammunition to assist the king in a contest with the parliament—a measure on which he had already secretly determined. It was farther agreed that his majesty should come to no terms with the parliament until the result of the queen's expedition should be known, and that, in the meantime, he should endeavour to gain possession of the important fortresses of Portsmouth and Hull, where the arms and artillery of the army of the north had been deposited.

Agitation and alarm of the country.

The accused members return to the house.

The king leaves Whitehall.

Warlike resolutions of the king and council.

Parliament soon became aware of these hostile machinations, and immediately adopted measures for their frustration. Orders were dispatched to Colonel Goring, governor of Portsmouth, not to deliver up the town, or permit any forces to enter it without express authority, not merely from the king, but from both houses of parliament. Sir John Hotham was sent to Hull to secure the magazines there, under orders similar to those given to Goring; and the lieutenant and deputy-lieutenant of the Tower were commanded to prevent the removal of any arms and ammunition without authority from the king signified by both houses of parliament. The king, on the other hand, set about attempting to gain over the officers of the disbanded army, and assembled troops and collected warlike stores at Windsor, so that no doubt remained of his intention to carry matters to the last extremity.

Vigorous measures adopted by parliament.

The Scots were not indifferent spectators of this unprecedented contest between the king and the parliament. Such indeed was the intimate connection between the two kingdoms that neutrality was impossible. The Scottish commissioners, accordingly, anxious to prevent a civil war, presented a respectful address to his majesty, in which they expressed deep concern at the dissensions that had arisen between him and his English subjects, which they attributed to the machinations of papists, prelates, and other enemies, alike to his majesty and the common weal, and humbly offered their services for bringing about a reconciliation by clearing up those mistakes, and removing those causes of mutual distrust, which had led to such unhappy differences. They besought him to rely with confidence on the wisdom of parliament, and to follow their advice as a means of re-establishing the tranquillity of the kingdom; they acknowledged the obligations they were under to his majesty for the favours he had conferred upon them on his late visit; they expressed their gratitude to the English parliament for the assistance they had given in settling the troubles by which Scotland had been distracted; and implored "the most honourable house, in the depth of their wisdom, to think timeously upon the fairest and fittest ways of composing all present differences, to the glory of God, the good of the Church and State of both kingdoms, and to his majesty's honour and contentment, wherein," they add, "if our faithful endeavours may be any way useful, we shall be most ready at all occasions to contribute the same." But the plan suggested by the Scots for the purpose of averting the horrors of civil war, and composing the differences which had arisen between the king and the parliament, did not meet with his majesty's approval, and he expressed his strong displeasure that they should have thus interfered with public affairs, without first acquainting him in private with their intention.

Proceedings of the Scots.

A crisis was now at hand, which speedily led to an open declaration of hostilities between the king and the commons. The whole tenor of his go-

* Brodie's History of the British Empire, vol. iii. p. 237, *et seq.*

vernment had produced in the parliament a deep distrust of his sincerity, and a conviction that the concessions extorted from him would be resumed on the first favourable opportunity. They felt constrained, therefore, by a regard both to the public welfare, and to their own safety, to abridge those regal powers which the king had hitherto employed to violate the rights and liberties of the nation, and demanded that the command of the militia should, for a time at least, be entrusted to officers possessing the confidence of both houses. "No—not for an hour!" exclaimed the king. Nothing remained, therefore, but an appeal to arms. From the time, indeed, of his majesty's attempt to seize the five members war had clearly been inevitable; and, though negotiations were still carried on between the king and the parliament, both parties were making active preparations for the impending struggle. At length, on the 25th of August, 1642, the royal standard was raised at Nottingham. The first encounter between the two parties in this disastrous contest took place at Edgehill, in Warwickshire, on the 23rd of October, in which above five thousand men fell, and both sides claimed the victory. The war was carried on for some time in a languid and desultory manner. In the interval between the close of the first and the commencement of the second campaign, the two houses sent commissioners to Oxford, where the king had established his head-quarters, with proposals of peace. The terms which they offered were that the militia should be left to the disposal of parliament, and the high officers of State appointed with their approbation; that papists should be disarmed, delinquents brought to trial, episcopacy abolished, and ecclesiastical controversies settled by an assembly of divines. The king, on the other hand, demanded that his towns, forts, ships, and revenues should be restored; the illegal power usurped by parliament disclaimed; the Book of Common Prayer authorised; and a free trade allowed till the treaty was concluded—for the purpose, no doubt, of procuring from the north the supplies and stores which the queen had imported. When their proposals were so widely different, it was evidently impossible to effect any satisfactory arrangement between the hostile parties. An attempt, however, was made by the Scots to mediate between them, but it soon became apparent that though both parties were anxious to obtain their aid, neither wished their intercession.

Commencement of the civil war.

Resumption of negotiations.

At this juncture the Chancellor Loudoun was dispatched by the Scottish council to the king at York, to renew their offer of mediation, but he found his majesty altogether indisposed to listen to any conciliatory advice. Loudoun was speedily sent back to Scotland with instructions to lay before the privy council a full statement of the injuries which the English parliament had inflicted upon the king, and the encroachments which they had made on the royal prerogatives, and to procure from them a declaration in his favour. Accordingly, on the return of the chancellor, a meeting of the privy council was summoned, which was numerously attended, both by the nobles who were attached to the king's party, and by the friends of the parliament. The former expected to carry "some solid and vigorous resolution for re-establishing and maintaining his majesty's authority and royal power," which "had of late suffered detriment and diminution;" but, finding themselves outnumbered, they allowed the proposal to drop, and, at the request of the king, the council resolved not to interfere in the matter.

The Scots offer their mediation.

Shortly after this occurrence, the General Assembly met at St. Andrew's, on the 27th of July, and strenuous efforts were made, both by the king and the parliament, to secure its support. His majesty's letter, which was delivered by Lord Dunfermline, the commissioner, expressed his resolution to govern the people of Scotland "only by their own laws," and the Church "by its own canons and constitutions;" and promised that where anything was amiss it should be reformed "in a fair and orderly way," or where a reformation was settled it should be maintained and defended against all trouble from without, and all heresies, sects, and schisms arising within. The parliament, on the other hand, expressed their sorrow that their labours for a due reformation in the Church and State had been interrupted by the "plots and practices of a malignant party of papists and ill-affected persons, especially the corrupt and dissolute clergy." A letter was at the same time received from some of the English ministers, declaring that it was the earnest desire of "the most godly and considerate part of them, that the presbyterian government, which hath just and evident foundation, both in the Word of God and religious reason, might be established among them, and that they should have one Confession of Faith, one directory of worship, and one form of church government."

Meeting of the General Assembly.

Letter from the king to the parliament.

The assembly caught eagerly at this proposal. They entertained an inveterate antipathy to prelacy, not only on account of the unconstitutional and tyrannical manner in which it had been forced upon the people of Scotland, but because they regarded this system as the great bulwark of despotism, and as the main obstacle in the way of the reformation of religion, the preservation of their own hard-won rights, and of a permanent and cordial union between the two kingdoms. Without a uniformity of ecclesiastical polity, they say, "We cannot hope for any long time to enjoy our purity and peace, which hath cost us so dear, and is now our chiefest comfort and greatest treasure. For what hope can the kingdom and Kirk of Scotland have of a firm and durable peace till prelacy, which hath been

Proposal to establish uniformity of church government.

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the main cause of their miseries and troubles, first and last, be plucked up root and branch as a plant which God hath not planted, and from which no better fruits can be expected than such sour grapes as this day hath set on edge the kingdom of England?"* They accordingly drew up a supplication to his majesty, earnestly entreating him to establish "throughout all his dominions unity in religion and uniformity of church government;" and they appointed Lord Maitland, afterwards the notorious Duke of Lauderdale, the persecutor of the covenanters, to present this supplication to the king, and to carry their answer to the English parliament. They also petitioned the privy council and the conservators of the peace to concur with them in their addresses to the king and the parliament, appointed a fast to implore the Divine blessing upon their exertions, and nominated a commission to sit during the intervals of the meetings of assembly, and to use every effort to promote the important object they had in view.

The king returned an evasive answer to this supplication, but the English parliament, in their reply to the friendly letter of the assembly, expressed their determination to overthrow the prelatical form of church government, as "evil, justly offensive and burdensome, a great impediment to reformation and the growth of religion, and very prejudicial to the kingdom." They cautiously avoided, however, giving any distinct pledge that they would establish one form of church government in all his majesty's dominions; but contented themselves with expressing a hope that they would be so directed as to cast out whatever was offensive to God, or justly displeasing to any neighbouring Church; and they concluded by inviting the Church of Scotland to send some of their learned and godly ministers to the assembly which they had resolved to call for the purpose of reforming the doctrine, worship, and discipline of the Church. The commission received this communication with great satisfaction, and immediately proceeded to choose the delegates, who afterwards met with the assembly of divines at Westminster.

Renewed offer of mediation on the part of the Scots—

Hostilities having now actually commenced between the king and the commons of England, the Scottish privy council, and the commissioners whom the late parliament had appointed for the conservation of the peace, renewed their offers of mediation. After various intrigues, and petitions, and counter petitions to the council, for the purpose of eliciting a declaration in favour of one or other of the hostile parties, commissioners were at length selected to proceed to Oxford, to mediate between the king and the parliament. Their intercession, however, was again declined by his majesty, who probably regarded them as very unlikely to prove impartial umpires. They then requested the royal authority to call a parliament in Scotland, but this was also refused by the king, who assured them that the great mass of the English nation did not desire a change of church government, and that those who did were equally averse to presbytery as to episcopacy, and if they should succeed in abolishing the latter, would certainly not consent to the establishment of the former in its room. The commissioners, after spending nearly four months in a fruitless interchange of remonstrances and answers, finding that their efforts had entirely failed, and that their letters were intercepted, their persons ridiculed, and even threatened by the courtiers, returned home in disgust.*

—rejected by the king.

Immediately on their arrival, a meeting of the privy council, and of the conservators of the peace, was held, and as the king's sanction for the assembling of a parliament could not be obtained, it was resolved to summon a convention of the Estates without his authority. Unable to prevent this meeting, for which several precedents could be pleaded, the king endeavoured to limit its powers to the specific objects of providing supplies for the army in Ireland, and procuring payment of the brotherly assistance, which had been delayed on account of the civil war in England. But the Estates declared themselves a free convention, on which Hamilton, with his brother, the Earl of Lanark, and several other noblemen, protested against the authority of the meeting, and withdrew.

Meeting of the Estates.

Ambassadors from the English parliament had for some time been anxiously expected. Their affairs had now begun to assume an unfavourable aspect. The northern counties had been freed from the parliamentary troops by the queen and the Marquis of Newcastle, who pressed hard upon Lord Fairfax and his son in Yorkshire. The forces of Essex had suffered severely from sickness; the army of Waller in the west was annihilated; and Bristol, then the second city in the kingdom, had been taken by Prince Rupert. In this critical position of affairs, the parliament turned their eyes towards Scotland, and in the beginning of August, 1643, sent Sir William Armyne, Sir Harry Vane the younger, Thomas Hatcher, and Henry Darley, Esqs., with the Rev. Stephen Marshall and Philip Nye, the former a presbyterian, the latter an independent minister, who appeared for the assembly of divines, as commissioners to the convention and the General Assembly, which had met on the 2nd of the month, earnestly to entreat their speedy assistance "in the straits and perplexities of want and danger by which they were surrounded." The arrival of these commissioners at this juncture excited a deep interest throughout the whole community, and they received a cordial welcome from the covenanters. It soon became evident that they were prepared to give the succour which their brethren of England solicited. In vain did the royalists urge the alle-

Critical position of the parliament—

—their application to Scotland for aid—

* Printed Acts of Assembly, 1642, p. 14; Rushworth, vol. v. pp. 388, 390.

* Burnet's Memoirs, p. 216.

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giance which the Scottish nation owed their native king; the favours which he had conferred upon them; his compliance with all their demands; his formal ratification of their rights and privileges; and the clause in the late treaty which provided that neither kingdom should declare war against the other without the previous consent of parliament. In vain did Charles himself privately promise that he would bestow large revenues on the leaders of the covenanters, and confer every third office of emolument or trust upon a Scotchman, if they would declare in his favour, or at least remain neutral in the struggle. The covenanters felt assured that the cause of the English parliament was the cause of justice and freedom. They entertained a profound conviction, founded alike on their knowledge of the character of the king, and observation of his treatment of the Scottish Church and nation, that his recent concessions were insincere, that they were made not from any conviction of their reasonableness or justice, but from necessity, and that they would be revoked the moment this pressure was removed and the English parliament crushed.* On the broad basis, therefore, of self-preservation, they considered themselves justified in making common cause with the commons of England in their efforts to maintain their rights, and to extirpate that system of church government which was the great bulwark of absolute power. "Necessity," said the famous Alexander Henderson, in a speech to the English parliament, September, 1643, "necessity, which hath in it a kind of sovereignty, and is a law above all laws, and, therefore, is said to have no law, doth mightily press the Church and kingdom of Scotland at this time." The northern counties of England were already the seat of war; a Scottish army was, therefore, required to protect the Border districts from the depredations of the hostile parties; and as the poverty of the country must have rendered the maintenance of a large body of troops peculiary burdensome, and the brotherly assistance had been intercepted by the war, neutrality was all but impossible. The commissioners from the English commons pleaded, that by a clause in the treaty of peace made in 1641, the parliament of either country was to send reciprocal assistance to repel invasion, or to suppress internal disturbances; and both inclination and policy induced the covenanters to lend a ready ear to the request of their southern friends, who, after all, were only following the lesson which they had taught them. "If, now," they said, "we forsake them, we forsake our dearest friends, who can best help us should we be reduced to the like straits hereafter by the common adversary; by suffering them to sink, we not only betray their safety, but our own. If we suffer the parliament of England to be cut off, we have lost our peace with England, because after our disappointment, through breach of the declaration at Dunse, we resolved to seek not a present, but a durable peace for ourselves and our posterity. The surest means we could pitch on was to settle our demands by advice of the parliament of England as the best caution and warrant of our peace; but if they be destroyed, and the prelatical faction, the workers of our woe, obtain the power, we may expect war from them and the king ere three months pass; nor will they want pretences. They know all their disappointments have proceeded from Scotland. Resistance to the king they call rebellion and treason, and they have already ventured to assert that the king was not bound to preserve what he had granted us, because by keeping this convention we have first broken with him. So long as our enemies sit at the helm," they go on to say, "so long as the king's council and conduct are governed by those who make him by extra-judicial declarations weaken or destroy whatever is enacted by an assembly or parliament," they could have no security for their liberties; "but, above all," they add, "if the English parliament were put down, what security would they have against such plots as the Irish, and those lately detected?"

—it is granted by the convention.

The statement respecting the Irish plots refers to the discovery of a dangerous intrigue, concocted by the Earl of Antrim, for the purpose of inducing General Munro, the commander of a strong force which the Scottish parliament had sent to the assistance of the Irish Protestants, to betray his trust, and to transfer his troops to England to the assistance of the king.* The plot was brought to light by the apprehension of the earl, and the seizure of his papers, among which were found a plan for the seduction of the Scottish army, and a commission from the king to treat with the Irish rebels. The alarm which this discovery excited contributed not a little to promote the union between the English parliament and the Scottish covenanters.

Formation of the Solemn League and Covenant:—

It was at first proposed by the English commissioners that there should be merely a civil league between the kingdoms, for the purpose of securing mutual support against the common enemy, but the assembly urged that there should be a religious union for the abolition of prelacy, and the establishment of uniformity in religion throughout both countries. This proposal was ultimately agreed to, and the covenant was renewed under the title of the Solemn League and Covenant, and embraced by England as well as Scotland. This famous document consisted in an oath, to be subscribed by all persons in both kingdoms, whereby they bound themselves to preserve the reformed religion in the Church of Scotland, in doctrine, worship, discipline and government, and to promote its reformation according to the Word of God and the example of the best reformed Churches, and to endeavour to bring the Churches of God in the three kingdoms to the

* Clarendon, vol. ii. p. 65; vol. v. pp. 113—114.

* Burnet's Memoirs, 212—235; History, vol. i. p. 47; Baillie, vol. i.

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nearest conjunction and uniformity in religion, confession of faith, form of church government, directory for worship, and catechising—to endeavour, without respect of persons, the extirpation of popery, prelacy (that is, church government by archbishops, bishops, their chancellors and commissaries, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy), and whatsoever shall be found contrary to sound doctrine and the power of godliness—to preserve the rights and privileges of the parliaments, and the liberties of the kingdoms, and the king's person and authority in the preservation and defence of the true religion and liberties of the kingdoms—to endeavour the discovery of incendiaries and malignants, who hinder the reformation of religion, and divide the king from his people, that they may be brought to punishment—to endeavour to preserve to all posterity a firm peace and union between the two kingdoms; finally, to assist and defend all such as should enter into this covenant, and not suffer themselves to be withdrawn from it, whether to revolt to the opposite party or to give in to a detestable indifference or neutrality.*

The covenant, which was drawn up by Henderson, was adopted by the assembly with remarkable unanimity and cordiality. "It was so heartily embraced," says an eye-witness, "and with such a torrent of affectionate expressions as none but eye and ear-witnesses can conceive. When the vote of some old ministers was asked their joy was so great that tears did interrupt their expressions."†

—ratified by the English parliament.

It was immediately presented to the convention of Estates, by whom it was received and ratified with the same cordiality. It was then transmitted to London by commissioners appointed for the purpose; and on the 25th of September it was solemnly confirmed and sworn by the lords and commons, and the assembly of divines in St. Margaret's Church, Westminster.‡ Having been thus adopted by the English parliament, and ordered to be subscribed by the nation, the solemn league was sent back to Edinburgh, where it was ordained by the commission of the Church and the committee of Estates to be sworn and subscribed throughout the kingdom, and the recusants were threatened both with ecclesiastical censures and civil penalties, as enemies to religion, his majesty's honour, and the peace of these kingdoms.

It has been frequently asserted that the independents overreached the Scottish clergy in the framing of the solemn league, by procuring the insertion of the clause which binds them to reform the Church of England "according to the Word of God and the example of the best reformed Churches," and that this equivocal clause, which was introduced by the dexterity of Sir Harry Vane, completely blinded the presbyterians, who, assuming their own to be the purest Church, never doubted that it was intended to serve as a model for England; while some, at least, of the English commissioners tacitly reserved the right of explaining the clause in a sense applicable to their own ideas of church government. The independents, however, could not allege that any of the reformed Churches were at this time constituted in accordance with their principles; and the covenanters, though they certainly regarded presbytery as the system most agreeable to the Word of God, and to the example of the best reformed Churches, were far from insisting that their Church should be the only model followed in the reformation of the Church of England. They entertained the hope, indeed, in entering into this league, that the blessings of a purer worship and more scriptural form of polity which they enjoyed might be extended also to England, but they never supposed that the Scottish form of church government would be adopted by their brethren in the south, without some alteration suited to their circumstances. "We are not to conceive," says Henderson, in a letter dated 1642, "that they will embrace our form. A new form must be set down for us all. And although we should never come to this unity in religion and uniformity of worship, yet my desire is to see what form England shall pitch upon before we publish ours."*

Allegation that the covenanters were overreached by the independents.

Having entered into this treaty of alliance, the covenanters lost no time in adopting vigorous measures to carry it into effect. On the 24th of August the convention issued a proclamation in the king's name, ordering all "the fencible men" of the kingdom, from sixteen to sixty, to provide themselves with forty days' provision, and with ammunition and arms, and to be in readiness to repair to the place of rendezvous appointed by the Estates. The call was so cordially responded to by the country, that before the close of the year, a well-disciplined army of upwards twenty thousand men was assembled on the Borders, under the command of Alexander Leslie, Earl of Leven. An experienced officer, named William Baillie, was appointed his lieutenant, and David Leslie major-general. The Earl of Leven was severely blamed for having accepted the command of the army on this occasion, after having promised the king that he would not again take up arms against him; but he alleged, in his own vindication, that his promise was given "with the express and necessary condition that religion and the country's right were not in hazard."† The Scottish generals were to be

An army levied by the covenanters—

* Aikman, vol. iv. p. 118—121; Hallam's Con. Hist., chap. x.

† Memoirs of the Life of Blair, p. 98.

‡ "The manner of taking of it was this—The covenant was read [article by article], and then notice was given that each person, by immediately swearing thereunto, worship the great name of God, and testify so much outwardly by lifting up their hands, and then they went up into the chancel, and there subscribed their names in a roll of parchment in which the covenant was fairly written."—*Rushworth*, vol. v. p. 475.

* Baillie's Letters; M'Crie's Sketches of Church History, vol. i. p. 284.

† Baillie's Letters, vol. i. p. 392.

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subjected to the orders of a committee in both kingdoms. The pay of the army was fixed at thirty pounds a month. It was stipulated that no separate peace should be made by either kingdom—that the auxiliaries should not be employed for any other purpose than that for which they had entered England, and that they should evacuate the country at the close of the war.

—manifesto issued by them.

Before crossing the Border, the convention published a manifesto to explain the object for which they had taken up arms. After adverting to the attempts which had been made against their own religion and liberties, and to the machinations of their enemies—"the papists, prelates, and malignants" in England and Ireland—they notice their ineffectual efforts to mediate between the king and the parliament, and vindicate the solemn league and covenant, as "the best and most effectual means for preserving religion and both kingdoms from utter ruin and destruction." "The question is not," they say, "whether we may propagate our religion by arms, but whether according to our power we ought to assist our brethren in England, who are calling for our help, and are shedding their blood in defence of that power without which religion can neither be defended nor reformed, nor uniformity of religion with us and other reformed Kirks be attained. Neither," they add, "is the question whether we should enter England and lift our arms against our own king, but whether we be not bound to provide for our own preservation;" and they urge as a conclusive argument for their interference, the fact that his majesty had concluded a truce with the Irish rebels, and was about to call in the assistance of these savage miscreants so deeply stained with the blood of their protestant countrymen.

Counter manifesto of the king.

The king, in reply, issued a counter manifesto, recapitulating the acts of "princely grace and fatherly indulgence" which he had shown to the kingdom of Scotland, and representing the recent proceedings of the Scotch as the work of a few factious spirits, and the invasion of England as an express violation of the treaty of peace between the two kingdoms. He declared that as he had been compelled to take arms for the defence of his person, family, and crown—for the religion, laws, and liberties of the kingdom—for the maintenance of the privileges and being of parliament,* which he should always hold in high value and estimation; so he should use and employ these arms to no other end than the security of all these, and should never suffer himself to be tempted by any success or victory to infringe the laws of the one, or violate the laws of the other country. But if, after all this, they should still persist in entering England, then he doubts not but the hearts of all true Englishmen will rise with indignation at the unheard-of insolence, and easily conclude that neither conscience nor brotherly affection engages them in this ungodly errand, but a hope and resolution to make a conquest by the help of their civil dissensions, and to inhabit their fruitful and most pleasant places."

Meeting of the Westminster assembly—

Meanwhile, the famous Westminster assembly, convened by authority of the two houses of parliament, had met on the 1st of July, to settle the government and liturgy of the Church of England. It was to consist of one hundred and twenty divines with thirty lay assessors, of whom ten were lords and twenty commoners. The Scottish Church was represented by the Rev. Alexander Henderson, Samuel Rutherford, George Gillespie, and Robert Baillie, with the Earl of Cassillis, Lord Maitland, and Archibald Johnston of Warriston, elders. "A convocation of more grave, judicious, and learned divines," it has been justly said, "was never perhaps collected in Christendom. Their theological writings, which still continue to be standard works, amply confirm this commendation; and, above all, the "Westminster Standards," as presbyterians have denominated the Confession of Faith, Larger and Shorter Catechisms, and other formularies of the Church of Scotland, which were the result of their labours, would be alone sufficient to entitle their memory to the veneration and respect of all who love the truth."* Of the hundred and twenty divines summoned, sixty-nine assembled in Henry the Seventh's Chapel on the first day of meeting, but among these were only a few of the episcopal divines who had been summoned, and even these speedily withdrew, assigning as their reason for withdrawing, "that the assembly was forbidden by the king's proclamation; that they were not chosen by the clergy, and therefore could not represent them; that the clergy and laity were mixed together, and that their apparent design was to pull down the hierarchy."

—parties into which it was divided.

There was little or no difference of opinion among the members respecting doctrinal points; they were generally agreed in holding the creed usually termed Calvinistic, but they were divided respecting the thorny question of church government. After the secession of the episcopalians, the assembly was composed of three distinct parties—the presbyterians, Erastians, and independents. The great majority were in favour of the presbyterian system, which they regarded as of divine appointment. The Erastians—who derived their designation from Erastus, a German physician of the preceding century—maintained that the Church possesses no inherent legislative power of any kind, but both in its form and discipline is in all respects the mere

* It is curious to notice that the king professed to take up arms for the liberties of the parliament, while the covenanters declared that, "though through the injury of mischievous councils, both his majesty's person and personal commands were withheld, yet his honour, his happiness, posterity, his great council, and the welfare of his kingdom, called importunely to them for this timely interposing." It has been justly remarked that these forms of expression originated from the mixed form of the government of both kingdoms.

* M'Crie's Sketches, vol. i. p. 285.

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creature of the civil magistrate, and is entirely dependent on him, in the exercise of his judicial authority, and that he alone possesses the power to inflict any censure, religious or civil. Selden, Whitelock, Oliver St. John, and other eminent laymen were of this party. The independents were a very small body, consisting of the following ministers—Goodwin, Nye, Simpson, Burroughes, Bridge, Greenhill, and Carter; but they were eminent for their learning and their talent for public speaking and debate. They maintained that every particular congregation of Christians has an entire and complete jurisdiction over its members, to be executed by the elders of the congregation, without any superiority or control of church courts; and strenuously opposed the establishment of a presbyterial government. Besides these parties, there were some—probably a considerable number—of the members, such as Arrowsmith, Burgess, and Gataker, who at the outset were inclined towards a limited episcopacy, such as that which was proposed by Archbishop Usher, or perhaps rather some such a combination of episcopacy and presbytery as had been established by Knox, and the other early Scottish reformers, in which bishops without any secular rank or authority should be associated with a system of diocesan and provincial church courts. But this party ultimately adopted the presbyterian theory, and united with the Scottish commissioners in pressing its adoption on the assembly and the parliament.

Protracted debates respecting church government.

A directory for public worship, instead of the liturgy, was speedily drawn up by the assembly, and was sanctioned by the parliament on the 3rd of January, 1645, and enforced by heavy fines; but when the form of discipline and government for the Church of England came on for discussion, many keen and protracted debates took place. Many days were spent on the question of ruling elders—an important peculiarity of the presbyterian system; but in spite of "the great learning, quickness, and eloquence, together with the great courtesy and discretion" of the independents, the assembly declared that "Christ hath furnished some in his Church besides the ministers of the Word with gifts for government, and with commission to execute the same when called thereunto, who are to join with the minister in the government of the Church."* "On no other point," says Baillie, "expect we so much difficulty, except alone on independency, wherewith we purpose not to meddle in haste till it please God to advance our army, which we expect will much assist our arguments."† No less than three weeks were occupied in debating the point of sitting at a communion table. "The unhappy independents," says Baillie, "would mangle that sacrament. No catechising nor preparation before; no thanksgiving after; no sacramental doctrine or chapters in the day of celebration; no coming up to any table; but a carrying of the elements to all in their seats athort the church: yet all this, with God's help, we have carried over them to our practice. We must dispute every inch of ground. Great need had we of the prayers of all God's people."*

The main trial of strength, however, took place on the question of the divine right of presbytery, which was debated for thirty days. The presbyterians and independents agreed that there was a form of church government laid down by divine institution in the New Testament, but they differed as to what that form of government was—the former insisting on the divine right of presbytery, the latter maintaining that every congregation possessed complete authority over its own members. The Erastians, on the other hand, while admitting that many congregations may, and ought to be, under one presbytery, denied that any form of church government was of divine appointment, and affirmed that the Scripture merely enjoined in general terms that all things should be done decently and in order. In the end the assembly, by an overwhelming majority, declared sessions, presbyteries, synods, and assemblies to be of divine authority.†

The divine right of presbytery affirmed.

Question of toleration—

A long and keen discussion took place between the presbyterians and independents, on the question of tolerating Churches that dissented from the presbyterial model. The former, alarmed at the propagation of the most monstrous heresies, and the rapid and unprecedented growth of sects of every conceivable grade,—from papists down to fifth-monarchy men and ranters,—implored the parliament to endeavour to arrest their progress by the adoption of coercive measures, while the latter pleaded for liberty of conscience to what they called the "fundamentals" of religion. Others, however, among whom were Vane and Cromwell, went further, and insisted on full toleration to all sects, "even Turks, Jews, and papists." "It is the will and command of God," they affirmed, "that since the coming of his Son a permission of the most paganish, Jewish, Turkish, or antichristian consciences and worships be granted to all men in all nations." The more moderate of the presbyterians contented themselves with protesting against the government giving a positive sanction to heresy and schism by the enactment of a formal law of toleration; but the extreme party condemned the doctrine of toleration itself in no measured terms, and denounced the claim of the independents—that uniformity ought to be urged no farther than is agreeable to all men's consciences, and to their edification—as inconsistent with the covenant which they had solemnly sworn to maintain. The majority of the assembly declared against toleration, but the parliament firmly re-

—condemned by the assembly.

* Confession of Faith; Form of Presbyterial Church Government.

† Baillie's Letters.

* Baillie's Letters, vol. ii. p. 195.

† Ibid., pp. 27, 33, 172; Stevenson, vol. iii. pp. 1134—1145.

fused to grant them the power to enforce their principles by the sword. It is only fair to state that whatever may be thought of the principles of the presbyterians on the subject of toleration, it is undeniable that their practice when in power was marked by the most exemplary forbearance. "As for the Church of Scotland," says Baillie, "that it did ever intermeddle to trouble any in their goods, liberties, or persons, it is very false. What civil penalties the parliament of a kingdom thinks meet to inflict upon those who are refractory and unamenable by the censure of a Church, the State from whom alone these punishments do come is answerable, and not the Church. That excommunication is inflicted on those who cannot assent to every point of religion determined in their confession, there is nothing more untrue; for we know it well, that never any person in Scotland was excommunicate only for his difference of opinion in a theological tenet. Excommunication there is a very dreadful sentence, and, therefore, very rare. These last forty years, as far as I have either seen or heard, there has none at all been excommunicated in Scotland but some few trafficking papists, and some very few notorious flagitious persons, and five or six of you (the prelates) for your obstinate impenitence after your overturning the foundations both of our Church and State."*

The power of the keys.

Another ground of jealousy between the parliament and the presbyterian party was the question respecting what was termed the "power of the keys," in other words, the power of administering the discipline of the Church, of keeping back unworthy persons from the ordinances of baptism and the Lord's Supper. The presbyterians maintained that the power of admonition, suspension, and excommunication belonged to the eldership or presbytery; the independents claimed the power for every particular congregation; while the parliament, under the guidance of the Erastians, insisted on retaining in their own hands the supreme power in ecclesiastical matters. "In the assembly," says Baillie, "we are fallen on a faschious† proposition, that has kept us divers days to oppose the Erastian heresy, which in this land is very strong, especially among the lawyers. We find it necessary to say that Christ in the New Testament has instituted a church government distinct from the civil, to be exercised by the officers of the Church without commission from the magistrate. Albeit, we fear the houses, when it comes to them, will scrape it out of the confession, for this point is their idol. The pope and king were never more earnest for the headship of the Church than the plurality of this parliament." In another letter, he says the assembly "at last framed a most zealous, clear, and peremptory paper, wherein they held out plainly the Church's divine right to keep off from the sacrament all who were scandalous; and if they cannot obtain the free exercise of that power which Christ hath given them, they will lay down their charges, and will rather choose all afflictions than to sin by profaning the holy table."* In spite of these earnest and well-founded remonstrances, the parliament reserved to itself the final authority in ecclesiastical offences, and allowed an appeal from the decisions of the church courts either to parliament or to commissioners appointed by it.†

Presbytery established by the parliament.

In 1646 the parliament, in compliance with the strenuous exhortations of the Scottish Church, and of the Westminster assembly, supported by petitions from various parts of England, partially established the presbyterian form of church government, by way of experiment,—the preamble of the act declaring "that if upon trial it was not found acceptable, it should be reversed or amended." Ultimately, however, it was declared, without qualification, that presbytery should be the established religion, and the Church was divided into provinces, each of which was to hold a provincial assembly or synod composed of representatives from the several presbyteries or classes, as they were called, within the district, the supreme court being a national assembly formed of deputies from the various provincial assemblies. This arrangement, however, was carried fully into effect only in London and Lancashire; in other parts of the kingdom the ministers held meetings for Church affairs, but without any legal authority or jurisdiction.

Directory, confession, and catechisms prepared—

After the settlement of the vexed question of church government, the assembly proceeded to frame a Directory for Worship, a Confession of Faith, and the Larger Catechism for exposition and the pulpit, and the Shorter Catechism for the instruction of children, which, though they cost much labour, excited comparatively little controversy. The first draught of the Confession was prepared chiefly by the Scottish commissioners. The Shorter Catechism it is generally believed was drawn up by Dr. Arrowsmith, "a holy and learned divine; firm and zealous in his attachment to the cause of Christ, from which no worldly allurements would shake his faith or move his confidence."‡ The Catechisms and the doctrinal part of the Confession of Faith were approved of by the English parliament, but those portions which related to discipline were rejected.§ The Scottish commissioners had now been absent from their own country upwards of four years, which had been spent in incessant labours. The chief burden of the public discussions in the assembly fell upon them; and after the labours of the day they were frequently engaged till midnight on committees, or in writing letters and pamphlets. They often pleaded that they might be allowed to return to the discharge of their ministerial duties in their own quiet

* Baillie's Historical Vindication of the Church of Scotland, p. 58; M'Crie's Sketches, vol. i. p. 307.
† Troublesome.

* Baillie's Letters, vol. ii. pp. 150, 195.
† Rushworth, vol. i. p. 211; Stevenson, vol. iii. p. 1152.
‡ Brook's Lives of the Puritans, vol. iii. p. 317.
§ The fourth paragraph of chapter xx. and chapters xxx. and xxxi.

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parishes, but duty to the cause of religion and to their country kept them at their post. "Many a perplexed night have we of it," says Baillie in his homely style; "if our neighbours at Edinburgh tasted the sauce wherein we dip our venison, their teeth would not water so fast to be here as some of them do." On their return home, after the termination of their labours at Westminster, the Confession of Faith, the Larger and Shorter Catechisms, Propositions for church government, and the Directory for public worship, were received, approved, and ratified by the General Assembly,* and afterwards by the Estates in parliament, and still constitute the authorised formularies of the Established Church of Scotland, as well as of the other presbyterian bodies of that country.

—ratified by the Scottish assembly and parliament.

It is time now to return to the proceedings of the Scottish convention, who followed up with such ardour their resolution to support the English parliament, that by the middle of January, 1644, they assembled in the neighbourhood of Berwick a force of eighteen thousand foot and three thousand five hundred horse. On the 19th they crossed the Tweed during a severe frost and deep snow, and advanced without opposition through roads almost impassable to the banks of the Tyne. Newcastle was summoned to surrender, but the town was well fortified and garrisoned, and, finding they could make no impression upon it, they crossed the river and marched upon Sunderland. Their motions were watched by the Marquis of Newcastle at the head of an army of fourteen thousand men; but as they were advantageously posted he did not venture to attack them. They suffered severely, however, from the want of provisions; three of the five vessels which had been sent from Scotland to supply them having been shipwrecked, and the other two, driven by stress of weather into the Tyne, were seized by the enemy. Leslie was, therefore, obliged to lie inactive between Sunderland and Durham, waiting for the co-operation of a parliamentary army, or a sufficient supply of provisions to enable him to advance into the country.

The Scottish army cross the Borders.

Meanwhile, the royalists had met with severe reverses in other parts of the kingdom. In consequence of the cessation of arms which the king had concluded with the Irish rebels, he had recalled a considerable part of the troops, which had been sent to Ireland for the purpose of crushing the rebellion, to aid him in his contest with the parliament. A large body of native Irish had been introduced into their ranks, and began to practise the same cruelties and disorders to which they had been accustomed in their own country. They landed in North Wales, and enrolling themselves under Lord Byron, the royalist governor of Chester, enabled him to resume the offensive, and to gain several advantages over the parliamentarians. But about six weeks after their arrival, while engaged in the siege of Nantwich, they were attacked (January 25th) by Sir Thomas Fairfax, and completely overthrown. Two hundred were killed, fifteen hundred taken prisoners; and thus the Irish auxiliaries, whose accession had alienated not a few of the king's friends, were entirely dispersed. Returning from Cheshire with his victorious forces, Fairfax effected a junction with his father, and attacked and totally defeated Bellasis at Selby, in Yorkshire, and took him prisoner, with fifteen hundred of his men, together with all their baggage and military stores.

Disasters of the royalists.

On receiving intelligence of these disasters, the Marquis of Newcastle collected all the forces that could be spared out of the northern garrisons, and returned with all haste to York, closely followed and harassed on his march by the Scottish army. Fairfax and Leven, uniting their forces at Tadcaster, proceeded to York, which they immediately invested. The Earl of Manchester, at the head of fourteen thousand men, with Oliver Cromwell as his lieutenant-general, was sent northward to co-operate in the siege of that important town, which was now closely environed, and, though vigorously defended by Newcastle, was reduced to great extremity. Prince Rupert, however, hastened to its relief at the head of a powerful army, and with a numerous and well-appointed cavalry. On his approach the three generals—Manchester, Leven, and Fairfax—abandoned the siege; and, on the last day of June, drew up in order of battle on Marston Moor, on the banks of the Ouse, about five miles to the south-west of the city. By a dextrous manœuvre the prince deceived the enemy as to his movements, and, crossing the river, threw a supply of military stores and provisions into the city, and united his forces with those of Newcastle. Having effected this important object, he was earnestly entreated by the marquis to wait the arrival of reinforcements, which were daily expected from the north, and the issue of the dissensions which were known to exist in the enemy's camp. But the hot-headed, imperious prince rejected this prudent advice, and gave orders for battle next day, July 2nd. The parliamentary armies had already begun to retire to Tadcaster, when they were recalled by the appearance of the royalist cavalry on the moor. The greater part of the day was spent in manœuvring and making preparations for the engagement, and for some time the two armies, containing nearly fifty thousand men stood fronting each other in silent and awful suspense. At length, about seven o'clock in the evening, the signal was given. The left wing of the parliamentary army, under Cromwell and David Leslie, charged the right wing of the royalists with great fury, and, after a fierce struggle, drove them from the field in irretrievable disorder. The Marquis of Newcastle's regiment, composed of his

Siege of York.

Battle of Marston Moor—

* An exception was made in regard to that portion of chapter xxxi., which ascribes to the magistrate authority to call assemblies. It was declared that this was to be understood "only of Churches not settled in point of government."

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own tenants and retainers, alone stood firm, and after a desperate resistance was cut to pieces on the spot. But, on the other hand, the right wing of the parliamentarians, commanded by Sir Thomas Fairfax and the old Earl of Leven, was overpowered by the fiery charge of Prince Rupert and his cavalry, and, breaking their ranks, trode down the Scottish reserves, and fled from the field in the direction of Tadcaster, spreading in their flight the news of a total defeat. Each victorious wing then wheeled round upon its own centre, right and left, and were not a little surprised to find "that they must fight it over again for that victory which each thought they had already gained." The encounter was dreadful, and, for a time, the issue was doubtful. Cromwell received a wound in the neck, and his famous regiment of Ironsides, in consequence, wavered for a moment; but, backed by some reserves of horse and foot, and by David Leslie's three regiments of cavalry, they rallied with renewed fury, and at ten o'clock at night swept the royalists from the field with great slaughter. Three thousand of the vanquished were slain, and fifteen hundred prisoners, including about a hundred officers, together with their artillery, ammunition, and baggage, and a hundred colours, among which was the prince's own standard, fell into the hands of the conquerors.

—and total rout of the royal army.

The battle of Marston Moor may be regarded as the crisis of the civil war. It gave the parliament the command of the entire north. Next day the Marquis of Newcastle quitted the country in disgust, and fled to the Continent. Prince Rupert, with the shattered remains of his army, retired into Lancashire. York surrendered on the 16th of July, and the Scots soon afterwards took Newcastle by storm. These severe blows to the royal cause were somewhat counterbalanced by an advantage which the king gained over Waller at Copredy Bridge, and still more by the surrender of Essex's forces at Fowey, in Cornwall, which took place on the 1st of September. Essex himself, with Lord Roberts, Sir John Merrick, and other officers, fled to Plymouth by sea; the cavalry, under Sir William Balfour, broke through the royal lines, and, aided partly by the darkness of the night, partly by the disgraceful misconduct of Goring, succeeded in making their escape; but the infantry surrendered on honourable terms. All their artillery and ammunition, consisting of forty pieces of ordnance, about a thousand stand of arms, and two hundred barrels of gunpowder, fell into the king's hands; but the men were allowed to march out with their colours, the officers to wear their swords, and to be accompanied by their servants, horses, and baggage. By a strange oversight, no stipulation was made that they should not bear arms against the king within a limited time, and in the course of a few weeks they were armed and equipped anew, and reorganised under a new leader, the Earl of Manchester. On the 27th of October the royalists were worsted in a second battle fought at Newbury, but their honour was retrieved by his majesty's successful retreat from Donnington Castle, which terminated the campaign of 1644.

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CHAPTER XLIX.

CHARLES THE FIRST.

1644—1647.

Early career of Montrose—

At this critical period, when the affairs of the king seemed at the lowest ebb, a succession of brilliant exploits on the part of the Earl of Montrose once more raised the hopes of the unhappy monarch, and promised to retrieve his almost desperate fortunes. This young and high-spirited nobleman, as we have seen, had at the commencement of these commotions embraced the cause of the covenanters, and had been sent to chastise the prelatic town of Aberdeen—"that unnatural town," as Baillie terms it—and to disperse the Gordons, who had taken up arms for the king. He was the first man who forded the Tweed, at the head of his own battalion, when the Scottish army entered England in 1640, and a few days after routed the vanguard of the English cavalry at Newburn, on the Tyne. Like Falkland, Hyde, and other moderate reformers in the English parliament, Montrose, however, soon became dissatisfied with the proceedings of his more extreme associates; and partly from an apprehension that the final views of the covenanters were inconsistent with the rights and just authority of the sovereign, and partly also from resentment on account of the preference shown by the party to the Marquis of Argyll, the hereditary rival of his family, he espoused the cause of the king. "Montrose," says Clarendon, "had always a great emulation or rather a great contempt of the Marquis of Argyll, as he was too apt to contemn those he did not love;" and again, "the people looked upon them both as young men of unlimited ambition, and used to say that they were like Cæsar and Pompey—the one would endure no superior, and the other would have no equal." Baillie alleges that Montrose expected to be appointed commander-in-chief of the Scottish covenanting forces, and was mortified to see that office bestowed upon Alexander Leslie. The first advances were made

—he is gained over by the king—

by the king in July, 1639, when his majesty summoned several of the leading Scottish nobles, among whom was Montrose, to attend him at Berwick. But no decided step appears to have been taken by the earl in favour of the royal cause until July, 1640, when the covenanting army was encamped on Dunse Law. At this period, according to Montrose's judicial deposition, a bond was privately offered for his signature, proposing that some person should be appointed captain-general of the country north of the Forth, and implying that this person should be the Earl of Argyll. Montrose declared that he would rather die than subscribe such a bond, and indignant at this proposal he immediately proceeded to Cumbernauld House, the seat of the Earl of Wigton, where he met by appointment the Earls of Marischal, Home, Atholl, Mar, and other influential noblemen, including Lord Almond, who was second in command of Leslie's army. After consultation a bond was prepared and subscribed, acknowledging their obligation to "that covenant already signed," but stipulating for their mutual aid and defence in case of need, that, "in as far as may consist with the good and weal of the public, every one of us shall join and adhere to each other, and their interests, against all persons and causes whatsoever. After the return of the covenanting army to Scotland this bond was discovered by Argyll, and immediately denounced before the committee at Edinburgh. The subscribers, according to Guthrie, "acknowledged the bond, and gave their reasons why they had joined in it—all which were rejected by the committee, and they declared censurable." Ultimately, however, the committee agreed to rest satisfied with the surrender and formal renunciation of the bond. But shortly after, in the spring of 1641, some conferences which Montrose had held with two influential clergymen in his own neighbourhood, respecting the conduct of the leading covenanters, were made known to the committee of Estates. The earl was immediately summoned, and several times examined before them, when he openly acknowledged, and resolutely adhered to, the statements that he had made. There

—signs the Cumbernauld bond.

His defence of this step.

were four circumstances, he said, which had induced him to frame the Cumbernauld bond:—"First there was the intention to create a dictator, and, although I did not implicitly rely upon the evidence offered me of that, yet I considered it incumbent on me to think of all means to prevent it. My next reason was, that I heard of various bonds pressed upon the country of different tenors, indeed, but all intended to tie the subjects in subjection to particular persons. My third reason was, because of an intention to canton the country. And my fourth reason was, a discourse related to me to this effect, that, at the sitting of the parliament in June last, it was intended to depose the king, and that, although the matter was then postponed, it would be the first act of the ensuing session. Moreover, my relator added that it was said to have been resolved by lawyers and divines that there were grounds in law for such a measure: to wit, selling, deserting, or invading the country." Montrose was then asked whether he had named the Earl of Argyll. "I did name the Earl of Argyll," he replied; "I named Argyll as the man who was to rule be-north Forth, and as the man who discoursed of deposing the king. I am not the author or inventor of these things. I will lay it down at the right door. John Stewart of Ladywell, commissary of the consistorial court of Dunkeld, was produced by Montrose as the author of the report that the statement referred to had been made by Argyll at the ford of Lyon, in the presence of the Earl of Atholl, and several gentlemen of that district. The truth of the report was vehemently denied by Argyll, and

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was subsequently retracted by Stewart, who was ultimately arraigned and convicted on the old and sanguinary statutes against leasing-making.

Execution of Stewart of Ladywell.

The supplication of the unhappy man for mercy was inhumanly rejected on the plea, that if his life were spared it would have been given out that his confession had been procured by the undue practices of Argyll, and he was accordingly executed on the 28th of July.*

While this case was under consideration, the

Discovery of a secret correspondence between the king and Montrose.

messenger by whom Stewart's information had been secretly transmitted to the king was intercepted on his return, and searched by Argyll and his associates. A letter from his majesty to Montrose was discovered in the pannel of this messenger's saddle, and in his pockets were found some obscure documents in cipher, which he alleged were written in the presence and by the desire of Montrose, Lord Napier, and Stirling of Keir; and that their object was to induce the king to visit Scotland, and bestow upon them the vacant offices of estate. This story was denied by Montrose and his friends, as well as by the king himself, and does not seem entitled to

Montrose is imprisoned—

much credit. But the committee were evidently alarmed by these proceedings, and immediately sent the earl and his three friends—Napier, Stirling, and Stewart of Blackhall—to the Castle of Edinburgh as state prisoners.†

Two months after this, the king's promised visit to Scotland took place, but so low had his power sunk at this period, that his efforts to obtain the immediate release of Montrose and his friends were entirely unsuccessful.‡ Only the day but one before his return to England (November 16), he so far prevailed as to obtain that Montrose and his

—his release—

friends should be set free, on caution "that from henceforth they carry themselves soberly and discreetly;" his majesty on his part promising, as the price of their release, that he would not employ any of them in offices of court or state without the consent of parliament, nor grant them access to his person."§

On the termination of the proceedings against

—offers his services to the king—

him, Montrose withdrew to one or other of his country houses, where he spent several months in retirement. But in May, 1642, attended by his nephew, Stirling of Keir, and Lord Ogilvie, he rode to York, then the residence of the king, apparently for the purpose of holding some communication with his majesty. Charles, however, in accordance with his recent promise, forbade their approach to him nearer than one post; "but," says Spalding, "it was thought that they had conference with some of the king's servants, wherewith they were content, and so returned home again." To soften this repulse, his majesty took care to inform the earl that he still retained the royal favour and friendship: "I know," he says in a letter dated 7th of May, "I need no arguments to induce you to my service: duty and loyalty are sufficient to a man of so much honour as I know you to be. Yet, as I think this of you, so will I have you to believe of me that I would not invite you to a share of my hard fortune if I intend you not to be a plentiful partaker of my good."

After the breaking out of the civil war in England, Montrose resolved to

—renewal of the offer.

make another attempt to induce the king to follow his council in regard to the management of affairs in Scotland, and to throw aside the timorous and trimming policy of Hamilton. In February, 1643, having learned that the queen was at Burlington, on her return from Holland, he waited upon her majesty, and laid before her his opinion respecting the course to be followed at this critical juncture. The conference was continued at York, where they were joined by Hamilton. Great, and as it proved, well-founded apprehensions were entertained that the Scottish covenanters would make common cause with the parliament of England. "What is to be done," inquired the queen, "to prevent this result?"—"Resist," exclaimed Montrose, "resist force with force. The king has loyal subjects in Scotland; they have wealth, and influence, and hearts stout and true; they want but the king's countenance and commission. The only danger is delay. If the army of the covenant be allowed to make head, loyalty will be overwhelmed. The rebellious cockatrice must be bruised in the egg; physic is too late when the disease has overrun the body." But Hamilton recommended a cautious and temporising policy. "That stout and warlike nation," said he, "is not to be reduced by force of arms, but with gentleness and courtesies. Civil war is a thing to be avoided by all means. It would be a sorry triumph should the king succeed, and my soul abhors to speak the consequences if he fail. Let there be peace by all means. Nor ought the king yet to despair of amity with Scotland. If his majesty will invest me with sufficient authority, and trust the conduct of affairs to me, I will take their settlement upon my own responsibility."—"I see," replied Montrose, "what the end of this will be: the traitors will be allowed time to raise their armies, and all will be lost."* When the case was referred to the king, who was then negotiating at Oxford, he approved of the pro-

* Montrose and the Covenanters, by Mark Napier, Esq., vol. i. pp. 469—495.

† Life and Times of Montrose, by Mark Napier, Esq., p. 181.

‡ The story that Montrose came privately to the king, and offered to assassinate Hamilton and Argyll, is totally unworthy of credit. There can be little doubt, however, that the earl did in some way convey information to his majesty respecting the practices and designs of these nobles, and that he laboured to convince the king that "Hamilton was no less faulty and false towards his majesty than Argyll." (See Life and Times of Montrose, p. 220, and Memorials of Montrose and his Times, vol. ii. pp. 2—16, published by the Maitland Club.)

§ MS. Parliamentary Record, quoted in the Life and Times of Montrose, p. 210.

* Life and Times of Montrose, p. 229.

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posals of Hamilton, and conferring a dukedom on that noble as a mark of his confidence, sent him back to Scotland with large powers. Montrose, disappointed in his expectations, and weighed down by sad forebodings, returned once more to his estates.

Trimming policy of Hamilton.

The policy recommended by Hamilton proved completely unsuccessful. The Scottish covenanters, as we have seen, were induced to declare in favour of the parliament of England, and to send to their assistance a powerful army, which speedily turned the scale in their favour. The unfavourable reception which Montrose had met with at York was known to the leading covenanters, and they seem to have thought it likely to alienate him from the royal cause, and to render him more favourable to their views. Attempts were accordingly made to draw him once more into their party; and it was intimated to him that his debts would be discharged, and a command in the army bestowed upon him, second only to Lord Leven's. Whether or not Montrose wavered in his attachment to the king at this juncture cannot now be ascertained. His friends undoubtedly entertained suspicions of his fidelity, for Lord Nithsdale, in a letter to the queen, of date May 8th, says, "I am not altogether desperate of Montrose; but say he were changed, I am in good hope you will not lack well-affected subjects in Scotland to prosecute that point we resolved on."* About the middle of June, Montrose, at his own desire, obtained an interview with the celebrated Alexander Henderson, moderator of the General Assembly, and Sir James Rollock, the brother-in-law both of Montrose and Argyll. The conference, which lasted for two hours, took place in the open air, on the banks of the Forth, close to Stirling Bridge, in the presence of Lord Napier, Stirling of Keir, and other friends of Montrose. The real object of the earl, as his eulogists allege, was to obtain information respecting the ulterior views and designs of the covenanters; but he professed to be in a state of hesitation as to the course which he ought to follow, and after a high compliment to Henderson, upon whose faith, honesty, and judgment he declared he placed great reliance, he said, "To allow the ill opinion of my enemies to breathe itself after some little mistakes, I have been contented to remain in domestic retirement, and am altogether ignorant of your parliamentary affairs; indeed, I am at a loss how to comport myself in these ticklish times, and must beg of you, for old acquaintance' sake, to tell me frankly what it is you mean to do." Henderson unhesitatingly replied that it was their intention to send as strong an army as they could raise in aid of their brethren in England. He then expressed his satisfaction at the supposed accession of such a distinguished convert to the good cause, and spoke of the honours and rewards which Montrose would receive from the parliament. The earl on this asked Sir James Rollock if their present proposals were authorised by the committee, or proceeded only from their own goodwill. "I conceive," said Sir James, "that Mr. Henderson is commissioned from the parliament to this effect."—"Not exactly so," replied the moderator; "but I doubt not the parliament will make good whatever I promise."—"Gentlemen," rejoined Montrose, "I wish you good evening: in a matter of so high importance I can form no positive resolutions where there is not the public faith to build upon, and where the messengers disagree among themselves."*

Overtures made to Montrose by the covenanters—

—his interview with the Rev. Alexander Henderson.

In December, 1643, the Duke of Hamilton and his brother, the Earl of Lanark, hastened to the court at Oxford, "to tell a fair though lamentable tale" respecting the ill success which had attended their counsels. Montrose was already there, and no doubt contributed greatly to heighten the king's displeasure at Hamilton's miscarriages. The duke was immediately put under arrest, and soon after sent as a prisoner to Pendennis Castle, in Cornwall. The confidence which had been placed in him was now transferred to Montrose, who was anxiously asked by the king if anything could yet be done to retrieve the Scottish affairs. In reply the earl observed that the state of matters was now much altered; that the favourable opportunity of arresting the progress of the covenanters had passed away; the strongholds of the country were in their hands; a numerous and well-disciplined army had been raised by them, and was now on its march into England, while the friends of the king were disheartened and unorganised. Still the case was not altogether desperate; and the scheme suggested by Montrose was that the Earl of Antrim should dispatch a body of two thousand wild Irish from Ulster to the West Highlands, while arms and warlike stores should be obtained from abroad. Montrose himself was to be provided with a small escort of horse, with which he was to cross the Borders, and force his way to Stirling. This important fortress he expected to be given up to him by Major Turner, the well-known prototype of Captain Dugald Dalgetty, who, after his return from the wars of Gustavus Adolphus, had accepted a command in the army of the covenanters, but now felt dissatisfaction, or, as he professed, scruples of conscience at their service. This plan was certainly daring in the extreme, if not desperate; but the necessities of the king made him readily consent to it. On the 1st of February, 1644, he signed a commission appointing Montrose his lieutenant-general in Scotland, and he shortly after advanced him to the dignity of marquis.

Arrest of the Duke of Hamilton.

Scheme proposed by Montrose to retrieve the royal cause.

In the month of April, accordingly, Montrose appeared on the banks of the Annan at the head of about two hundred horse, along with eight hundred foot, and three troops of horse belonging to the

* Spalding, vol. ii. p. 131.

* Life and Times of Montrose, p. 236.

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northern militia of England. He was joined by the Earls of Crawford, Nithsdale, Traquair, and other influential noblemen, and succeeded in seizing the town of Dumfries. Here, however, he encountered a superior force under the Sheriff of Teviotdale, while at the same time tidings reached him that the Earl of Callender was approaching to attack him at the head of five thousand men. The greater part of the militia mutinied and deserted, and Montrose was compelled to fall back upon Carlisle. He carried on a desultory warfare for some time in the counties of Northumberland and Durham, took the Castle of Morpeth after a siege of twenty days, stormed a fort at the mouth of the Tyne, and succeeded in throwing a plentiful supply of provisions into Newcastle, which was besieged by the Scottish army.

The fatal battle of Marston Moor, however, which was fought in the beginning of July, rendered abortive all his efforts to retrieve the royal cause. He lingered for some time in the north of England, in the vain hope of obtaining from Prince Rupert a body of cavalry, with which, as he expressed it, he might cut his way into the heart of Scotland. At length, about the end of July or beginning of August, 1644, he directed his little band of horsemen to make their way to the king, or to the nearest body of men in arms for the royal cause, while he himself, with two of his trusty friends, Sir William Rollock and Colonel Sibbald, adopted the daring plan of attempting to reach the Highlands in disguise. In the garb of a groom, mounted on a sorry nag, and leading another in his hand, he rode behind his associates, who called themselves officers belonging to Lord Leven's army. On reaching the Borders he narrowly escaped detection. A common soldier who had served in the army of Newcastle passed by on the road, and approaching the marquis, saluted him respectfully by his name and title. Montrose in vain endeavoured to persuade him that he was mistaken. "What!" exclaimed the soldier, "do I not know my noble Lord of Montrose! But go your way, and God be with you wheresoever you go." This circumstance alarmed Montrose and his companions, although the poor man faithfully kept their secret. Making all possible speed, they scarcely drew bridle till they arrived at Tillibelton, the house of his kinsman, Patrick Graham, of Inchbrakie, on the verge of the Highlands. Here the marquis lay concealed for some time; afterwards, for greater security, he removed to a solitary hut in the neighbourhood, while he sent messengers in every direction to bring him intelligence respecting the state of affairs in the north. Evil tidings came to him from all quarters. The Marquis of Huntley had taken arms in behalf of the king, rashly and without due preparation, and had been defeated, and compelled to seek refuge in the wilds of Caithness. Irvine of Drum was in exile, and his sons in prison; while Gordon of Haddo, the ancestor of the present Earl of Aberdeen, and been taken prisoner, and inhumanly executed by order of the Scottish parliament. The spirit of Montrose, however, was not daunted by such news. A vague rumour reached him at this juncture that a body of soldiers from Ireland had landed in the West Highlands; and a letter which was soon after secretly placed in the hands of his host confirmed the report, and made Montrose aware that this was the body of auxiliaries whom the Earl of Antrim had promised to send from Ulster. They had landed at Ardnamurchan early in July, and were commanded by Allaster or Alexander Macdonald,* better known by the corrupted patronymic of Colkitto, who, though a brave and active man, was vain, self-willed, and uneducated, and altogether unequal to such an enterprise. The flotilla in which they had made the voyage from Ireland was destroyed by a fleet of English and Scotch vessels, so that Colkitto was left without the means of re-embarking his army. Thus hemmed in, he wreaked his vengeance on the estates of the Campbells, with whom his clan had an hereditary feud, and then made a preposterous attempt to raise the country in the name of the king and of Montrose. On receiving intelligence of these movements, Argyll, with a strong body of his clan, followed and watched the Irish forces; while the committee of Edinburgh summoned a general muster of the fencible men north of the Grampians, in order to destroy the invaders. Thus hemmed in, Colkitto was on the brink of destruction, when his despatch came into the hands of Montrose, who immediately sent him instructions to march into Atholl, and set out on foot to meet him, attired in the dress of an ordinary Highlander, and intended by Inchbrakie alone. He found Colkitto at Blair, in Atholl, at the head of about fourteen hundred men, indifferently armed and appointed, and worse disciplined. The Irish regiments were about twelve hundred strong; the remainder of the force consisted of Highlanders from Atholl and Badenoch.

He makes his way to the Highlands in disguise.

Discouraging state of affairs.

Arrival of the Irish auxiliaries.

In spite of those untoward circumstances, Montrose immediately displayed his commission from the king, and raised the royal standard. Great numbers were speedily attracted to it by the presence of the king's lieutenant. The day after his arrival, Montrose was joined by eight hundred Atholl men, including the Robertsons of Strowan. They were followed by three hundred of the "gallant Gordons" from Badenoch, and the marquis soon found himself at the head of a considerable force. He lost no time in directing their march upon Perth, and on the 31st of August led his whole army across the Tay, near Dunkeld. He was joined on the hill of Buchanty by Lord Kilpont, eldest son of the Earl of Monteith, by the Master of Maderty, and Sir John Drummond, with about

Montrose raises the royal standard.

* He was the son of Coll Keitache Mac Gillispie Macdonald of Colonsay. *Keitache* means left-handed. See Gregory's History of the Western Highlands.

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four hundred men. This reinforcement came most opportunely to hand, for the situation of Montrose was exceedingly critical. Behind him was Argyll, who, at the head of a large body of his clansmen, had followed in the track of the Irish. Lord Elcho, the Earl of Tullibardine, and Lord Drummond, were in front with an army of above six thousand men, hastily levied for the protection of Perth; so that the invaders were in imminent danger of being hemmed in and destroyed. In this emergency Montrose resolved to attack Lord Elcho's army before he could be joined by Argyll; and on the 1st of September he came in sight of the covenanting forces, whom he found drawn up on a wide open heath at Tippermuir, three miles from Perth. The main body was commanded by Tullibardine, the right wing by Elcho, and the left by Sir James Scott, an officer of great experience. They had about seven or eight hundred horse, under Lord Drummond, who were stationed at either extremity of the line, and there were nine pieces of artillery placed in front. Montrose had neither cavalry nor artillery, and only three horses in his army. In order to sustain the charge of the enemy's horse, he extended his front as far as possible, and drew up all his men in one line three deep. The front rank knelt upon one knee, the second rank stooped forward, and the rear, composed of the tallest men in the army, were ordered to stand erect. The Irish auxiliaries were placed in the centre; Lord Kilpont and his men, who were principally bowmen, on the left; while Montrose himself, on foot, and armed with a target and pike, took his station on the right, at the head of the Atholl men, who were opposed to the most formidable division of the covenanting forces. "Be sparing of your powder," he said to his troops, "we have none to throw away. Let not a musket be fired except in the very face of the enemy. Give but a single discharge, and then at them with the claymore in the name of God and the king."

Battle of Tippermuir—

The battle commenced by a skirmish with the cavalry, who were driven back by the Highlanders, and created some confusion among the ranks of the infantry. Montrose seized the favourable moment, and commanded his whole line to advance. The cavalry of the covenanters, after a brief struggle, were completely routed—the Highlanders, it is said, pouring in volleys of stones after their ammunition was exhausted. The onset of the mountaineers was irresistible: the raw lines of the covenanters gave way on all sides. The left wing, indeed, under Sir Sir James Scott, made a stout resistance, but their ranks were speedily broken, and the rout became irretrievable. Three hundred were left dead upon the field, and all their artillery, arms, and baggage, fell into the hands of the victors.*

—and defeat of the covenanters.

* Baillie imputes the loss of the battle to "the villainy of Lord Drummond," who, he says, exhorted those under his command to flee when on the point of joining battle. Drummond's heart was undoubtedly with the enemy, whom he not long after openly joined. (Baillie's Letter to Spang; Brodie, vol. ii. p. 532.)

The town of Perth immediately surrendered, and Montrose obtained from it a seasonable supply of clothing, ammunition, and arms for his men. An interesting document, entitled "Reasons for the Surrender of Perth," which was drawn up by the ministers of that town, presents a curious view of the state of Montrose's army, and the panic that had seized the forces of the covenanters. So great was the terror of the citizens, and of the friends who had come to their aid, that the provost, accompanied by a minister, after traversing the street three times with sound of trumpet, could not collect a sufficient number to guard three of the gates alone. Only about twelve of the Fifeshire men, it is alleged, out of the defeated army offered to assist in the defence of the town, unarmed, and some of them intoxicated. The fugitives "were all forefainted and bursted with running, insomuch that nine or ten died that night in town without any wound."* Great numbers concealed themselves in cellars and vaults, where they lay panting and breathless; and on being desired by the provost to rise and defend themselves, they answered that "their hearts were away, and that they would fight no more, though they should be killed." Farther, the letter states that even if they had been willing to fight, they had no means of resistance, for they had flung away their weapons in their flight. "Our enemies that before the flight were naked, weaponless, ammunitionless, and cannonless men, and so unable to have laid siege to the town, by the flight of our friends were clothed, got abundance of arms, and great plenty of ammunition, with six pieces of cannon." Finally, it was declared that the courage of the citizens was overpowered by the sight of the enemy drawn up like so many hell-hounds before the gates of the town, bathed in blood and "routing (bellowing) with hideous cries for more;" and, in the meantime, all the gentlemen of Fife had abandoned the bewildered and terror-stricken inhabitants, save one, "who," as the apologists rather ungratefully allege, "is an useless member among themselves at home, and, consequently, could not but be useless to us. Neither a gentleman of our own shire, except Balhousie. So, exanimate with fear, and destitute of counsel, we could not stand out."† In such circumstances, it is evident that no further defence could well be made; but the behaviour of the covenanting forces, on this and subsequent occasions, shows the great revolution which half a century of uninterrupted peace had brought about in the character and habits of the Lowland peasantry and burghers, while the hardy and active mountaineers were still familiar with the use of arms, and retained all their hereditary fondness for war and plunder.

Surrender of Perth.

Montrose, however, found it impossible to retain possession of Perth, or to encounter Argyll, who

* "A great many burgesses were killed, twenty-five householders in St. Andrew's, many were bursten in the flight, and died without stroke."—*Baillie's Letter to Spang.*

† Montrose and the Covenanters, vol. ii. pp. 306—313.

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was now approaching at the head of a large force, recently augmented by a considerable body of cavalry. The Highlanders, according to their immemorial custom, abandoned his standard, and returned home in great numbers, to secure their spoil and to get in their harvests. Threats and persuasions were equally ineffectual to prevent this desertion, which often rendered fruitless the most brilliant victories. "Even so late as the year 1745-6," says Sir Walter Scott, "when the Chevalier Charles Edward, by way of making an example, caused a soldier to be shot for desertion, the Highlanders who composed his army were affected as much by indignation as by fear. They could not conceive any principle of justice upon which a man's life could be taken for merely going home, when it did not suit him to remain longer with the army. Such had been the uniform practice of their fathers. When a battle was over, the campaign, in their opinion, was ended: if it was lost, they sought safety in their mountains; if won, they returned there to secure their booty. At other times they had their cattle to look after, and their harvests to sow or reap, without which their families would have perished for want. This circumstance serves to show, even if history had not made us acquainted with the same fact, that the Highlanders had never been accustomed to make war with the view of permanent conquest, but only with the hope of deriving temporary advantage or deciding some immediate quarrel."*

Habits of the Highlanders.

At this period, also, a tragical occurrence deprived Montrose of another considerable body of his best troops. After remaining three days in Perth, the marquis crossed the Tay on the 5th of September, and encamped in the open fields near the Kirk of Collace. At daybreak next morning his attention was attracted by an uproar in the camp, and on rushing into the midst of the crowd in order to quell the tumult, he saw his gallant friend, Lord Kilpont, weltering in his blood. The assassin was Stewart of Ardvoirlich, an intimate friend of the murdered nobleman, whose bed he had shared on the previous night. According to one account, Stewart had resolved to abandon the royal cause, and had used all his influence with his friend to induce him to take the same step; but Lord Kilpont rejected the proposal with abhorrence, when, either dreading discovery or enraged at his expressions, Stewart stabbed the unsuspecting nobleman to the heart, and killing a sentinel who attempted to detain him, effected his escape through darkness so thick, says Wishart, that the soldiers could scarcely see the length of their spears. The descendants of the assassin, however, allege that the tragical incident arose out of a quarrel between Stewart and Colkitto, respecting some excesses committed by the Irish on the lands of the former; that Montrose, by advice of Kilpont, had placed them both under arrest, and compelled them to shake hands in his presence: that some days after, on returning together from an entertainment given by Montrose to his officers, high words arose between them respecting Kilpont's share in the above transaction; and, finally, from the state they were both in, by an easy transition they came to blows, when Stewart with his dagger struck his friend dead on the spot.* The assassin immediately joined the adherents of the parliament, by whom, to their great disgrace, he was welcomed, and afterwards promoted. The followers of Lord Kilpont, on the other hand, returned home to convey the body of their hapless chief to the sepulchre of his ancestors.

Murder of Lord Kilpont.

With a force diminished to less than two thousand men, Montrose proceeded northward to Aberdeenshire, in the hope of attracting the Gordons to his standard. In his march through Angus and the Mearns, he was joined by the veteran Earl of Airlie and two of his sons, and by Colonel Nathaniel Gordon, at the head of about thirty well-appointed horsemen. On the banks of the Dee he found the covenanting general, Lord Burleigh, who, with Lord Lewis Gordon, one of Huntley's sons, attached to the cause of the parliament, occupied Aberdeen with about two thousand five hundred foot and three hundred horse. The covenanters held the Bridge of Dee, but Montrose crossed the river at a ford above, and descended on their flank. Lord Lewis Gordon, who commanded the left wing, charged at the head of a large body of horse, including his own retainers. But Montrose, by a judicious intermixture of bowmen and musketeers with his handful of cavalry, first checked and then routed the Gordons. Before they could rally, his voice was heard, "To close quarters—we do no good at a distance. Give them the broadsword and but-end of your muskets. Spare them not, and make them pay for their treachery and treason." His men, thus encouraged, rushed forward with irresistible fury, broke the ranks of the covenanters, and pursued them into the town, which victors and vanquished entered together in one confused mass. Aberdeen suffered cruelly from the excesses of the Irish, who put to death without mercy all whom they found in the streets, and, in some cases, even compelled their victims to strip themselves of their clothes before they killed them, lest they should be soiled by their blood. "The women durst not lament their husbands or their fathers slaughtered in their presence, nor inter the dead who remained un-

March of Montrose to the north—

—his defeat of the covenanters at the Bridge of Dee—

—cruelty of his Irish troops in plundering Aberdeen—

* Legend of Montrose, chap. xv.

* The use made of this melancholy story by Sir Walter Scott, and the romantic circumstances connected with Stewart's birth, after the murder of his maternal uncle by the Macgregors, must be familiar to all the readers of the "Legend of Montrose." See also "Montrose and the Covenanters," vol. ii. pp. 317—326. The ratification of Stewart's pardon by the committee of Estates mentions that Stewart's son and four of his friends were present at the murder, and that "two Irish rebels, who resisted his escape, were also killed."

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buried in the streets until the Irish departed."* It has been urged as some palliation of these shocking cruelties, that Montrose had no other way of paying his half-barbarous troops than by giving up the town to pillage, and that they were incensed by the slaughter of a drummer sent that morning with a flag of truce, and who had been killed accidentally, as the covenanters allege, by some men of the Fife regiment;† but such an apology cannot be received as valid; and, as it has been remarked, the people of Aberdeen had a right to expect very different treatment, for they had always been favourable to the king's party; and Montrose himself, when in the service of the covenanters, had been the agent in oppressing, for its devotion to the royal cause, the very city which his troops so cruelly plundered on account of its adherence to the parliament.

—his fruitless attempt to raise the Gordons—

On the approach of Argyll at the head of a superior force, Montrose recalled his troops from the pillage of Aberdeen; and, having destroyed his heavy baggage, and concealed in a morass the cannon he had taken at Tippermuir, he proceeded up the Spey, in the hope of raising the retainers of Huntley. But the Gordons remembered with strong resentment the conduct of the king's lieutenant during his former campaign against them in the service of the covenant, as well as their recent defeat at the Bridge of Dee, and therefore declined to join him. On the other hand, he found the northern bank of the Spey was occupied by about five thousand of the men of Moray, who had taken up arms to oppose his progress, and to hem him in between two superior armies. In this dilemma Montrose continued his march up the Spey as far as the Castle of Rothiemurchus, then suddenly doubling back from the head of Strathspey, he plunged into the wilds of Badenoch, and thence into Atholl, always pursued, but never overtaken by his enemy. "That strange coursing," as Baillie terms this series of marches and countermarches, "thrice round about from Spey to Atholl, wherein Argyll and Lothian's soldiers were tired out, and the country, harassed by both, and no less by friends than foes, did nothing for their own defence."

From Blair Atholl, Montrose dispatched Macdonald, with a division of his Irish troops, to the western Highlands, to relieve the garrisons left in the Castles of Mingarry and Langhaline, and to raise recruits; while the marquis himself marched through Angus and Mearns, and a second time presented himself at the Bridge of Dee, where he found fourteen troops of horse waiting to oppose his further progress. He forded the river, however, higher up, at the mills of Drum, and, wasting the country as he went, once more crossed the mountains, and passed into Strathbogie. But all his efforts to attract the Gordons to the royal standard completely failed; and at length, abandoning all hope of aid from Huntley and his son, Montrose marched eastward to the Ythan, and took possession of Fyvie Castle about the 28th of October. Meanwhile, Argyll was following on his traces, and overtook him while encamped in the wood of Fyvie.

—baffles his opponents at Fyvie Castle—

The army of the parliament was superior in numbers and equipments, and, besides, contained a strong body of cavalry, commanded by the Earl of Lothian, while Montrose had only about fifty horse. His situation was exceedingly critical. A part of the enemy's troops had already occupied the hedges and ditches which flanked his position. His single company of Gordons deserted him at this juncture, and the remainder of his troops appeared anxious and disheartened. But the marquis, concealing his apprehensions, and assuming an appearance of perfect unconcern, called to a gallant young Irish officer, "What are you about, O'Kyan? Can you not drive those fellows from our defences, and see that they do not molest us again?" O'Kyan immediately obeyed this command with the utmost alacrity and confidence, and drove the assailants in confusion down the hill. His men, having obtained possession of some bags of gunpowder, which was much needed by the royalists, made a humorous complaint of the neglect of the enemy in omitting to leave the bullets with the powder. The Earl of Lothian then advanced with five troops of horse against Montrose's handful of cavalry; but the marquis on this occasion, as at the Bridge of Dee, had mingled with his horsemen a band of musketeers, who poured upon the enemy such an unexpected and galling fire that they were driven back in great confusion. Several days were spent in similar skirmishes without much advantage on either side; and at length Montrose, having baffled his adversaries, thought it advisable to retreat from Fyvie to Strathbogie.

—his rapid and harassing marches—

These rapid and harassing marches wore out the strength and spirit of many of the Lowland gentlemen who had embraced the royal cause. Winter was now approaching, when it would be almost impossible to provide subsistence for man or horse among the wild fastnesses which had hitherto afforded them shelter. Lord Kinnoul, Sir John Drummond, his old companion, Colonel Sibbald, and all the other Lowland cavaliers, except the veteran Earl of Airlie and his two sons, now abandoned Montrose, promising, however, to return next spring. In these disheartening circumstances, the marquis retreated to the wildest districts of the north; but having learned in the end of November that the cavalry of the covenanters was sent into winter quarters, while the infantry was stationed at Dunkeld, under Argyll, he immediately turned towards the Grampians, and in one night brought his whole army a march of twenty-four miles over mountains and morasses, with the hope of surprising his enemy. His approach, however, became known while he was still sixteen miles distant from Dunkeld, and Argyll lost no time in retreat-

* Laing, vol. i. p. 263; Spalding, vol. ii. pp. 231—237.
† Montrose and the Covenanters, vol. ii.

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ing to Perth. From thence he proceeded to Edinburgh, and laid down his commission as general, complaining that he had not been adequately supported. It was supposed that Montrose had taken up his winter quarters in the district of Atholl, and must remain cooped up there until the return of spring.

—his invasion and merciless ravages of Argyll's country.

The intentions of Montrose, however, were far different. At Blair Atholl he was joined by Colkitto, who returned from his recruiting expedition, bringing with him the Captain of Clanranald, and five hundred of his clan; the Macdonalds of Glengarry, Keppoch, and Glencoe; the Stewarts of Appin, with the Camerons and Farquharsons. On the arrival of this seasonable reinforcement, it was proposed by the assembled chiefs to promote both their public and private ends by invading the country of Argyll. "But how shall we find a track?" asked Montrose; "or how obtain subsistence at this season?" A clansman of Glencoe offered himself as a guide. "There is not," said he, "a farm, or half a farm, under Maccullummore but I know every foot of it; and if good water, tight houses, and fat cows will do for you, there is plenty to be had." Montrose at once accepted the proffered services, and stimulated by revenge, both personal and hereditary, marched to attack Argyll in his native strongholds. This powerful and politic chief was accustomed to say, that he would not for a hundred thousand crowns that any one knew the passes which led into his country from the east. It was now about the middle of December, and Gillespie Grumach* was residing at Inverary, in fancied security, when he received the astounding intelligence that his vindictive adversary, with an army of savage Irishmen and ruthless Highlanders, had forced an entry into Argyleshire, through paths hitherto deemed inaccessible, and was plundering and laying waste the whole country with merciless severity. There was no time for defence—scarcely for flight. Argyll threw himself into a fishing-boat, and escaped by sea, leaving his unfortunate clansmen to the tender mercies of his enemy. Dividing his army into three bodies, to make the work of devastation more complete, Montrose traversed the whole of the devoted districts for the space of a month,—killing the able-bodied men, driving off the flocks and herds, and laying the houses in ashes. The thirst of feudal vengeance, it has been justly said, may explain, but can in no degree excuse these severities.† On leaving the country which he had so cruelly devastated, Montrose withdrew towards Lochaber, for the purpose of organising a general gathering of the clans. Meanwhile, General Baillie, who had been appointed commander-in-chief of the parliamentary forces in Scotland, had collected a considerable army, with which he marched through Angus towards Perth. Another strong body was stationed at Inverness, under Lord Seaforth; while Argyll had collected his scattered clan, to whom were added some battalions from the Lowlands, amounting in all to three thousand men, and placed them under the command of his kinsman, Sir Duncan Campbell of Auchinbreck, a stout soldier, who was recalled from Ireland for this purpose. Their plan of operations was by a combined movement from different points to surround and overpower their active enemy. Argyll accordingly marched through Lochaber to the old Castle of Inverlochy, near the place where Fort William now stands. Montrose was on his march towards Inverness, probably with the view of attacking Seaforth, but he no sooner received intimation that Argyll was on his track, than he resolved to forestall the operations of his enemies by attacking the Campbells before fresh reinforcements should arrive. He therefore retraced his steps by the most unfrequented route, over a succession of mountains covered with snow, and on the second evening came in sight of the enemy's camp. "My design," he says, in his letter to the king (February 3rd, 1645), "was to fall upon Argyll before Seaforth and the Frasers could join him. My march was through inaccessible mountains, where I could have no guides but cowherds, and they scarce acquainted with a place but six miles from their own habitations. If I had been attacked but with a hundred men in some of these passes, I must have certainly turned back, for it would have been impossible to force my way, most of the passes being so strait that three men could not march abreast. I was willing to let the world see that Argyll was not the man his Highlandmen believed him to be, and that it was possible to beat him in his own Highlands. The difficultest march of all was over the Lochaber mountains, which we at last surmounted, and came upon the back of the enemy when they least expected us, having cut off some scouts we met about four miles from Inverlochy."*

The privations borne by the Highlanders upon this march must have been very great. "That day they fought," says a contemporary writer, "the general himself and the Earl of Airlie had no more to break their fast upon before they went to battle but a little meal mixed with cold water, which out of a hollow dish they did pick up with their knives; and this was those noblemen's best fare. One may judge what wants the rest of the army must suffer; the most part of them had not tasted bread these two days, marching over high mountains in knee-deep snow, and wading breeks and rivers up to their girdles."†

* Archibald the Grim—a nickname bestowed upon Argyll from the cast in his eye, and his sinister expression of countenance. As chief of the Campbells he likewise bore the patronymic of Maccullummore, or son of Colin the Great.

† "Ye hear before of Montrose's progress to the Glencrchies' lands. He goes to Argyll, burns and slays through the haill country, and left no house or hold, except impregnable strengths, unburnt: their corn, goods, and gear; and left not a four-footed beast in his haill lands, and such as would not drive they houghed and slew."—*Spalding's Troubles in Scotland*, vol. ii. p. 296.

* Life and Times, p. 299; Appendix to D. Weldon's Memoirs.

† MS. History of Patrick Gordon of Cluny; Life and Times, p. 532.

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Battle of Inverlochy, and defeat of the Campbells.

It was on the evening of the 1st of February, 1645, that Montrose came in sight of Inverlochy. The Campbells were soon aware of his approach as "it was moonlight, and very clear," and some skirmishes took place between the hostile forces, who lay upon their arms all night. Argyll, who had lately hurt his arm by a fall from his horse, and wore it in a sling, embarked in his barge, and "lay there till next morning, sending his orders of discipline to Auchinbreck and the rest of his officers there commanding the battle." * At sunrise the next day the hostile armies put themselves in motion. The centre and reserve of Argyll's army were composed of his own clan, the Lowland troops were placed on either wing, and a garrison of forty or fifty men was thrown into the Castle of Inverlochy. Montrose stationed one of the Irish regiments on each flank, and the third in reserve, while the Highlanders with his few horse occupied the centre. The first onset was given by the Campbells, who, says Montrose, "fought for some time with great bravery." But he adds, when "after the first firing it came to push of pike and dint of sword, they could not stand it," but broke in irretrievable confusion. Auchinbreck and many of his principal officers fell on the field of battle, and fifteen hundred were killed in the conflict or in the pursuit, which lasted for nine miles—"a great slaughter," says Montrose in his letter to the king, "which I would have hindered if possible, that I might save your majesty's misled subjects, for well I know your majesty does not delight in their blood, but in their returning to their duty." The number killed on the side of Montrose was exceedingly small, but among them was Sir Thomas Ogilvie, the second son of Lord Airlie, who had greatly contributed to the victory.

In the despatch which Montrose sent to the king, he expresses his apprehension lest his majesty should enter into a treaty with the parliament, unless they should disband their forces, and submit themselves to the royal goodness and pardon. "Give me leave," he adds, "with all humility to assure your majesty that, through God's blessing, I am in the fairest hopes of reducing this kingdom to your majesty's obedience * * * and to come to your assistance with a brave army, which, backed with the justice of your majesty's cause, will make the rebels in England, as well as in Scotland, feel the just rewards of rebellion. Only give me leave after I have reduced this country to obedience, and conquered from Dan to Beersheba, to say to your majesty then, as David's general did to his master, 'Come thou thyself, lest this country be called by my name.'" †

Accession of the Gordons to the royal standard.

After his victory at Inverlochy, Montrose marched to the north-east, destroying the country as he proceeded; and had the gratification to find that his continued successes at length induced the long-desired Gordons to repair to his standard. At Elgin he was joined by Lord Gordon, Huntley's eldest son, with a select body of cavaliers; and soon after the younger son, Lord Lewis, who had formerly opposed him at the bridge of Dee, also gave in his accession. The northern army, under the Earl of Seaforth, dispersed of itself; and the earl himself soon afterwards joined Montrose.

Great ravages of the royalists.

Thus reinforced the marquis inflicted the most unsparing vengeance on the districts supposed to be favourable to the parliament. He issued orders for all who were capable of bearing arms, between the ages of sixteen and sixty, to join his banner under pain of military execution; and those who did not immediately comply he treated as rebels, "plundering, burning, and spoiling the houses, biggins, and corn-yards, of the haill lands of the gentry; carrying off the horses, nolt, sheep, and plenishing * from others, laying the villages in ashes, and destroying the fishermen's boats and nets." The Lowlands of Aberdeenshire and Moray were laid waste with fire and sword; Elgin and Banff † were given up to pillage; Brechin, Stonehaven, and Cowie, with the shipping and the buildings on the estate of Dunnotar, were successively consigned to the flames, amidst the tears and lamentations of the wretched inhabitants. On the other hand, a party whom Montrose had sent under Nathaniel Gordon, to negotiate with the town of Aberdeen respecting a supply of horses and arms, were surprised by Sir John Urrey, an active dashing soldier, who had changed sides more than once during the civil war. Farquharson of Braemar, one of the best of the Highland chieftains, and some other cavaliers, were killed, and a number were taken prisoners. Lord Graham, the eldest son of the marquis, a youth of great spirit and promise, who was only in his fifteenth year, had been for some time with his father, but, unable to bear the fatigue of this harassing campaign, at this period fell sick and died. James, his second son, "a young bairn about fourteen years," says Spalding, "learning at the schools in Montrose," attended by his pedagogue in a quiet manner, "was soon after seized by Sir John Urrey, in a spirit of petty revenge, and confined with his tutor in the Castle of Edinburgh. The health of the Earl of Airlie, too, gave way at this juncture, and he was obliged to be conveyed for security to Strathbogie. The activity of Montrose, however, did not relax even amidst these severe trials, and he continued with unabated severity to lay waste the country, and to plunder the estates of all who had not openly espoused the royal cause.

Alarmed by these successes, the committee of Estates at Edinburgh raised a considerable body of cavalry, under Sir John Urrey, and sent them to the aid of their general, Baillie. Montrose was not strong enough to keep the field against their com-

* Ormond Papers. † Life and Times, p. 303.

* Furniture.

† "Thereafter he marches to Banff, plunders the same pitifully, no merchant's goods nor gear left: they saw no man on the street but was stripped naked to the skin."—*Spalding.*

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bined forces, and his army was still further weakened by the departure of Lord Lewis Gordon, who, either from jealousy, or, as some allege, in consequence of secret advices from his father, withdrew from the royal forces, and carried off a considerable portion of the cavalry with him. Montrose was therefore compelled to abandon the open country, and once more to retire to the mountains. But before carrying this movement into effect he resolved to strike a blow at Dundee, as a punishment for its steady adherence to the cause of the covenant. Suddenly leaving Dunkeld about midnight, with a detachment of nine hundred men, and turning to the east, he hastened towards Dundee, which he reached about ten o'clock on the morning of the 4th of April. The town was immediately summoned to surrender, and having refused, was stormed in three quarters at once. After a stout resistance the place was carried. Before evening it was set on fire in several districts; the assailants were already dispersed in quest of liquor and plunder, and the usual scenes of rapine and pillage had commenced, when Montrose, who was standing on a hill which overlooks the town, superintending the work of destruction, received intelligence that Baillie and Urrey, with nearly four thousand men, were within a mile of Dundee. This perilous crisis required all his characteristic energy and activity to extricate himself from total ruin. He instantly called off his soldiers from the plunder, put them in order, and began his retreat at sunset, sending away the foot in two separate bodies, and covering the rear himself with his horse. By a series of skilful manœuvres he kept the enemy at bay till darkness closed upon them. The pursuit continued all next day. In the evening Baillie and Urrey having divided their forces for the purpose of intercepting his retreat, and commanding the various routes which led from the sea-coast to the Grampians, he suddenly altered his line of march, and turning to the north-west, slipped between the hostile bodies, and, after a retreat of three days and two nights, at last secured himself in the mountains. "I have often," says his biographer, Dr. Wishart, "heard those who were esteemed the most experienced officers, not in Britain only, but in France and Germany, prefer this march to his most celebrated victories."

Montrose storms Dundee—

—is surprised by Baillie and Urrey.

After this unsuccessful pursuit, the two generals of the parliament divided their forces. Baillie was directed to proceed to the district of Atholl, which he laid waste with fire and sword, in retaliation of the injuries which the Atholmen had assisted in inflicting upon other districts. Urrey marched northwards to Inverness, where he was joined by the Frasers and other friendly clans, under the Earls of Seaforth and Sutherland. Meanwhile Montrose, at the head of a small body of troops, traversed the hill country in all directions, levying contributions, wasting the districts unfriendly to his cause, and occasionally skirmishing with the forces of the enemy. At this period he was joined by Lord Aboyne, Huntley's second son, who had made his way from Carlisle, with the Lairds of Dalgetty and Keir the younger, at the head of only twenty horsemen, and by the Master of Napier, who had escaped from his confinement in Holyrood House, and succeeded in reaching his uncle Montrose in Menteith. While in this neighbourhood the marquis learned that Urrey, with an overwhelming force, was threatening Lord Gordon at Auchindown. With his characteristic rapidity of movement, he immediately retraced his steps along the Braes of Balquhidder, thence passing down the side of Loch Tay, and through Atholl and Angus, he traversed the Grampian mountains, and effected a junction with Lord Gordon on the Dee. Urrey, after his junction with the Frasers and the garrison of Inverness, was superior in numbers to the royal army, and, without awaiting Baillie's co-operation, he sought out Montrose, and offered him battle. The marquis was encamped at the village of Auldearn, in the vicinity of Nairn, and he skilfully availed himself of the nature of the ground to draw up his men in a most advantageous position. The village stands on an eminence, overlooking a valley, with several small hills behind. In front it was covered by enclosures, which concealed the troops from the view of the enemy. Montrose stationed Colkitto with four hundred men among the broken ground on the right, protected by some dykes and brushwood, with strict injunctions that they should on no account quit their position. In this, as by much the strongest point, he placed the royal standard, usually carried before himself, in order to draw the main attack of the enemy on this quarter. On the left of the village he drew up the principal part of his force, he himself commanding the infantry, and Lord Gordon the cavalry. He had neither centre nor reserve, but this defect was artfully concealed from the enemy by placing his cannon there, and showing a few picked men from behind the houses and enclosures.

Victory of Auldearn.

As Montrose had expected, Urrey directed his principal attack against the position occupied by Macdonald on the right, where the royal standard was seen waving. Colkitto succeeded at first in repelling the assailants, but irritated by the taunts of cowardice which they threw out against him on renewing the attack, he forgot his instructions, and sallied forth from his intrenchments to show that he was not afraid to fight on equal ground. He was immediately surrounded, and nearly overborne by the superior numbers of the enemy. With great difficulty, and not without considerable loss, he succeeded in regaining the shelter of the enclosures, having by his feats of personal prowess contributed not a little to extricate his men from the perilous position into which his rashness had brought them.

At this critical moment, when Montrose was about to lead on his left wing to the attack, he was informed that Macdonald was defeated. With

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great presence of mind, he immediately turned round to Lord Gordon, and exclaimed, "What are we doing! Macdonald is gaining the victory single handed. If we do not make haste, he will carry off all the honours of the day." Lord Gordon instantly charged the main body of Urrey's dragoons, and after a fierce struggle drove them off the field. The foot, however, stood firm, and were nearly all cut to pieces. Macdonald was still carrying on an unequal conflict on the right; and Montrose, victorious over his immediate opponents, hastened to his assistance, and assailed the covenanters in the flank. The veteran regiments of infantry, however, which formed the left wing of Urrey's army, led on by the gallant Campbell of Lawers, stood firm, until Colonel Drummond, one of Urrey's officers, either by unskilfulness or treachery, wheeled his horse into the midst of the foot, and trampelled them down.* No quarter was given by the royalists. Campbell of Lawers, Sir John and Sir Gideon Murray, with many other brave and distinguished officers, and nearly two thousand men, were slain in the battle or the pursuit; and sixteen colours, together with their whole baggage, ammunition, and money, fell into the hands of the victors.

After this signal victory, Montrose marched to Elgin, laying waste the country, as usual, with fire and sword. Nairn and Elgin were plundered, and the principal buildings set on fire. Cullen was reduced to ashes, and "sic lands as were left unburnt up before were now burnt up."† The apologists of the marquis allege that this merciless devastation was provoked by the cruel murder, some time previously, of young Gordon of Rynie, who, while lying severely wounded in the house of a friend, was put to death by a party of soldiers sent out from Elgin. But it was the uniform policy of Montrose to treat as rebels all who did not repair to his standard.

On the day on which the battle of Auldearn was fought, Baillie crossed the Grampians on his way to co-operate with Urrey, and while encamped in a wood near Strathbogie that luckless officer crossed the Spey with the remnant of his horse, "made his way," says Spalding, "through the Marquis of Montrose's watches, saying he was Lord Gordon's man," and succeeded in reaching the camp of the covenanters. Montrose lay at no great distance, but as his army was now diminished in numbers, he resolved to avoid a battle; he therefore harassed the parliamentary forces by forced marches and continual skirmishes, and by beating up their quarters in the night time; till at length, finding that it was impossible to force them to an engagement, and being reduced to great straits for want of provisions, they were forced to retire to Inverness.

No sooner was Montrose freed from the presence of Baillie's army than he resolved to strike a blow at Lord Lindsay, who, with a body of raw levies, was lying at the Castle of Newtyle, in Angus. Accordingly, issuing from the recesses of Badenoch, he once more crossed the Grampians, and by forced marches arrived within seven miles of Lindsay, who was quite unconscious of his danger. At this point, however, the Gordons suddenly deserted his standard, and returned home in spite of the exertions of their commander, Lord Gordon. Montrose was therefore compelled to retrace his steps with all speed. Meanwhile, Baillie was ravaging the estates of Huntley, and even threatened his stately castle of the Bog, which was held for the king by the aged Gordon of Buckie, the murderer of the "Bonnie Earl of Moray." This state of affairs induced Montrose, who had now succeeded in recalling the Gordons to his standard, to march northward, with the view of bringing the covenanting general to action; and after some marching and countermarching, the hostile armies encountered near to the village of Alford, on the Don, July 2nd, 1645. Montrose occupied an advantageous position on a hill, strengthened by a marsh in his rear, and having his front covered by another hill, which concealed his troops from the view of the enemy. His cavalry was stationed on the wings, the right under Lord Gordon and Nathaniel Gordon, the left commanded by Aboyne and Sir William Rollock. The main body, drawn up in line six file deep, was under the charge of Glengarry, while the reserve concealed behind the brow of the hill was entrusted to the Master of Napier. Baillie, it is said, would have avoided the encounter. Twelve hundred of his veteran soldiers had recently been withdrawn from his army, and a number of raw recruits sent to supply their place. But he was induced to quit an advantageous position at the Kirk of Keith by a manœuvre of Montrose, which led the covenanting general to cross the Don, in the belief that his enemy was in full retreat, and he did not discover his mistake till it was too late to decline battle. His infantry, like the royalists', were drawn up in line, but to meet the extent of the enemy's front he could only form three file deep. His cavalry was commanded by Lord Balcarres, a gallant young nobleman whose impetuosity is said to have precipitated the engagement in opposition to Baillie's judgment. The covenanting horse charged the Gordons with great bravery, and the issue was for some time doubtful; but the fleet musketeers, whom Montrose had intermingled with his cavalry, threw down their muskets and hamstrung the enemy's horse with their swords. The squadrons of Balcarres then fled in confusion, and were pursued by the Gordons with great slaughter. But the infantry commanded by Baillie in person fought desperately, and did not give way till they were attacked in the rear by the victorious cavalry, and by the reserve under the Master of Napier. The victory, however, was embittered by the death of Lord Gordon, who fell from his horse mortally

Battle of Alford—

—and defeat of Baillie.

* He was afterwards tried by a court-martial at Inverness, and shot.

† Spalding, vol. ii.

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wounded, it is said, while he was in the act of seizing General Baillie by the sword-belt, and his fall put a stop to the pursuit.*

Scotland was now reduced to the lowest extremity. In addition to the devastation occasioned by this destructive civil war, a wasting pestilence now raged throughout the country, but especially in the metropolis. These repeated disasters, however, did not dishearten the convention of Estates.

Vigorous measures adopted by the parliament.

Animated and sustained by the counsels of Argyll, whose talents were better adapted for the cabinet than the field, they showed the utmost determination to resist the progress of Montrose. Driven from Edinburgh by the plague, they convened a parliament first at Stirling and then at Perth, ordered a new levy of men throughout the kingdom, enjoined the nobles and gentry to arm, and prohibited emigration to Ireland or England under severe penalties. At the same time they returned thanks to their generals, Baillie, Balcarres, and Urrey, for their good service to the country, although they had been unfortunate. Baillie was reluctantly prevailed upon to assume the command of the new levies, but a committee of Estates, consisting of Argyll, Lanark, and Crawford-Lindsay, were appointed to assist him with their advice; and, as he alleged, distracted his councils and controlled his movements. Meanwhile, the fame of Montrose's victories had attracted to his standard not only great numbers of the Highland clans,—including the Macleans, Macgregors, and Macnabs,—but many of the Lowland cavaliers, who had hitherto held back from doubts of his ability to maintain the contest against the power of the parliament. He was rejoined also by Lord Aboyne and Nathaniel Gordon, at the head of a considerable body of horse, and by the Earl of Airlie and his son, Sir David Ogilvie, with a troop of eighty gentlemen of the same name. Thus reinforced, he descended from the mountains at the head of nearly six thousand men, and approached Perth, where the parliament was then assembled. The newly levied army, however, had taken up a strong position in that neighbourhood, in the expectation of reinforcements, and declined a battle. Montrose, therefore, directed his march towards Stirling, and on his way passed through the parishes of Muckhart and Dollar, belonging to Argyll. The vindictive hatred both of the general

The country laid waste by Montrose.

and his men against the great covenanting leader showed itself in the merciless severity with which they laid waste his estates, burnt the cottages, and massacred the defenceless inhabitants. Castle Campbell, a noble antique edifice, situated on an eminence in the Ochil chain of hills, was dismantled and left in ruins. "The destruction of many a meaner habitation," says Sir Walter Scott, "by the same unscrupulous and unsparing spirit of vengeance has been long forgotten, but the majestic remains of Castle Campbell still excite a sigh in those that view them over the miseries of civil war."* Even the town and lordship of Alloa, belonging to the Earl of Mar, did not escape the ravages of the savage Irish kernes under Macdonald, though the earl was now favourably inclined to the royal cause, and entertained Montrose and his chief officers at dinner in his castle. Proceeding westward, and passing by Stirling, which was strongly garrisoned and defied their attack, the royalists crossed the Forth by a ford a few miles above the town, and, continuing their march to the south-west, they encamped at Kilsyth, a village near the old Roman wall in the extremity of Stirlingshire.

The army of the covenanters had by this time quitted Perth, and, following the footsteps of Montrose, had also crossed the Forth at the bridge of Stirling, and halted at a place called Holland-Bush, about two miles and a half from the enemy. Baillie, who was well aware that the raw and undisciplined troops whom he commanded could not be relied on to sustain the headlong attack of Montrose's veterans, wished to avoid an immediate action, but his prudent counsels were overruled by the committee of Estates, who ordered the troops to approach nearer to the enemy. He accordingly marched over corn-fields and broken ground, and took up a strong position, which would have afforded him great advantages in case of an attack. He was urged to draw towards a hill on the right, but refused, saying, "If the rebels engage us there, I conceive they will have the advantage; if we beat them to the hills, that will be little advantage to us; to lose the day will be to lose the kingdom." His remonstrances, however, were disregarded. The lords were afraid that Montrose would carry his ravages into the western districts of the country, which had hitherto escaped his fury, or that he would again seek refuge in the mountains, and, therefore, insisted on an immediate attack. The troops accordingly proceeded to take up their new position, but in a very confused and irregular manner, the officers of the different regiments in several instances acting in opposition to the orders of the general.

Battle of Kilsyth.

When Montrose perceived from the forward movements of the covenanters that they were willing to engage, he exclaimed, "It is the very thing I want; and as for their numbers, we have the best ground, which is more than half the battle." He then ordered his men, both horse and foot, to strip off their upper garments and to fight in their shirts. The royalists were drawn up on a meadow which was

* It is difficult, if not impossible, to obtain anything like an accurate estimate of the loss sustained by Montrose in this and other engagements, as the statements made by Wishart, Bishop Guthrie, and other eulogists of the marquis, are utterly incredible. According to the bishop, in the fiercely-contested battle of Alford, Montrose did not lose one private.

* Tales of a Grandfather, chap. xliii. The House of Menstrie, the seat of the Earl of Stirling, and Airthrey, the property of Graham of Braco, were subsequently laid in ashes by the covenanting forces, in retaliation of the ravages of Montrose.

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separated from the hill on which the covenanters were now posted by a ravine, whose rugged sides were covered with underwood. Near the upper end of the glen, at the foot of the declivity, were a few scattered cottages and gardens, which were occupied by the Highlanders. The battle began by an attempt on the part of Baillie's vanguard to dislodge the royalists from these enclosures. They were beaten off with loss, and this success excited the mountaineers to such a degree that a thousand of them, without orders, rushed out to pursue the fugitives, and charged up the hill against the troops advancing to their assistance. The Earl of Airlie, at the head of the Angus cavaliers, immediately charged the enemy's horse, and drove them back upon the infantry, whom they were directed to support. The confusion became at once irremediable. Montrose saw the decisive moment, and ordered a general attack of his whole army. The half-naked mountaineers and Irish rushed sword in hand, with hideous outcries, on the wavering ranks of the covenanters, who gave way on all sides, and, throwing away their arms, sought to save themselves by flight. They were pursued with indiscriminate slaughter for fourteen miles. No quarter was given by the savage pursuers, and according to the most moderate calculation from four to five thousand perished in the field and in the pursuit.*

—and total defeat of the covenanters.

The crowning victory at Kilsyth made Montrose, for the time, master of Scotland. The leaders of the parliament fled for safety to Berwick and to Ireland; the towns endeavoured to propitiate the victor by a timely submission; many of the professed friends of the king who had hitherto remained inactive now openly embraced his cause; and the "waiters on Providence," as Cromwell termed those who always support the strongest side, flocked in considerable numbers to his standard. Among others who now eagerly proffered their services were the Marquis of Douglas, the Earls of Linlithgow, Annandale, and Hartfell, the Lords Seton, Drummond, Erskine, Fleming, Maderty, and Carnegie, Hamilton of Orbiston, lord-justice-clerk, and Archibald Primrose, an eminent lawyer, at that time clerk of the council. The day after the battle Montrose marched into Clydesdale, to disperse the levies of the Earl of Lanark, who fled at his approach. He then proceeded to Glasgow, which he entered in triumph. The city was saved from pillage by the payment of a considerable ransom; but a few of the principal citizens were put to death as incendiaries, probably for the purpose of intimidating the rest. At the same time no effort was left untried to conciliate the great body of the people, and to gain them over to the royal cause. Montrose fixed his head-quarters at Bothwell, whence he sent out his officers into the neighbouring districts to receive the submission of the inhabitants. The Master of Napier and Nathaniel Gordon, with a strong body of troops, were dispatched to Linlithgow, where they proclaimed a meeting of parliament in the name of the king, and released from prison the venerable Lord Napier, with his two daughters and his son-in-law, Stirling of Keir, who had been removed thither from Edinburgh Castle, where the plague was then raging. Pushing forward to the metropolis, which the dread of infection probably prevented them from plundering, Napier and Gordon halted within four miles of the city, and summoned it to surrender. The magistrates, in great terror, made an unconditional submission, and immediately released the Earl of Crawford, Lords Ogilvie and Reay, and other royalists, who, including Wishart, the chaplain and biographer of Montrose, were confined in the Tolbooth as prisoners of state. But Lord Graham, the eldest surviving son of Montrose, having been removed for greater security into the castle, still remained in the hands of his enemies.

Large accessions to the royal cause.

While Montrose lay at Bothwell, Sir Robert Spottiswood, formerly president of the court of session, and now secretary of state for Scotland, appeared in his camp, bringing with him a commission from the king, dated at Hereford, 25th June, 1645, appointing the marquis lieutenant-governor and captain-general of Scotland, with new and extended powers. It was publicly, and with all due solemnity, read to the troops, at a grand review at Bothwell, by Archibald Primrose, clerk of the council. Montrose next addressed his soldiers in a short and stirring speech, and then, in virtue of the new powers entrusted to him, he conferred the honour of knighthood on Colkitto.

New commission sent to Montrose by the king.

The success of Montrose, however, was more apparent than real. His victories had, indeed, given him possession of the open country; but Edinburgh, Stirling, Dunbarton, and the other strong fortresses of the kingdom were still in the hands of the covenanters, and he had neither the disciplined troops nor the heavy artillery which were indispensably necessary to enable him to undertake the reduction of these places of strength, and thus to obtain a firm hold of the country. This, however, formed no part of his plan. From the outset of his career, he had entertained the hope of clearing Scotland of the covenanting forces, and then leading his victorious army into England to the assistance of his sovereign. He represented to Charles that if he were only supported by a small body of cavalry, he might hope to bring twenty thousand men to his majesty's rescue. In accordance with this plan, the marquis was ordered to form a junction with the Earls of Roxburgh and Traquair, and to march with all expedition to the Tweed, in order to co-operate with a body of one thousand five hundred horse under Lord Digby, who were dispatched to the north to meet him upon the Borders.

No sooner, however, did Montrose announce his intention to march southward than the Highlanders, as usual, applied for leave to return home for the

* Wishart's Memoirs, chap. xiv.; General Baillie's Vindication; Baillie's Letters; Life and Times, &c., pp. 352–357.

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purpose of depositing their plunder in a place of security, and of cutting down and gathering in their crops. Macdonald, at his own earnest desire, was appointed their commander, professedly for the purpose of bringing them back to the standard, but his real object was to avenge some paltry feud of his own clan in Argyleshire. The Gordons, with their leader Aboyne, soon after followed this example; so that when Montrose began his ill-fated march to the Borders, his forces had dwindled down to a body scarcely more numerous or effective than when he was wandering through Atholl and Badenoch. Marching through the Lothians, he encamped at Cranston Kirk, on the 6th of September. Next morning he received intimation that Leslie was already at Berwick, with those iron brigades which had contributed so powerfully to turn the tide of battle on Marston Moor. Montrose was advised by Lord Erskine to effect a timely retreat; but disregarding this prudent counsel, he pressed onwards to the Tweed, with the expectation of obtaining considerable reinforcements from the Border nobles favourable to the royal cause. He was joined on his march by the Marquis of Douglas and Lord Ogilvie with some raw levies and a few troops of irregular horse, whom Bishop Guthrie designates as "truthless trained bands." Traquair, with many promises of support, sent his son, Lord Linton, to the royal standard at the head of a troop of cavalry; but the Earls of Roxburgh and Home, who affected great zeal for the royal cause, and had invited the marquis to repair to the Borders, had been surprised by a party of Leslie's men, and carried prisoners to Berwick. It is said, and not without probability, that on discovering the weakness of the royal army, they considered the cause hopeless, and therefore thought only of providing for their own security. It is certain that owing to the changes which had taken place on the Borders, and the strong feeling which prevailed there in favour of the covenant, these nobles, even though they had been inclined, had not the power to bring any considerable body of retainers to the support of the northern clans. The feelings of Montrose at this juncture, and the difficulties with which he had to struggle, are strikingly described in a letter which, on the 10th of September, Sir Robert Spottiswood addressed to Lord Digby from Kelso:—"We are now arrived *ad columnas Herculis** to Tweedside, dispersed all the king's enemies within this kingdom—some to Ireland, most of them to Berwick—and had no open enemy more to deal with, if you had kept David Leslie there, and not suffered him to come in here to make head against us of new. It is thought strange here that at least you have sent no party after him, which we expected, although he should not come at all. You little imagine the difficulties my lord marquis hath had to wrestle with. The overcoming of the enemy is the least of them; he hath more to do with his seeming friends. Since I came to him (which was but within these ten days, after much toil and hazard) I have seen much of it. He was forced to dismiss his Highlanders for a season, who would needs return home to look to their own affairs. When they were gone, Aboyne took a caprice,* and had away with him the greatest strength he had of horse. Notwithstanding whereof he resolved to follow his work, and clear this part of the kingdom of the rebels that had fled to Berwick, and kept a bustling there. Besides, he was invited hereunto by the Earls of Roxburgh and Home, who, when he was within a dozen miles of them, have rendered their houses and themselves to David Leslie, and are carried in as prisoners to Berwick. Traquair has been with him, and he promised more nor (than) he hath yet performed. All these were great disheartenings to any other but to him whom nothing of this kind can amaze. With the small forces he hath presently with him he is resolved to pursue David Leslie, and not suffer him to grow stronger." †

March of the royalists to the Border.

Recall of General Leslie from England.

Lukewarmness of the Border nobles to the royal cause.

It is evident from the above letter that Montrose was already aware of the approach of Leslie. Upon the first news of the defeat at Kilsyth, that able officer left the Scottish army before Hereford, and hurried northwards at the head of four or five thousand men, chiefly cavalry, for the purpose of checking the progress of the royalists. His first intention seems to have been to intercept Montrose at the Forth, and to cut off his retreat to the mountains. Accordingly, he marched along the eastern coast from Berwick to Tranent; but there he appears to have learned that Montrose was lying encamped in profound security in Ettrick Forest. He therefore suddenly altered his course, and, crossing the country to Middleton, turned southward, and descended the vale of Gala to Melrose, where he quartered his troops for the night.

Meanwhile Montrose had marched on that day (the 12th of September) from Kelso to Selkirk, and now lay encamped within five miles of his adversary in total ignorance of his approach. It has been justly remarked that the fact that he should have received no notice whatever of the march of so large a body of troops proves that he must have been very ill served by his own patrols, and that the country was strongly disaffected to the royalist cause. He had posted his infantry on a level plain called Philiphaugh, upon the northern side of the river Ettrick, immediately after its junction with the Yarrow. It was protected in the rear by a range of hills, and in front by the river, and to render the position more secure some trenches were

* To the pillars of Hercules—the limits of Montrose's command.

* The reason of this "caprice" probably was that Huntley, his father, could not forget or forgive his defeat by Montrose when the Gordons first took up arms for the king, and Montrose embraced the covenant; and knowing himself to be equal in rank and superior in power, as well as more consistent in loyalty, Huntley was jealous of Montrose's ascendancy, and of the marks of royal favour which he received.

† Aikman, vol. iv. p. 221.

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PHILIPSBURGH.

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thrown up on each flank. The town of Selkirk, in which Montrose himself took up his quarters with the cavalry, stands on a lofty bank on the opposite side of the Ettrick, and there, in conjunction with his friends the Lords Napier, Airlie, and Crawford, he was occupied most of the night preparing despatches to the king. Favoured by a thick mist, Leslie quitted Melrose early next morning, forded the Ettrick, and came close upon the encampment of the royalists, without being discovered by a single scout. The surprisal was complete. The noise of the conflict conveyed to Montrose the first intimation of the approach of the enemy. Throwing himself upon his horse the instant he heard the firing, and hastily collecting his cavalry, he galloped across the river to the scene of action, where he found matters in a state of hopeless confusion. Surprised and outnumbered as they were, the right wing of the infantry stood firm for some time, and, protected by their intrenchments and by the thickets of Harehead wood, twice repulsed the attacks of the covenanters. But Leslie had detached two thousand of his horse, who, crossing the river higher up, attacked the rear of the Irish troops, and routed them with great slaughter. The marquis, after repeated and desperate attempts to retrieve the fortune of the day, was at length compelled to make his escape, and, cutting his way through the midst of his enemies, followed by the Marquis of Douglas, Lord Napier, and about thirty horsemen, he fled up the vale of Yarrow and over Minchmoor, reaching at sunset the ancient burgh of Peebles. Next day he was joined by the Earls of Crawford and Airlie, accompanied by about two hundred of the fugitive cavalry, and with these scanty remains of his army he succeeded in regaining his Highland fastnesses. The fruits of his six splendid victories were thus swept away at one blow, and though he soon after assembled once more an army of mountaineers, and strove with indomitable courage and perseverance to make head against the now triumphant covenanters, yet all hope of retrieving the royal fortunes was now extinct, and he never again became formidable to the cause of the parliament.

Surprisal and total defeat of Montrose at Philiphaugh.

Leslie abused his victory and dishonoured his arms by putting to death in cold blood many of his prisoners. According to tradition, numbers of them were shot in the court-yard of Newark Castle, on the Yarrow; others were probably slaughtered by the peasantry, who had suffered from their outrages. Wishart affirms that many of the fugitives were precipitated from a high bridge into the river and drowned, and a number of the wives and children of the Irish soldiers were subsequently put to death in this way at Linlithgow. The Irish, indeed, seem to have been excepted from quarter in both kingdoms, probably because their atrocities had placed them beyond the pale of civilised warfare.* Hence the parliament subsequently ordered the Irish prisoners taken at Philiphaugh, "to be executed without any assize or process, conform to the treaty betwixt both kingdoms." The captives of higher rank were reserved for a public trial. Colonel O'Kyan and Major Lauchlin, two of the Irish officers, were hanged upon the Castle Hill, Edinburgh. Sir William Rollock, the constant attendant of Montrose from the commencement of his enterprise, Ogilvie of Inverquharity, a youth of only eighteen years of age, and Sir William Nisbet, were executed at Glasgow in the end of October. The fate of the others was deferred till the meeting of parliament. Montrose made a vigorous effort to save the lives of his friends, and in the month of October appeared at the head of fifteen hundred men in the neighbourhood of Glasgow, where Sir Robert Spottiswood and other of the principal prisoners were then confined, and remained there for nearly a month, threatening the town, and endeavouring to provoke Leslie, by whom it was guarded, to encounter him without its walls. But that cautious general contented himself with remaining upon the defensive, and Montrose was at length compelled to return to Atholl, leaving the surviving captives to their fate. They were removed to St. Andrew's, where the parliament met for their trial on the 20th of November. There is no reason to suppose that the leading noblemen of the convention were disposed to mercy, for they had suffered severely from the ravages of Montrose and his savage soldiery; and, as it has been justly remarked, the desire of revenge was so common to the age that it would have been accounted neglect of their duty to their slain kinsmen and plundered vassals if they had let slip the favourable opportunity of exacting blood for blood; besides, they had all been greatly alarmed at the success of the royalists, and nothing makes men more pitiless than the recollection of recent fears.* Their thirst for vengeance, however, was stimulated by the exhortations of the clergy, whose conduct deserves the severest reprobation. Upon the 5th of December "a remonstrance from the commissioners of the General Assembly to the high court of parliament, for justice upon delinquents and malignants who have shed the blood of their brethren," was read in the house, and at the same time petitions to the same effect from the provincial synods of Dumfries, Merse, and Teviotdale, Galloway and Fife, were presented by about two hundred persons, praying that the parliament would hear the voice of their brethren's blood, the cry of the widow and fatherless, and execute impartial justice on the incendiaries and malignants now in bonds, and purge the land from blood-guiltiness.† Six of these unfortunate royalists, the Lords Ogilvie, and Hartfell, Sir Robert Spottiswood, Nathaniel Gordon, William Murray, brother of the Earl of Tullibardine, and Guthrie, son of the

Massacre of the prisoners by Leslie.

Trial and execution of the principal prisoners.

* Balfour's Annals, vol. iii. p. 349.

* Tales of a Grandfather, chap. xliv.

† Memorials of Montrose and his Times, published by the Maitland Club, vol. ii. pp. 215–251.

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Bishop of Moray, were condemned to death; but Lord Ogilvie escaped from prison in his sister's clothes, it was supposed through the connivance of the Hamiltons, and Hartfell was pardoned through the intercession of Argyll. The other four were executed at St. Andrew's. The fate of Sir Robert Spottiswood was regarded with peculiar grief. He had been president of the court of session, and afterwards secretary of state, and was possessed of great talents and learning. He had never borne arms, but the crime of having brought from England the royal commission to Montrose, and of having accepted the office of secretary, which the parliament had formerly conferred upon the Earl of Lanark, appears to have given great offence, and was thought quite worthy of death.*

Treaty of Uxbridge—

While these events were taking place in Scotland, the affairs of the king in England were rapidly going to ruin. Negotiations for peace were renewed about the beginning of 1645, and commissioners appointed by the king and the parliament met at Uxbridge, on the 27th of January, to discuss the terms of accommodation. It was soon found, however, that neither the king nor his adversaries were sincerely desirous of peace; and the demands of the parliament were most exorbitant. The leading topics of discussion were arranged under three heads—religion, the militia, and the state of Ireland. Under the first head the parliament demanded the abolition of episcopacy; the establishment in its room of the presbyterial form of church government; the substitution of the directory of public worship for the Anglican liturgy; the confirmation of the acts of the assembly of divines at Westminster; and that the king himself should take the covenant. Charles, however, was strongly attached to episcopacy, and refused to consent to its abolition, though he was now willing to accept of the moderate scheme of prelacy recommended by Archbishop Usher. But the parliamentary commissioners refused even to enter into discussion upon it. The second article of the treaty was the command of the militia. The parliament at first demanded for an unlimited time the appointment of all the commanders by sea and land, including the lord-lieutenant of Ireland, and all governors of garrisons. The king, on the other hand, was reluctantly induced to offer to resign the command into the hands of commissioners, half of whom should be named by himself, half by the parliament, for the space of three years, which he afterwards extended to seven. But the parliamentary negotiators peremptorily declined this proposal, and offered as a compromise to limit their demand of exclusive control to seven years, leaving the matter to be again adjusted between the king and the parliament at the termination of this period. With regard to the third proposition, which referred to the state of Ireland, the parliament required that the cessation of arms should be declared void; that the direction of the war should be entrusted to them; and that no peace should be concluded without their consent. But on this head the king was inflexible. The news of Montrose's brilliant victories in Scotland, and the hope of obtaining assistance from the Continent, are alleged to have rendered his majesty more obstinate in his refusal to accede to the demands of the parliament. The time allotted for treaty was spent in debate and wrangling without settling a single point; and at the expiry of twenty days, the period originally fixed for the duration of the negotiations, the parliament recalled their commissioners.

—its failure.

Renewal of the war.

The failure of the negotiations at Uxbridge made it clear to both parties that they must once more try the fortune of war. The parliament prepared for the renewed struggle by passing the memorable self-denying ordinance, by which the members of both houses were excluded from every civil and military employment. The army was new modelled; the ablest and fittest men were drafted from the old regiments, and placed under new officers, selected for their courage and skill. The discipline introduced among them was of the most exact and rigid kind; "for the usual vices of camps were restrained among them; no theft, no wantonness, no oaths, nor any profane words, could escape without the severest castigation, by which it was brought to pass that in this camp, as in a well-ordered city, passage was safe, and commerce free."* Their new officers united in their persons both the spiritual and the military functions, and prayed with and exhorted as well as drilled their troops. The private soldiers caught the spirit of their leaders, and their religious enthusiasm, combined with their valour and discipline, speedily rendered them one of the most formidable armies that the world has ever seen. The royalists, on the other hand, became as notorious for their blasphemy and swearing, drinking, gambling, and other vices, as their adversaries were remarkable for their sobriety and decency. "The officers prided themselves in their profligacy, considering all decency of behaviour the merest hypocrisy, and altogether unfit for soldiers, and their men showed a great aptitude in following the example of their superiors." The whole country was laid waste by their excesses, so that in the end they became more formidable to their friends than to their enemies.

New modelling of the army.

Successes of the parliament.

At the opening of the campaign the king to all appearance had many advantages over his opponents; but the effects of the new modelling of the parliamentary army soon became apparent. The siege of Taunton was raised by Fairfax, and Cromwell defeated a portion of the royal forces at Islip Bridge, in Oxfordshire, and took Bletchington House, in which a portion of the fugitives had sought refuge. On the other hand, the king relieved Chester, which was besieged by Sir William Brereton; and, after an obstinate resistance, took the import-

* Balfour's Memorials, vol. iii p. 361.

* Breviary of the History of the Parliament.

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ant city of Leicester by storm. The most frightful atrocities were perpetrated by the licentious and rapacious assailants. No distinction was made of age or sex, of royalist or republican, though the king had many adherents within the town: even the churches and hospitals were not exempted from the general pillage. One of the most zealous partisans of the royal cause is compelled to acknowledge that "Leicester presents but one among many instances which show that the cavaliers, and the royalist soldiers generally, assumed after the adoption of the new model a greater height of licentiousness, as if in scornful contrast with their enemies, who affected to regard themselves as the soldiers of God, and to observe a severity of discipline as well as a gravity of demeanour consistent with that lofty claim."

Atrocities of the royalists.

On receiving intelligence of this disaster, Fairfax abandoned the siege of Oxford, and marched towards the royal army. A few days after (June 13th), he came up with the king at Harborough, in Leicestershire, and spread an alarm through the royal camp by falling suddenly on the outposts at eleven o'clock at night, and killing or making prisoners the sentinels. On this unexpected occurrence, his majesty immediately assembled a council of war, at which, with the rash, impetuous gallantry that characterised the royalist officers, it was resolved to advance and offer battle.* Early next morning the parliamentary forces put themselves in motion, with the view of bringing the royalists to action, but on approaching the village of Naseby, near the borders of Northamptonshire, they found the king's army drawn up in battle array on a rising ground about a mile south from Harborough. Mistaking some movements of Cromwell's cavalry for a retreat, the royalists quitted the advantageous position which they had occupied, and advanced into the plain, a fallow field about a mile broad, on the north-west side of Naseby. The battle was begun by Prince Rupert, who, with his characteristic impetuosity, charged the left wing of the parliamentary army commanded by Ireton, threw them into disorder, and, in spite of a desperate resistance, drove them from the field. Ireton himself was severely wounded, and taken prisoner. His reserves also were routed, and some of the guns fell into the enemy's hands. While this was going on, the royal centre, commanded by the king in person, advanced at a rapid pace up the hill, and made a fierce onset upon the main body of the parliamentary army under Fairfax, and compelled them to give way. Fairfax, however, and brave old Skippen rallied their broken ranks, and renewed the fight. Meanwhile, Cromwell, at the head of his famous Ironsides, had completely routed the left wing of the royalists, under Sir Marmaduke Langdale; and leaving four squadrons to continue the pursuit, and prevent the broken enemy from rallying, with the remainder of his victorious troops he wheeled rapidly round to the centre, where the battle still raged with doubtful success, and attacked the royal forces in the flank and rear. This movement decided the victory. The king's battalions, already hard pressed, gave way on all sides, threw down their arms and fled, or yielded themselves prisoners. One regiment alone stood its ground, and, though twice furiously assailed, would not move an inch. A third charge, however, made simultaneously in front and rear, threw them into confusion; the standard was taken by Fairfax himself; and the devoted band, cut through in all directions, were at length driven from the field. By this time Prince Rupert had returned from his pursuit of the parliamentary left wing, which, with his habitual rashness, he had carried too far, but the battle was irretrievably lost. The king, indeed, who had shown great gallantry throughout this fatal day, endeavoured to rally his broken squadrons, and to restore the fight. "One charge more," he exclaimed, "and we recover the day!" But the effort was in vain. The cavalry felt it was hopeless to contend alone against the enemy's horse, foot, and artillery, and could not be induced again to form and renew the contest. They fled in disorder to Leicester, hotly pursued by Cromwell's horse, leaving five thousand prisoners in the hands of the victors, all their artillery, with eight thousand stand of arms, all their baggage, including the rich plunder they had carried off from Leicester a few days before, the royal standard, and a hundred other colours, together with the king's baggage and his private cabinet of papers and letters.* These important documents were soon after published by command of parliament; and by the incontestable proofs which they offered of his majesty's systematic insincerity and double-dealing, contributed largely to the ruin of his cause.

Battle of Naseby.

Total defeat of the royal army.

After this fatal battle the king returned to Wales, in the vain hope of raising a fresh army in the principality. He spent about three weeks with the Marquis of Worcester, in Ragland Castle, where, strange to say, his time was principally passed in sports and entertainments, "as though," says his military historian, "no crown had been at stake or in danger to be lost." Meanwhile, his affairs were going to ruin in all quarters, and his indefatigable adversaries were diligently improving their victory. Fairfax re-took Leicester on the 17th of June. On the 10th of July he raised the siege of Taunton, and shortly after defeated Goring at Langport, in Somerset, and took fourteen hundred prisoners. The strong and important town of Bridgewater surrendered to him on the 23rd of July. A fortnight later Sherborne Castle was taken by storm. The siege of Bristol immediately followed. Prince Rupert occupied that city with a strong garrison; it was well stored with provisions, and he had boasted, in a letter to the king, that he would defend the place against all attacks for four months at least;

Ruin of the royal cause.

* Rushworth, vol. vii.

* Rushworth, vol. vii. p. 42; Clarendon, vol. iv. p. 656.

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but he hardly held it four days, and capitulated as soon as his lines were forced, while the walls of the city were yet entire. The king was so provoked at his nephew's precipitate surrender of this important fortress, that he immediately recalled all the prince's commissions, commanded him to quit the country, and sent him a pass to go beyond sea. Separating from the main army, Cromwell proceeded to reduce the strongholds in the western counties, which still held out for the king. Devizes, Berkley, and Winchester Castles, Basing House, and other fortified places, were successively surrendered or carried by storm. Lord Wentworth was defeated near Ashburton, with the loss of four hundred men. Hopton was overthrown at Torrington, and, followed by some broken squadrons of cavalry, took refuge in Cornwall, where his disorganised troops mutinied and laid down their arms.

In the meantime the Scots, having after an obstinate siege made themselves masters of Carlisle, marched southward and invested Hereford. On the approach of the king, however, they raised the siege, and fell back toward the Borders. Previous to this, Charles had entertained the project of marching to the north with his cavalry, and effecting a junction with Montrose, but after advancing as far as Doncaster, he wavered, and then renounced the scheme as hopeless. At this juncture he again resolved to adopt this expedient, and, starting from Hereford, he proceeded to Chester by a circuitous rout over the Welsh mountains, with the view of avoiding any interruption from the enemy, intending to make his way from Chester northward by Lancashire and Cumberland. The city of Chester was of great importance to him, as no other port remained open by which the expected reinforcements from Ireland could land. It was at this time besieged by the parliamentary forces under Colonel Jones, who had obtained possession of a portion of the suburbs. While engaged in an attempt to dislodge the besiegers, the royal forces were attacked by Colonel Poyntz, who had received orders to follow the king in his march, and after a desperate engagement the royalists were completely defeated, with the loss of six hundred killed and a thousand taken prisoners. The king, with the remains of his army, fled to Newark, and thence escaped to Oxford, where he shut himself up during the winter season. From Newark Lord Digby and Sir Marmaduke Langdale were dispatched, at the head of fifteen hundred cavalry, to the assistance of Montrose, but the attempt completely failed. At Sherborne they were defeated with considerable loss by Colonel Copley, and the misfortune was greatly aggravated by the capture of Digby's cabinet, containing his official correspondence with the king, which, as in the case of Charles's own correspondence at Naseby, proved highly injurious to the royal cause. Rallying his dispersed followers at Skipton, Digby continued his march through Westmoreland and Cumberland as far as Dumfries, but having failed there to obtain intelligence of Montrose, he retraced his steps to the neighbourhood of Carlisle, and there disbanded his troops. He and his officers sought shelter in the Isle of Man, whence they ultimately proceeded to Dublin.

Fruitless attempt of the king to join Montrose.

Expedition of Lord Digby to the Borders.

To crown the misfortunes of the king, his intrigues with the Irish rebels were brought to light at this juncture, and completed the ruin of the royal character and interests. The cessation of arms with the Roman Catholic insurgents in Ireland was agreed to by the king, for the purpose of enabling him to recall his own troops, and to avail himself of the services of such of the rebel party as might be willing to follow the royal standard. At first the negotiations with the insurgents had been carried on at Oxford by means of deputies from Ireland, but they were subsequently entrusted to the management of the royal lieutenant, the Marquis of Ormond, at Dublin. The demands of the rebels were exceedingly extravagant. They knew their own strength and the king's weakness, and insisted on the public recognition and establishment of their religion, in return for their support of the royal cause. Finding that their scruples in regard to this point were not to be overcome, the king authorised Ormond to agree to the repeal of the penal laws against the Roman Catholics. But it soon become apparent that this concession was not regarded as sufficient to satisfy their demands, and the impatience or necessities of the king induced him to employ another negotiator, who could secretly offer such terms to the rebels "as it were unfit for the king at present to acknowledge publicly, and in which his lieutenant Ormond could not be seen." The person selected for this delicate mission was Lord Herbert, eldest son of the Marquis of Worcester, himself a papist, who was created Earl of Glamorgan, and secretly invested with extraordinary powers for the purpose of negotiating with the confederate Irish. The commission was granted to him under his majesty's privy signet, without the knowledge of his council; and it was arranged that, in case of discovery, the commission was to be disavowed by the king, and the whole blame thrown upon the agent. Furnished with this authority, Glamorgan proceeded to Kilkenny, and there concluded a treaty with the confederates, by which it was virtually stipulated that popery should become the established religion throughout the greater part of Ireland. In return for this concession, the Irish rebels agreed that they should furnish ten thousand men in aid of the royal cause, and should assign to the king's use for three years a large proportion of the ecclesiastical revenues.

Discovery of the king's intrigues with the Irish rebels.

Treaty of Lord Glamorgan—

Scarcely was this nefarious transaction completed, when it was brought to light by the discovery of a duplicate of the treaty, which was found on the person of the Roman Catholic Archbishop of Tuam, who was killed at the siege of Sligo by the Scottish army. It produced the most

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extraordinary excitement in both countries, and, to avert the obloquy which was in consequence thrown upon the king, Glamorgan was arrested by Ormond on a charge of treason. His commission was publicly disavowed by Charles, who denied that he had authorised the earl to enter into any treaty whatever with the rebels, and affirmed that he had merely furnished him with a commission to raise troops for his service. No credit, however, was given to these professions, and their insincerity soon became painfully manifest. Glamorgan, after the lapse of a few weeks, was liberated upon bail, and, with the approbation of the lord-lieutenant, returned to Kilkenny, to continue his negotiations with the confederates. He at length succeeded in concluding a treaty with them, and received an immediate aid of five or six thousand men, whom he led to Waterford, in order to relieve the city of Chester, which was reduced to great extremities by the parliamentary forces. But before he could obtain shipping for his troops, he received the unwelcome news that Chester had fallen, so that there was now no longer a port open for their landing in England. Upon this intelligence Glamorgan dispersed his now useless forces—"all these devices, therefore, nothing availed the king, all his designs were frustrated."*

—its disavowal by the king.

The affairs of the king had now become desperate. His last hopes of success were extinguished by the overthrow of Montrose at Philiphaugh, and on the defeat of Lord Astley at Stowe, the last royalist army was dissolved. Fairfax was advancing with his victorious army to invest Oxford, and the king was in imminent danger of being shut up in that city. In these distressing circumstances Charles made repeated but unsuccessful attempts to open negotiations with the parliament. He even offered to proceed to London, and there conduct a personal treaty; but this proposal was refused by the parliament, on the ground that the king's presence in London would neither be safe for him nor convenient for themselves. They evidently distrusted his sincerity, and not without reason,—for his design, as expressed in a confidential letter to Lord Digby, was to get to London with the expectation "of drawing either the presbyterians or independents to side with him for extirpating each other, so that I shall be really king again."* An attempt was then made to procure more favourable terms by his surrender to the parliamentary forces engaged in the siege of Woodstock; but this also failed, as neither Ireton nor Rainsborough, who commanded these troops, would engage to protect their sovereign, and conduct him in safety to the parliament. In this extremity the king turned to the Scots, who had never manifested such implacable animosity against him, and opened negotiations with them through Montreuil, the French envoy; but the Scottish officers would promise nothing beyond the safety of his person. It was impossible, however, for the king to remain much longer in Oxford without the certainty of falling into the hands of his enemies; and on the night of the 27th of April he quitted that ancient city habited as a groom, and accompanied only by his chaplain, Dr. Hudson, and Mr. Ashburnham.

Desperate state of the royal cause.

The king's flight from Oxford.

Notwithstanding this decisive step, Charles was still unresolved whether to cast himself upon the protection of the Scots, to endeavour to join Montrose, or to proceed at once to the metropolis. Passing through Henley, Slough, and Uxbridge, the king and his two companions reached Harrow, within an hour's ride of London, "much perplexed," says Hudson "what course to resolve upon—London or northward." But having learned that the parliament had issued a proclamation, declaring that if the sovereign should appear in the capital without their consent his person should be apprehended, and his followers imprisoned, his heart failed him, and he turned northward through St. Albans towards the Scottish camp. After passing in disguise through many by ways and cross-roads, and lingering for some days at Downham, in Norfolk, "purposely," says Clarendon, "to be informed of the condition of the Marquis of Montrose, and to find some secure passage that he might get to him," he at length reached the Scottish army before Newark (5th May), and immediately discovered himself to their general, Lord Leven.

He takes refuge in the Scottish camp.

The Scottish officers and commissioners expressed great surprise that the king "had so far honoured their army as to think it worthy his presence after so much opposition." They treated him with great respect, and assigned him a guard ostensibly for his protection, but in reality for his security as a captive, and to prevent all private communication with the officers. The parliament was startled by the intelligence, which reached them on the 6th of May, of the king's arrival in the Scottish camp, and after a protracted debate, carried resolutions declaring that his majesty's person should be at the disposal of both houses of parliament; that the Scots should conduct the king to Warwick Castle; and that Ashburnham and Hudson should be delivered up to the parliament as delinquents. The Scots refused to comply with these demands, alleging that as Charles was the sovereign of Scotland no less than of England,

* May, Brev. Hist. Parl. Hume and other defenders of the king have sought to extenuate or deny the king's share in these disgraceful transactions, but his majesty's letters are quite decisive on the subject. (See Dr. Birch's Inquiry). The testimony of Clarendon is of itself sufficient to settle the question. "I must tell you," he says in a letter to Secretary Nicholas, "I care not how little I say in that business of Ireland, since those strange powers and instructions to your favourite Glamorgan, which appear to me so inexcusable to justice, piety, and prudence. And I fear there is very much in that transaction more than you or I were ever thought wise enough to be advised within. Oh, Mr. Secretary! these stratagems have given me more sad hours than all the misfortunes that have befallen the king, and look like the effects of God's anger towards us." (Clarendon, State Papers, vol. ii. p. 387.)

* Rushworth, vol. vii. p. 215.

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they had an undeniable right to share in the disposal of his person; and that he had established an additional claim to their protection by having come voluntarily into their camp—a plea which they likewise extended to the persons who had accompanied him. Ashburnham, however, in compliance with the king's command, made his escape to the Continent, but Hudson was intercepted, and ultimately carried to Westminster and imprisoned.

Termination of the war.

As there was now no longer any motive for prolonging the struggle, the king ordered Lord Bellasis to surrender Newark to the parliament, and disband his troops. Shortly after, similar orders were sent to the governors of Oxford, Lichfield, Worcester, and all other fortresses which held out for him in England. Ormond was commanded to deliver Dublin, and the other strongholds in Ireland, into the hands of the parliamentary officers; and finally Montrose, who had hitherto kept together a small body of troops in the Highlands, laid down his arms and sought shelter on the Continent. The day following the surrender of Newark, the Scottish army, probably with the view of preventing any attempt on the part of the parliament to intercept their return, marched rapidly northward to Newcastle, where they halted to await the progress of their negotiations with the king and the parliament.* It is said that the English commons were so enraged at this step on the part of their allies, that at one moment they entertained the notion of dispatching Cromwell, at the head of their whole cavalry, to fall upon the Scots by surprise, and to take the king away from them by force; but ultimately they contented themselves with detaching Poyntz with a party of dragoons to follow the Scots, and watch them on their march northward from the Trent.

Coolness between the parliament and the Scots.

For some time previous to the termination of the war, the Scots had been declining in favour as their services had become of less importance to the parliament. Their pay was in arrears; their supplies were neglected, while the wants of the English forces were carefully provided for; their free quarters were refused; their cautionary garrisons in the north were demanded back. On the 29th of June the parliament voted them a grant of £100,000 for unsettled claims, provided they immediately surrendered these towns,—Newcastle, Berwick, and Carlisle,—and returned to their own country. A week later the vote of dismissal was repeated in more peremptory terms, and it was declared "that the kingdom had no further need of the Scotch army, and was unable to pay them longer." The Scotch, on the other hand, mildly reminded their allies that they had come into the kingdom at the earnest desire of their brethren, and had faithfully given their assistance to promote the ends expressed in the covenant, and declared that they were willing to surrender the garrisons possessed by them, and without delay to recall their army, provided that reasonable satisfaction were given them "for their pains, hazards, charges, and sufferings,—a competent portion to be presently paid, and security to be given for the remainder."* After many discussions, it was at last agreed that in lieu of all demands the sum of £400,000 should be accepted by the Scotch, of which one half was to be paid before the army left England, and the remainder within two years, "on the public faith of the nation."

Settlement of arrears due to the Scottish army.

Other and more important negotiations were at the same time in progress. The Scotch, along with the presbyterian party in England, offered terms of peace which were not materially different from those proposed at the treaty of Uxbridge. The parliament demanded the power of the sword for twenty years instead of seven, which the king now offered; the right to levy whatever money should be thought necessary for the support of their armies, together with the abolition of episcopacy, and the subscription of the solemn league and covenant by the king. The Scottish leaders, in particular, earnestly pressed him to take the covenant as the only means that now remained of settling the kingdom. Charles pleaded his conscience; he was bound by his coronation-oath to uphold episcopacy, which had been established in England since the Reformation; but he expressed his willingness to comply with the demands of parliament, if they could only satisfy his mind upon two points—first, that episcopacy was not of divine institution; secondly, that his coronation-oath did not bind him to support and defend the Church of England as it was then established. To remove, if possible, his majesty's scruples, the celebrated Alexander Henderson, though labouring under a mortal disease, left London, and hastened to Newcastle about the close of May. A controversy in writing ensued, which continued to the end of July, and was terminated by the illness of Henderson, who retired to Edinburgh, and died there on the 19th of August, worn out with his many and arduous labours. "Some said," records Whitelocke, "he died of grief because he could not persuade the king to sign the propositions."

Terms offered to the king.

His controversy with Henderson.

On the 23rd of July the final propositions of the parliament were presented to the king by commissioners appointed for the purpose. His majesty inquired if they had any power to treat, and being answered in the negative, he replied as he had done on a former occasion, "Then, saving the honour of the business, an honest trumpeter might have done as much." When the proposals were read he requested time for deliberation, as they involved changes of great importance: the Earl of Pembroke replied that he must give his answer in ten days.† "The commissioners of the parliament of England," says May, "stayed long with the king at Newcastle, humbly entreating him that he would

* Rushworth, vol. vii. p. 271; Clarendon, vol. v. p. 23.

* Rushworth, vol. vii. p. 326.

† Ibid. p. 219.

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vouchsafe to sign and establish those propositions. The same thing did the commissioners of the parliament in Scotland humbly entreat; and the like did others daily who came with renewed supplications to that end from the parliament sitting at Edinburgh. But in vain were the supplications of both kingdoms; the king persisted obstinately in denial of his assent; but daily he seemed to take exception at some particulars, whereby time was delayed for some months, and the affairs of both kingdoms much retarded, which happened at an unseasonable time, when not only dissensions between the two nations about garrisons, money, and other things were justly feared, but also in the parliament of England, and city of London, the divisions were then increasing between the two factions of the presbyterians and the independents, from whence the common enemy began to swell with hopes not improbable. And this, perchance, was the cause of the king's delay." *

He refuses the terms offered him.

Both the Scotch and English presbyterians were convinced that the king's acceptance of the parliament's propositions was the only means of saving the throne; and as they loved monarchy, though they did not love Charles personally, they employed both prayer and threats to induce him to comply with their demands. The Earl of Loudoun, Chancellor of Scotland, assured his majesty in emphatic terms, that his assent to the proposals now offered him was indispensable for the preservation of his crown and kingdoms, and that a refusal would bring on sudden ruin. "The parliament," he said, "is in possession of your navy, of all the towns, castles, and forts of England. They enjoy (besides sequestration) your revenue. Soldiers and monies are raised by their authority; and after so many victories and successes, they have a standing army so strong as to be able to act anything in Church or State at their pleasure." Refusal, or even delay, therefore, to accept of the terms now offered might provoke the parliament, who had the power, to adopt the determination of excluding the king and his posterity from the throne.

Urgent but fruitless entreaties of the Scots.

These urgent representations were supported by M. de Bellièvre, the new French ambassador, who implored the king to accept the propositions, and presented letters from the queen to the same effect. Sir William Davenant was sent over by her majesty to enforce her advice and entreaty, that the king "should part with the Church for his peace and security." All was of no avail. "Charles," says one of his apologists, "had strong reasons of a political nature for rejecting this advice. His distrust of the presbyterians was hereditary and profound, and he could not fail to bear in mind the sad confirmation afforded in his own career of his father's maxim—'no bishop, no king.' He still clung to the belief that notwithstanding the seeming unanimity of the two great factions, they would presently be divided even on the one question that most nearly concerned himself, and that the royal authority was still sufficient to adjust the balance between the presbyterian and commonwealth factions." He, therefore, declared to the courtiers who urged him to agree to the proposals of the parliament, that their arguments "were not only against his conscience,* but absolutely destructive to the end" of those who adduced them—"viz., the maintenance of monarchy;" and he assured them that "the more they pressed him on this subject, the more they would contribute to his ruin." Finally, he informed the commissioners that he was anxious to obtain a personal conference with the parliament, and for this purpose he desired to repair to London as soon as he had the assurance of the two houses, and of the Scotch commissioners, that he might appear there with freedom, honour, and safety. This answer, which was regarded by the parliament as a refusal of their demands, was received with grief by the king's friends, and with open exultation by his enemies. "What will become of us," said a presbyterian member, "since his majesty refuses the propositions?"—"Nay, what would have become of us," replied an independent, "if he had granted them?"

—and of the French ambassador and the queen.

Many months had now been spent in negotiations and discussions without any satisfactory result. At length, about the middle of December, the Scotch commissioners laid before the king the resolution of the parliament at Edinburgh not to allow him to enter Scotland. Charles, on this, once more renewed his request for "a personal, free debate with his two houses of parliament upon all the present differences." The parliament took no notice of this message, but resolved that the king should be allowed to come to Holmby, or Holdenby House, in Northamptonshire, "with all respect to the safety and preservation of his majesty's person, and in preservation and defence of the true religion, according to the covenant." On the 14th of January, 1647, the king submitted a paper to the Scottish commissioners, desiring to know whether he was a free man or a prisoner; adding, it is a received opinion by many that the engagements, acts, or promises of a prisoner, are neither valid nor obligatory, though he did not assert that to be his own opinion; and next whether he might go to Scotland with honour, freedom, and safety, or not. After a discussion of several hours, the commissioners returned the following answer to these queries:—"To the first, in what state you stand as in relation to freedom, the parliaments of both your kingdoms have given such orders and directions as they have thought fittest for the good and

Final declaion of the Scots.

* Brev. Hist. Parl.

* At a subsequent period, however, when it was too late, he offered "to restrict episcopacy to some few dioceses, leaving all the rest of England to the presbyterian government, with the strictest clauses against papists and independents."—*Rushworth*, vol. vi. p. 328.

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safety of your majesty and the kingdoms to the general and governor. To your majesty's second query of your going into Scotland, we shall humbly desire that we may not be put to give any answer; but if your majesty shall either deny or delay your assent to the propositions, we are in that case to represent to your majesty the resolution of the parliament of England." Two days after (January 16), the Scottish parliament, in spite of the opposition of the Duke of Hamilton and his friends, agreed to deliver up the king's person to the English parliament. When this resolution was carried, the duke gave a decided negative, the Earl of Crawford-Lindsay, president of the parliament, in signing officially the public warrant of surrender, recorded his solemn protest against it as an individual;* and the Earl of Lanark, Hamilton's brother, vehemently declared, "As God shall have mercy on my soul at the great day, I would choose rather to have my head struck off at the mercat (market) Cross of Edinburgh than give my consent to this vote."†

In vindication of this resolution, the Estates issued a declaration, narrating "that when the king came to the quarters of the Scottish army before Newark, he professed that he came there with the full and absolute intention to give all just satisfaction to the joint desires of both kingdoms, and with no thought either to continue this unnatural war any longer, or to make division betwixt the kingdoms; and in confidence of the reality of his intentions and resolutions, which he declared did proceed from no other ground than the deep sense of the bleeding condition of his kingdoms; and on these terms alone did the committees of the kingdom of Scotland, and the general officers of the Scottish army, declare to himself and to the kingdom of Scotland that they received him; and represented to him that the only way of his own happiness and peace of his own kingdom under God, was to make good his professions so solemnly renewed to both kingdoms, and the prejudice and inconvenience that would arise from delay; but that, notwithstanding, these promises remained unfulfilled; and as their army was now about to leave England, and the king had expressed in his answers to the propositions submitted to him his desire to be near his two houses of parliament, and the two houses had appointed Holmby House for his reception, the Estates of the parliament of the kingdom of Scotland concurred in his majesty's going to Holmby House, or some other of his houses in or about London, there to remain until he give satisfaction to both kingdoms in the propositions of peace; but, in the interim, that there be no harm, prejudice, injury, nor violence, done to his person; that there be no change of government, other than that hath been these three years past, and that his posterity be in no way prejudiced in their lawful succession to the crown and government of these kingdoms."

Their reasons for that decision.

On the 23rd of January the commissioners appointed to take charge of the king arrived at Newcastle, and were received by his majesty with great cheerfulness and affability. He was well pleased, he said, to part from the Scots, and to come nearer to the parliament. On the 30th he set out for his new residence at Holmby Park, escorted by nine hundred horse, and on the same day the Scots evacuated Newcastle, and began their march to their own country.

The king is delivered up to the parliament.

It has often been asserted that the payment of the arrears due to the Scots was given as an equivalent for their surrender of the king's person; but this misstatement of facts is as gross as the stigma attached to the Scottish nation is undeserved. The amount of the arrears was fixed in August, the payment of the money was voted by the parliament on the 5th of September; the negotiations respecting the king were not concluded till the 10th of January following. On the 21st of September, a month after the settlement of the arrears, the English parliament passed a vote claiming the sole disposal of the king's person. The Scots instantly remonstrated against this vote, and urged that as Charles was sovereign of both countries, as both nations had taken part in the contest, and had an equal interest in its settlement, so both had a right to be consulted respecting the disposal of his person. The English, on the other hand, maintained that the king being in England was comprehended within the jurisdiction of that kingdom, and could not be disposed of by any foreign nation. On the 10th of December the Scottish parliament, through the influence of the Hamiltons, resolved to maintain the freedom of the king, and to assert his right to the English throne; and though this vote was rescinded next day, on the ground that it amounted to an abandonment of the solemn league and covenant adopted in concert with the English presbyterians, yet the Scotch still offered to reinstate the king on the throne, and to obtain for him a favourable settlement with his English subjects, provided he would consent to take the covenant. The Duke of Hamilton, one of his principal friends in Scotland, who had obtained his freedom on the surrender of Pendennis Castle, united with the covenanters in urging him to take this step as the only means of saving himself and the monarchy. But the king remained inflexible, and all that could be obtained from him was a dubious consent to tolerate presbytery for three years; and, in making even this concession, he declared privately to the Bishop of London his resolution to restore and uphold episcopacy. At the very last moment the Earls of Lauderdale and Traquair renewed with greater earnestness their efforts to induce the king to give his consent to the establishment of presbytery, undertaking, on this condition, to conduct him to Berwick, and to

Attacks upon the Scots for their conduct.

* Acts of Parliament, vol. vii. p. 14; Appendix.
† Rushworth, vol. vi. p. 389, *et seq.*; Burnet's Memoirs, p. 310.

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procure more favourable terms from the English parliament; and a bribe of twenty thousand Jacobuses was offered to Montreuil to obtain from Charles even a bare promise of his compliance with their demands. It could scarcely be expected, as Sir Walter Scott has justly remarked, that the Scottish convention of Estates should resign the very point on which it had begun and continued the war. The king's obstinate refusal to accede to the terms proposed to him rendered it impossible for the Scots to support his cause, or even to retain possession of his person. He was not given up to his English subjects till he had not only positively refused to comply with the terms which the Scots had urgently pressed upon him, but had written repeatedly to the English parliament, expressing his desire to be near them, the more speedily and effectually to conclude the long-continued negotiations. To have attempted to retain him in these circumstances would have led, not merely to a breach of the league with England, but to a civil war.

Defence of their policy.

"It would have shown more generosity," says Mr. Hallam, "to have offered the king an alternative of retiring to Holland; and from what we now know, he probably would not have neglected the opportunity. But the consequence might have been his solemn deposition from the English throne; and, however we may think such banishment more honourable than the acceptance of degrading conditions, the Scots, we should remember, saw nothing in the king's taking the covenant, and sweeping away prelatic superstition, but the bounden duty of a Christian sovereign, which only the most perverse self-will induced him to set at nought. They had a right also to consider the interests of his family, which the threatened establishment of a republic in England would defeat. To carry him back with their army into Scotland, besides being equally ruinous to the English monarchy, would have exposed their nation to the most serious dangers. To undertake his defence by arms against England, as the ardent royalists desired, and doubtless the determined republicans no less, would have been, as was proved afterwards, a mad and culpable renewal of the miseries of both kingdoms. He had voluntarily come to their camp; no faith was pledged to him; their very right to retain his person, though they had argued for it with the English parliament, seemed open to much doubt. The circumstance, unquestionably, which has always given a character of apparent baseness to this transaction, is the payment of £100,000, made to them so nearly at the same time, that it has passed for the price of the king's person. This sum was part of a larger demand on the score of arrears of pay, and had been agreed upon long before we have any proof or reasonable suspicion of a stipulation to deliver up the king. That the parliament would never have actually paid it on any other consideration, there can be, I presume, no kind of doubt, and of this the Scots must have been fully aware. But whether there were any such secret bargain as has been supposed, or whether they would have delivered him up if there had been no pecuniary expectation in the case, is what I cannot conceive sufficient grounds to pronounce with confidence; though I am much inclined to believe the affirmative of the latter question. And it is deserving of particular observation, that the party in the House of Commons which sought most earnestly to obtain possession of the king's person, and carried all the votes for payment of money to the Scots, was that which had no further aim than an accommodation with him, and a settlement of the government on the basis of its fundamental laws, though doubtless on terms very derogatory to his prerogative; while those who opposed each part of the negotiation were the zealous enemies of the king, and, in some instances at least, of the monarchy." *

* The following defence of the Scots against the accusations which have been so freely preferred in consequence of the transactions at Newark, will be read with interest, as proceeding from a writer who will not be suspected of an undue partiality to the covenanters, namely, Sir George Mackenzie of Rosehaugh, Lord-Advocate of Scotland in the reign of Charles II. and James VII. "The parliament of Scotland (1661)," says he, "taking to their consideration how much, and how unjustly this kingdom was injured by an aspersion cast upon it for the transactions at Newcastle in anno 1647, at which time the king was delivered to the parliament of England, which was called in some histories a selling of the king, did, by an express act condemn and reprobate all that treaty, and declare that the same was no national act, but was only carried on by some rebels who had falsely assumed the name of a parliament. Nor wanted there many, even in that parliament, who protested against all that procedure, and who had the courage and honesty to cause registrate that protestation. And I must here crave leave to expostulate with our neighbours of England, for inveighing so severely against our nation for delivering their king, seeing he was only delivered up to the then parliament, who first *imprisoned*, and then *murdered* him; whereas, how soon even our rebels discovered their design, they carried into England a splendid mighty army for his defence, and when his murder came to their ears, they proclaimed his son their king, and sent commissioners to treat with him, and bring him to Scotland; and when he was arrived, they did contribute their lives and fortunes for his safety. And albeit some bigot presbyterians did use him unkindly out of too much kindness to their own principles, yet even these did very generously oppose Cromwell, and such as had murdered the king, as is clear by the attack made by Major-general Montgomery at Musselburgh, and by the remonstrators at Linlithgow. They fought also two battles for him at Dunbar and Worcester, and suffered the greatest imaginable hardships." (Memoirs of the Affairs of Scotland from the Restoration of King Charles II. A.D. 1660. By Sir George Mackenzie of Rosehaugh.)

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CHAPTER L.

CHARLES THE FIRST.

A.D. 1647—1649.

Quarrel between the parliament and the army.

SOON after the return home of the Scotch, the presbyterians perceived that the maintenance of their own power, as well as the public safety and convenience, required the reduction of the army. They proposed, therefore, at once to disband the greater part of the troops, and to send another portion over to Ireland. This proposal excited great dissatisfaction throughout the army, and instead of preparing to disband, the soldiers presented a petition demanding an indemnity, ratified by the king, for their conduct during the war, payment of their arrears, exemption from being compelled to serve in Ireland, compensation for the maimed, pensions for the widows and families of those who had been killed, and weekly pay as long as they should remain embodied. The parliament denounced this petition as mutinous, and threatened to proceed against its promoters as enemies to the State and disturbers of the public peace. The soldiers, irritated at this harsh treatment, complained that while petitions against them were encouraged, they whose valour had preserved the liberties of the nation were denied the common right of subjects to represent their own wrongs; and, in order effectually to procure the redress of their grievances, they organised a military council in opposition to the parliament at Westminster. The commons, who perceived when too late the spirit which they had provoked, were obliged to yield every point. The demands of the agitators, as the military deputies were called, rose in proportion to the concessions of the parliament. Besides the loss of pay and influence which they would incur by being compelled to lay down their arms and return to their original occupations, they dreaded the imposition of the presbyterian doctrine and discipline, to which their independent principles rendered them exceedingly averse. Having discovered their strength, they soon made it evident that they were determined not to submit to the tyranny of the parliament. Cromwell, Fleetwood, and Ireton, by whom the mutinous spirit of the troops was fomented, were by an unaccountable infatuation sent down by the parliament to pacify the agitators, and to "settle the distempers in the army." "We know of no distempers," was the reply of the representative tribunes, "but we do know of many grievances, and of these we demand immediate redress." The parliament offered the indemnity which had been required, together with payment of arrears for eight weeks and security for the remainder, accompanied, however, by a confirmation of the previous orders to proceed with the disbanding of the troops; but the council of officers resolved that these concessions were wholly insufficient to satisfy the soldiers. The crisis was now rapidly approaching. The lords voted that the king should be brought from Holmby to Oatlands, near the capital, and that a fresh treaty should be opened with him, but the army resolved to forestal this movement by seizing his majesty's person.

Seizure of the king by the soldiers.

Accordingly, a party of five hundred horse suddenly appeared, on the 3rd of June, at Holmby House, under the command of a cornet named Joyce, originally a tailor. On obtaining admission to the royal presence, after some explanation as to the object of his abrupt intrusion, he was asked by the king what authority he had to secure his person? "The soldiers of the army," was the prompt reply. —"That," objected Charles, "is no lawful authority. Have you nothing in writing from Sir Thomas Fairfax? Deal with me ingenuously, Mr. Joyce. What commission have you?"—"Here is my commission," answered Joyce, "here, behind me," pointing to the troops who accompanied him. The king smiled, and said, "It is as fair a commission, and as well written, as I have ever seen in my life—a company of handsome, proper gentlemen as I have seen a great while. But what if, nevertheless, I refuse to go with you? I am your king. I hope you would not force me." On receiving assurance that he would be treated with due respect, that he should not be forced in any thing against his conscience, and that he should be free to see his friends, he agreed to go with them. It was not their principle, Joyce remarked, to force any man's conscience, least of all their king's. It was their enemies who used that practice.* The king was conveyed to Newmarket; and on the same day that he was removed from Holmby, Cromwell, who had secretly dictated the measure, hastily quitted London, having learned that a resolution had been privately taken by the parliament to commit him to the Tower. He was welcomed by the soldiers with acclamations of joy, and they immediately entered into a solemn engagement not to disband without redress of grievances, security against oppression to the whole people of England, and the dismissal from power of the leading presbyterians. They then immediately began their march to London. At every step in their advance towards the capital some fresh petition or remonstrance was issued by them. A demand was made that the House of Commons should be "purged" of all persons who had acted in opposition to the army, and, in particular, that eleven members mentioned by name, and consisting of Hollis, Stapleton, Glyn, Maynard, and other heads of the presbyterian party, should be excluded until they had been legally acquitted of certain charges which the soldiers were prepared to prove against them. As the commons, though willing, were totally unable to protect the obnoxious members, they voluntarily left the house. Satisfied with this and other concessions, the army

Demands of the army.

Submission of the parliament.

* Impartial Narration concerning the Army's Preservation of the King. (Rushworth, vol. vi. p. 516.)

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retired to Reading; but in a short time a mob of royalists and presbyterians, enraged at the tame submission of the parliament to the demands of the army, besieged the doors of the house, and demanded the instant repeal of the law transferring the command of the militia to the independents, together with the restoration of the eleven impeached members. The majority of the members readily yielded to this demand, which was in accordance with their own wishes, but the minority of sixty-two members, with the two speakers, Manchester and Lenthall, secretly quitted the city, and threw themselves on the protection of the army, which was then at Hounslow Heath.

The army take possession of the capital.

The majority proceeded to elect new speakers, and resolved to make every effort to resist the encroachments of the army. Troops were ordered to be raised and disciplined; the train-bands were directed to man the lines; and other measures were adopted to provide for the defence of the city. But these warlike demonstrations were hastily laid aside on the approach of Cromwell with his veteran troops; the gates were promptly opened, and the speakers, with the seceding members, were escorted in triumph to Westminster. The eleven impeached members retired to the Continent; the lord-mayor, one of the sheriffs, and four aldermen, were sent to the Tower; the lines about the city were levelled with the ground; and the ascendancy of the army was completely established. During the contentions between the parliament and the army negotiations continued to be carried on with the king.

Treatment of the king by the troops—

He was treated with a degree of respect and attention to which he had for some time been a stranger. His friends and domestics were now freely admitted to his presence; he was allowed the full enjoyment of his favourite exercises—tennis or riding; and the gentry of the neighbouring counties thronged his presence chamber. In his public progress with the army an officer of rank rode bare headed before him, and he was permitted without interference to reply to the acclamations and addresses of the people and the troops. Above all, his younger children were allowed to pay him a visit;* and, in spite of the intolerant remonstrances of the parliament, his chaplains, Sheldon and Hammond, were restored, and were once more allowed to celebrate divine service after the forms of the English Church. The interview between the royal parent and his children was so touching that Cromwell, who happened to be present, could not help being moved, and afterwards declared that it was "the tenderest sight that ever his eyes beheld."

—their moderate proposals—

The demands made by the army were singularly moderate. The Church was to be protected in all its legal rights; liberty of conscience was to be secured; the liturgy and the covenant were to be put on the same footing, and all penalties for the neglect of either abolished. The article relating to the command of the militia was modified in favour of the crown; the number of the king's adherents who were not to be admitted to pardon was limited to seven; the House of Commons was to be reformed by abolishing small boroughs and augmenting the number of county members, and by limiting the sittings and the duration of parliament. It was further stipulated that none of the king's friends should be allowed to sit in the next parliament.*

—their rejection by the king.

Unfortunately the king imagined that the liberality of the terms offered by the army only proved how important his support was to their own interests. He expected to hold the balance between the two great parties by whom he had been defeated, and had sometimes even hoped that in their contest for supremacy he might be chosen mediator between the parliament and the army. "Sir," said the acute and fearless Ireton, "you have an intention to be the arbitrator between the parliament and us, and we mean to be arbitrators between your majesty and the parliament."† The king, therefore, expressed himself disappointed and displeased with the terms proposed by the army, when the rough draft of them was submitted to him by Sir John Berkley. In vain did that shrewd and practical royalist represent to him that better terms could scarcely be expected from men "who had through so great dangers and difficulties acquired so great advantages;" that the king by his return to power would be able to alleviate, or even to recompense, the exile of the seven persons excepted from pardon; and that a crown so nearly lost could never be retrieved on easier conditions. With his characteristic obstinacy, his majesty adhered to his own opinion. The army he said could not stand without him, and he doubted not very shortly to see them glad to make larger concessions. When the proposals were formally submitted to him for his concurrence, he not only refused his consent, but addressed ungracious, and even scornful, remarks to the deputies of the army, who listened to them with mingled astonishment and regret. No man, he declared, with repeated allusions to the fate of Strafford, should suffer for his sake. He would have the Church, he said, established by law. To obtain the re-establishment of the Church, it was answered, was not the army's province, they deemed it sufficient to waive that point. On being reminded that he had consented to the abolition of episcopacy in Scotland, he expressed his hope that God had forgiven him that sin, and repeatedly declared, "You cannot do without me. Unless I sustain you, you must fall to ruin, and I will not afford you my support at so mean a price."‡

The discovery of the secret negotiations which his majesty was at the same time carrying on with

* When he formerly besought the parliament to restore to him his children, the heartless answer was, that "they could take as much care at London both of their bodies and their souls as could be done at Oxford."

* Rushworth, vol. vii. p. 231, *et seq.*
† Sir John Berkley's Memoirs, p. 15.
‡ Ibid., pp. 30—36.

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the Scots, contributed still farther to alienate the army, and to confirm their conviction of his incurable propensity for double-dealing. "Being commanded by his majesty," says his confidential agent, Ashburnham, "to desire from Cromwell and Ireton that he might go from Stoke to one of his own houses, they told me with very severe countenances he should go if he pleased to Oatlands; but that they had met with sufficient proof that the king had not only abetted and fomented the differences between them and their enemies, but that likewise he had at that instant a treaty with the Scots, when he made the greatest profession to close with them; for the justification of which they affirm that they had both his and the queen's letters to make it good, which were great allays to their thoughts of serving him, and did very much justify the general misfortune he lived under, of having the reputation of little faith in his dealings."*

His secret negotiations with the Scots.

Notwithstanding this repulse, attempts were still made to bring the king to terms. After some delay, the proposals of the army were brought before the two houses of parliament for their approbation; but they were set aside by the majority, and the Newcastle propositions, modified by some slight changes, were adopted in their stead. The king, however, declared his inability to consent to these propositions without violence to his conscience and his honour, and expressed his preference for the proposals of the army, "as much more calculated to conduce to the satisfaction of all interests, and to be the basis of a lasting peace, than the propositions now tendered." This answer, which was presented to the commons on the 13th of September, raised a violent flame in the house. The king was denounced as an obstruction in the way of all good, and it was publicly declared that they ought to think no more of him, but to proceed as if no such person existed. In the meetings of the army agitators, the fiercest invectives were launched against the king. He had rejected their proposals; they were no longer to regard either them or the king himself, but to consult their own good and the safety of the kingdom, which indeed was theirs by conquest, "and to use such means towards both as they should find rational." The respectful treatment hitherto given to the king was now exchanged for disrespect and rudeness, and he was even kept in alarm for his personal safety. His friends were excluded from his presence, and the guards were doubled about the palace.

—he rejects the modified propositions of the parliament—

—he is denounced by the troops.

In these circumstances the king resolved to make his escape, and on the 11th of November, accompanied only by Sir John Berkley, Ashburnham, and Colonel Legge, he privately left Hampton Court,† and ultimately sought refuge in the Isle of Wight, where he was kept as a prisoner in Carisbrooke Castle, by Colonel Hammond, the governor of the island. Meanwhile, the agitation in the army still continued, and on the king's escape broke out into open mutiny against their officers, whom they suspected of collusion with his majesty for their personal aggrandisement. But the "levellers," as they were termed, were soon quelled by the vigorous measures of Cromwell. At the head of a body of faithful adherents, he required them to remove some offensive and seditious badges, and on their refusal, he drew his sword, charged into the midst of the mutineers, seized a dozen of the ringleaders, caused one of them to be instantly shot, and handed over the rest to be tried by a court-martial. The others then returned to their obedience, but these proceedings showed Cromwell and Ireton the danger they incurred by their friendly negotiations with the king, and contributed to the change of policy which they soon after avowed. "If we cannot bring the army to our sense," said Cromwell, "we must go to theirs: division would ruin all."* Charles now attempted to open fresh negotiations with the parliament, and offered to resign the command of the militia during his reign; to consent to the establishment of presbytery for three years; to allow liberty of conscience; to pass an act of oblivion; to pay up the arrears due to the army, and to give up the courts of wards and liveries for a recompence to be settled by the parliament. In answer to these offers, the parliament sent to him four propositions or bills, to which the king was required to give his assent as the preliminary condition of a personal treaty. They demanded that the command of the militia should be vested in the two houses for twenty years, and that it should not afterwards be settled without their consent; that all the acts and patents passed under the great seal since it was carried off from London by the Lord-keeper Littleton, in 1642, should be annulled; that all proclamations against the parliament should be recalled; and that the parliament should be empowered to adjourn from place to place.

—fresh negotiations opened with him.

The preliminary conditions required by the parliament—

These propositions were opposed at every step by the Scottish commissioners, who complained that the interests of their nation, and all respect to the presbyterian system, were by this vote wholly set aside. They argued that as they had been invited to take part in the war, on the ground of common interest, so it was reasonable in itself, agreeable to the law of nations and the rule of equity, to the express conditions of the solemn league and covenant, the duty of their allegiance, and the treaties between the kingdoms, that in making peace they

—strenuously opposed by the Scots.

—he escapes from Hampton Court to the Isle of Wight

* Ashburnham's Narrative.

† Shortly before leaving Hampton Court the king received a letter from Cromwell, informing him of the risk he would incur by staying any longer in that palace. Ludlow says, "It was evident that the king had escaped by Cromwell's advice."

* The Great Civil War, by the Rev. R. Cattermole, vol. ii. p. 252.

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should be consulted, and their common welfare provided for. The English parliament, they alleged, had frequently professed that the chief object for which they took up arms was to procure the reformation and establishment of religion according to the covenant, and they had often solemnly declared that no success would ever induce them to encroach on the lawful prerogatives of the crown. And it was by these motives and arguments that they had induced the Scottish people to take part in the contest. "Let it therefore be evident now," they continued, "that you are not unmindful of the solemn vows you made to God in the time of distress for the reformation of religion, and let it really appear that the advantages and power which success hath put into your hands have not lessened your loyalty to the king."* They protested, therefore, in high and uncompromising terms against the whole proceedings as unjust in themselves, and as a violation of the covenant.

—their remonstrances treated with contempt.

The parliament rejected with scorn this claim of the Scottish commissioners to be consulted in regard to the treaty with the king, and voted the interference of any foreign nation in their proceedings an invasion of the independence of the kingdom. An elaborate answer to the remonstrances of the Scots was composed by Henry Marten, "the buffoon of the house," as he was termed, in which their remonstrances were ridiculed, their claims repelled with contempt, and the covenant termed an almanack of the last year; and they were plainly told that, as their assistance was no longer needed, there was now no motive to induce the parliament to consult them, or to treat them with respect. "When," says he, "you ask why we do not observe the same forwardness in communicating our matters to you, the same patience in expecting your concurrence with us, and the same easiness of admitting your harangues and disputations among us, which you have heretofore tasted at our hands, and how we have become less friendly than we were? I have this to say, there is some alteration in the condition of affairs; so long as we needed the assistance of your countrymen in the field, we might have occasion to give you meetings at Derby House, and now and then in the painted chamber, it being likely that the kingdom of Scotland might then have a fellow-feeling with us for the wholesomeness or perniciousness of your counsels: whereas now, since we are able by God's blessing to protect ourselves, we may surely with his holy direction be sufficient to teach ourselves how to go about our own business, at least, without your tutoring, who have nothing in your consideration to look upon, but either your particular advantage, or that of the kingdom whence you are."

Commissioners from the parliament were sent down to the Isle of Wight with the four propositions or bills, and were ordered to wait only four days for the king's answer. This brought matters to a crisis. The Scottish commissioners followed next day, ostensibly for the purpose of presenting their protest against the proposals of the parliament, but in reality to conclude a secret treaty with the king. Charles, on his part, consented in this treaty to confirm the covenant, and to establish presbyterianism in England for three years, till it was revised, or another form prepared by the assembly of divines; to concur in the suppression of schism and heresy; and to admit the Scots to a share in all the commercial privileges of the English, and in all the emoluments and honours conferred by the crown—concessions which, if they had been made at Newcastle, would have secured to him the possession of his throne; but, like every other concession made by this unhappy monarch, they were delayed until they came too late to be of any service. The commissioners, on the other hand, agreed that if all peaceful endeavours should fail, the Scots should send an army into England for the restoration of the king to the full enjoyment of his rights and revenues. The document was enclosed in a sheet of lead, and buried in a garden, till some safe opportunity occurred for conveying it to the Scottish commissioners on their return to London.*

Secret treaty between the king and the Scottish commissioners.

To the two houses Charles replied that "neither the desire of being freed from his tedious and irksome condition of life, nor the apprehension of worse treatment, should ever prevail with him to give his assent to any bills as part of the agreement until the whole had been concluded in a personal treaty." As soon as this answer was delivered to the commissioners, the king's chaplain and attendants were ordered to quit the castle, the gates were locked, the guards doubled, and effectual precautions taken to prevent his majesty's escape. A rash and feeble attempt of Burley, an old royalist officer resident in the island, to raise a party for the king's rescue completely failed, and Burley himself was tried, found guilty of treason, and executed.

The king's reply to the parliament.

On the return of the commissioners to Westminster, a resolution was proposed to the commons by Marten (January 4th, 1648), and agreed to by a majority of 141 to 91, declaring that no farther addresses should be made to the king, nor any message received from him; and that if any person without their leave contravened this order, he should be liable to the penalties of treason.† A meeting of the general officers and chief agitators was held at Windsor, to deliberate concerning the future disposal of the king; and there was first formally broached the daring proposal, which no doubt had been previously discussed in their secret conclaves, to bring their sovereign to justice, and to punish him by a judicial sentence, as a shedder

Resolution against farther addresses to the king.

Council of officers held at Windsor.

* Aikman, vol. iv. p. 291.

* Clarendon, vol. v. pp. 103—108; Berkley's Memoirs, pp. 87—91.

† Rushworth, vol. viii. pp. 965—967.

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of his people's blood. "We declare," say these military agitators, in their resolution adopted at this meeting, "that we are resolved firmly to adhere to, and stand by, the parliament in their vote not to make any farther addresses, &c., and in what shall be farther necessary for prosecution thereof, and for the settling and securing of the parliament and kingdom without the king, and against him or any other that shall hereafter partake with him." A very striking account of this remarkable meeting, given by Adjutant-general Allen, throws considerable light on the character of the military leaders at this juncture, and the fanatical motives by which they were actuated. "We met at Windsor Castle about the beginning of forty-eight, and there we spent one day together in prayer; inquiring into the causes of that sad dispensation; coming to no further result that day, but that it was still our duty to seek. And on the morrow we met again in the morning, where many spake from the Word and prayed; and the then Lieutenant-general Cromwell did press very earnestly on all there present to a thorough consideration of our actions as an army, and of our ways, particularly as private Christians, to see if any iniquity could be found in them, and what it was; that, if possible, we might find it out, and so remove the cause of such sad rebukes as were upon us at that time. And to this end he added, 'Let us consider when we could last say that the presence of the Lord was among us, and rebukes and judgments were not as then upon us.' We concluded this second day with agreeing to meet again on the morrow; which accordingly we did, and were led by a gracious hand of the Lord to find out the very steps by which we had departed from Him, and provoked Him to depart from us; which we found to be those cursed, carnal conferences our own conceited wisdom, our fears, and want of faith had prompted us, the year before, to entertain with the king and his party. And on this occasion did the then Major Goffe make use of that good word, Proverbs i. 23—'Turn you at my reproof: behold, I will pour out my Spirit unto you, I will make known my words unto you.' And the Lord so accompanied this invitation by His Spirit that it had a kindly effect, like a word of His, upon most of our hearts that were then present, which begot in us a great sense of shame, and loathing of ourselves for our iniquities, and a justifying of the Lord as righteous in His proceedings against us. He led us not only to see our sin, but also our duty, and this so unanimously set with weight upon each heart that none was able hardly to speak a word to each other for bitter weeping, partly in the sense and shame of our iniquities, of our unbelief, base fear of men, and carnal consultations with our own wisdom, and not with the Word of the Lord. . . . . And yet we were also helped, with fear and trembling, to rejoice in the Lord, who no sooner brought us to His feet but He did direct our steps, and we were led to a clear agreement amongst ourselves, that it was the duty of our day, with the forces we had, to go out and fight against our potent enemies with an humble confidence in the name of the Lord only. And we were also enabled then, after seriously seeking the Lord's face, to come to a very clear and joint resolution that it was our duty to call Charles Stewart, that man of blood, to an account for that blood he had shed and mischief he had done to his utmost against the Lord's cause and people in these poor nations." *

Resolution to bring the king to justice.

As the parliament by this vote of non-address, as it was called, had formally overthrown the constitution, and virtually dethroned the king, it was considered necessary to issue a declaration for the purpose of vindicating the justice and propriety of this measure. In this famous document they not only brought together all the errors and crimes with which Charles was really chargeable, but they heaped upon him accusations hitherto unheard of, and utterly incredible, and even charged him with the poisoning of his own father. Charles published a counter declaration from his own hand, in answer to these atrocious calumnies, in which, after a statement of his patience under the severe treatment he was then suffering, he says, "That, by the permission of Almighty God, I am reduced to this sad condition, as I in no way repine, so I am not without hope but that the same God will in due time convert these afflictions unto my advantage. In the meantime, I am content to bear these crosses with patience and a great equality of mind." Then, after vindicating his desire and his frequent endeavours to settle a peace, he adds, "And now I would know what it is that is desired: is it peace? I have shown the way, being both willing and desirous to perform my part in it, which is a just compliance with all chief interests. Is it plenty and happiness? They are the inseparable effects of peace. Is it security? I, who wish that all men would forgive and forget like me, have offered the militia for my time. Is it liberty of conscience? He who wants it is most ready to give it. But if I may not be heard, let every one judge who it is that obstructs the good I would or might do. What is it that men are afraid to hear from me? It cannot be reason (at least none will declare themselves so unreasonable as to confess it), and it can less be impertinent or unreasonable discourses; for thereby peradventure I might more justify this my restraint than the causes themselves can do; so that of all wonders yet, this is the greatest to me. But it may easily be gathered how these men intend to govern who have used me thus: and if it be my hard fate to fall, together with the liberty of this kingdom, I shall not blush for myself, but much lament the future miseries of my people, the which I shall still pray God to avert, whatever becomes of me." †

Declaration of the parliament.

The king's reply.

* Somers' Tracts, vol. vi. pp. 499—501; Carlyle's Letters and Speeches of Cromwell, vol. i. pp. 337—340.

† The Great Civil War, vol. ii. p. 268.

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Upon the return of the Scottish commissioners, every effort was made by the Duke of Hamilton and his party to obtain the consent of the parliament of Scotland to the treaty or Engagement, as it was termed, which had been made with the king. It was readily supported by the ultra-royalists or "Malignants," as they were termed—an inconsiderable party, headed by Traquair and Callender, who were eager to restore the king without any restrictions. The moderate presbyterians, who dreaded the ascendancy of the independents, and felt compassion for the sufferings of the king, were willing to join in an effort for his restoration. But the covenanters, led by Argyll and Warriston, and including in their ranks the great body of the clergy, suspected, not without cause, the sincerity both of the king and of the commissioners who had entered into the engagement with him, and declared that the concessions made by Charles were totally insufficient to engage the country in a new war on his behalf. The General Assembly, which met at Edinburgh on the 12th of July, denounced the engagement as a violation of the covenant—as inconsistent with the safety of religion and the welfare of the country, and as certain to draw down the Divine displeasure on both Church and State; and an act was passed censuring those ministers who either openly favoured the engagement, or abstained from pointing out its sinfulness, and warning their people against taking part in it.* Their dislike to the terms of the treaty with the king was farther increased by their natural reluctance to unite with the malignants, whose principles and conduct they held in merited detestation. It is highly probable, also, that they may have had fears for their own safety, and not without reason, if the king should be restored by force of arms to his original privileges and power.† They insisted, therefore, that before commencing hostilities against England the grounds of the war should be first explained, that malignants should be excluded from the national councils, and that his majesty should promise on oath to confirm the covenant and the presbyterian religion when restored to his throne.

State of parties in Scotland.

The Engagement denounced by the Church—

In spite of the opposition of this numerous and formidable party, the parliament which met on the 2nd of March, 1648, determined on war. A committee of danger was appointed to watch over the safety of the kingdom, and to manage the public business; and it was resolved to put the country in a posture of defence. A series of resolutions were agreed to, enumerating all the breaches of the covenant of which England had been guilty, the various wrongs done to Scotland in violation of the treaty, and the slights shown to the Scottish commissioners. These resolutions were followed up by certain demands made to the English parliament:—that the covenant should be taken by all the subjects of the English crown, in conformity with the treaty between the kingdoms, and all who refused to comply should be punished as public enemies and malignants, and that measures should be taken for the suppression of heresies and schisms; that the king should be recalled with honour, freedom, and safety to some of his houses in or near London; that the members who had been expelled from parliament should be permitted to return, and that the army of sectaries should be disbanded. Fifteen days were assigned for receiving a definite answer to these requisitions, which it is evident from their nature were not expected to be listened to.* A declaration was at the same time drawn up, embodying the substance of these resolutions, bewailing the sinful violation of the covenant by the sectaries and their adherents, and expressing their determination to enter into no alliance with those who should refuse to subscribe the solemn league and covenant, and not to make any agreement with his majesty until he should solemnly swear to give his assent to such acts as the parliament should prescribe in favour of the covenant and the presbyterial form of worship.†

—adopted by the parliament.

Demands made to the English parliament.

In spite of these protestations, which were manifestly insincere, the covenanters resolutely opposed the war with England. The line of policy which they recommended was unquestionably that which prudence would have dictated. They advised that the army should be kept up; that the kingdom without declaring war should remain united in adhering to the public interests, which the parliaments of both countries were solemnly pledged to support. Thus the Scottish nation would present a commanding attitude, both

An army levied by the committee of Estates.

* Records of the Church of Scotland, pp. 497—508.

† Severe vengeance had been taken, after Montrose's army was disbanded, on the Macdonalds, and other clans who had assisted him in laying waste Argyleshire. The stronghold of Dunavertie, which Colkitto had garrisoned, was taken by Leslie, and the greater part of the defenders were put to the sword. The MacDougalls and the Lamonts were almost exterminated, and old Colkitto, who was taken prisoner in the fortress of Dunaveg, was tried by the sheriff-substitute of Argyle, and condemned and executed. These sanguinary proceedings must have given deep offence to the royalist clans, among whom revenge was considered as both a duty and a virtue. It is no wonder, therefore, that the perpetrators of such atrocities should have dreaded the restoration of the king. (See Memoirs of Sir James Turner.)

* Lanark, the brother of the Duke of Hamilton, in a letter to the king, says of these demands, "the first is concerning religion, wherein we are very high; and full knowing it will be refused, and we thereby obliged to reason it."

† Acts of the Scottish Parliament, vol. vi. p. 308. In a letter to a friend in London Lanark says, "We have presented to the parliament a large declaration, to be emitted to the kingdom, containing the breaches of covenant and treaties, the demands which upon them we mean to make to the two houses, and our resolutions in case of a refusal. I confess it is clogged with many impertinences, to which we are necessitated for satisfying nice consciences; yet it drives at a right end." In another, to the king, respecting the declaration, he observes, "We have passed a declaration, which is full of many rude restrictions, both in order to your majesty and your faithful servants, but we are forced to them for the satisfaction of the consciences of the clergy and their proselytes." (Burnet's Memoirs, p. 341, *et seq.*; Aikman, vol. iv. p. 307.)

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morally and physically, which would not fail to give weight to their representations. This would encourage the English parliament to resist the unrighteous and unconstitutional demands of the army, and it would deter any party from doing violence to the person of the king, while it allowed him time to be undeceived, and to consult his true interest. These representations, however, of the patriotic party were entirely disregarded,* and the nomination of Hamilton as general, and Callender as lieutenant-general, served to widen the breach between them and the promoters of the Engagement. The vote which had been carried in the parliament was for thirty thousand foot and six thousand horse, but the levies, in consequence of the hostility of the Church, advanced very slowly, and only ten thousand foot and one thousand horse could be raised, —nor even these until the month of July, when the opportune moment for action was irretrievably lost.

Risings of the English royalists.

Meanwhile, the English royalists, impatient of delay, had taken up arms in Norfolk, Suffolk, Essex, Kent, Wales, and other districts of the country; and the fleet in the Downs suddenly hoisted the royal colours, weighed anchor, and stood over for Holland, to take on board the Duke of York, whom they chose for their admiral. But these desultory unconnected risings were everywhere unsuccessful. The insurgents in the neighbourhood of the capital were defeated by Fairfax. Unable to cope with the parliamentary army in the field, a body of about three thousand horse and foot threw themselves into Colchester, which was immediately besieged by Fairfax and Ireton, and taken after a protracted and obstinate defence. The Earl of Holland was routed at Kingston, and taken prisoner. Cromwell, in person, marched against the Welsh insurgents under Langhorne, Powell, and Poyer, who had formerly borne arms for the parliament. Langhorne, who had taken Chepstow and laid siege to Caernarvon, was at once defeated, and his army destroyed; but Poyer, in spite of the most furious assaults, held out Pembroke Castle for more than six weeks.

The Scottish army cross the Borders.

At length the Scottish levies took the field, and Hamilton, with an ill-equipped and badly disciplined army of about fifteen thousand men, entered England by the west Border. The important fortresses of Berwick and Carlisle had been previously seized by Sir Marmaduke Langdale and Sir Philip Musgrave, who had agreed to co-operate with the Scots in the north of England; and the loyal inhabitants of Northumberland, and the adjoining counties, instantly appeared in arms. Hamilton was followed in a few days by Munro with two thousand foot and a thousand horse, whom he had brought back from Ireland. The English royalists were not permitted openly to join the Scottish army, and to save appearances, Langdale, at the head of four thousand men, always kept a day's march in advance of the Scots, although they acted in concert with them, and received their orders from the Duke. Munro encamped at an equal distance in the rear.

Incapacity of the Duke of Hamilton, their general.

It soon became evident that Hamilton had undertaken an enterprise to which his abilities were altogether unequal.* A rapid march on London might have crushed the independents and saved the king—for Fairfax was still occupied with the siege of Colchester, and Cromwell lay before the walls of Pembroke; but the duke loitered away more than forty days on a march of only eighty miles. Instead of advancing through Yorkshire, as Baillie advised, where he would have found the population friendly, he marched into the hostile county of Lancashire. His forces, instead of being concentrated, were scattered over many miles, so as to be incapable of giving mutual support; and when the main body reached the banks of the Ribble, near Preston, Langdale was far in advance, while Munro, with the vanguard, consisting of the best soldiers in the army, lay thirty miles off at Kirby, in Westmoreland. So defective was the duke's intelligence that he remained in ignorance of the surrender of Pembroke and the approach of Cromwell at the head of his victorious troops, and his junction with Lambert, until the whole united force fell upon the royalists under Langdale (August 17th). After an obstinate resistance against overpowering odds, during which he repeatedly sent pressing messages to the Scottish army for support, but without effect, Sir Marmaduke was obliged to fall back upon Preston. At the entrance to the town he was joined by Hamilton with a few horse, but in such disorder as merely to add to the confusion of the retreat. The fight was renewed in the streets, and continued to the bridge, where a determined stand was again made by the royalists, "but, at length," says Cromwell in his despatch, "they were beaten from the bridge, and our horse and foot, following them, killed many and took divers prisoners, and we possessed the bridge and a few houses there, where we lay that night." The Scottish army, superior in numbers to their assailants, might still have made a vigorous resistance, but "head and heart seemed alike to have failed the unfortunate duke." In the course of the night he commenced a hasty retreat through bad roads and in the midst of rain, the whole army in a state of the greatest disorder and dismay, and leaving behind their artillery and baggage. At Warrington the foot, under Baillie, being deserted by the horse, surrendered to Cromwell on condition that their lives should be spared. The duke, accompanied by his principal officers and about three thousand cavalry, fled to Uttoxeter, where he was

Total rout of the Scots at Preston.

* See article by Dr. M'Crie, on Turner's Memoirs, in Edinburgh Review for April, 1830.

* "His natural darkness," says Clarendon, "and reservation in discourse, made him be thought a wise man; and his having been in command under the King of Sweden, and his continual discourse of battles and fortifications, made him be thought a soldier: and *both these mistakes* made him be looked upon as a worse and more dangerous man than in truth he deserved to be."

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intercepted by Lambert, and compelled to lay down his arms. None escaped save a resolute body of men under the Earl of Callender, who, exasperated at the conduct of their incapable general and disdaining an ignominious surrender, broke through the enemy, and forced their way back to their own country.*

Overthrow of the party of the Engagers.

When the news of this disaster reached Scotland, the leaders of the covenanting party resolved to take advantage of it to eject the committee of Estates from the government. Argyll took up arms in the Highlands, and the peasantry in the western counties broke out into open insurrection, and, headed by their ministers, marched to Edinburgh. On their approach the committee withdrew, and allowed them to take undisputed possession of the capital.† Munro's division, which remained entire after the defeat of Hamilton, was recalled to Scotland, and conjoined with some new levies under the Earl of Lanark for the protection of the Engagers. But Argyll and the other covenanting nobles placed their forces under the Earl of Leven and David Leslie, and made application to Cromwell for assistance to repress the disorders of the country. With this request the lieutenant-general immediately complied, and advanced with his forces towards Scotland. He was cordially

Cromwell's visit to Scotland.

welcomed by the covenanters, who had once more obtained possession of the government, and was magnificently entertained at the public expense. Lanark, afraid probably of exasperating the English against his brother, now a prisoner in their hands, agreed to disband his forces. Munro was permitted to return to Ireland. The Engagement was abandoned; its supporters were excluded from the municipal offices in the metropolis and from the next parliament, and were compelled to do solemn and public penance for their violation of the covenant in taking up arms for the king.‡

Negotiations resumed with the king.

Advantage was taken by the English parliament of the absence of the army to enter upon a new treaty with the king at Newport, in the Isle of Wight. The expelled members were permitted to resume their seats, and on the 30th of June the vote prohibiting any further addresses to his majesty was rescinded. Growing daily more and more alarmed at the success of the army, it was resolved (July 29th) that the house should not persist in requiring from the king his assent to the four preliminary bills, and that fresh negotiations should be immediately opened with him. Fifteen commissioners were appointed to lay before his majesty the new proposals of the parliament, which were substantially the same as those that had been discussed at Uxbridge and Newcastle. The interests of both parties required that no time should be lost in coming to a conclusion, and if anything could still have saved the throne and the life of the unhappy monarch it would have been the acceptance of the parliament's proposals—rigorous though they were—while the Scottish army was yet entire, and the insurrection of the English royalists unsubdued. But in spite of the urgent representations of the parliamentary commissioners, who on their knees, and with tears, implored him to conclude the treaty with all possible haste, Charles protracted the conferences for more than two months—till Hamilton was defeated and Colchester taken. Then when the army had returned, flushed with victory and denouncing vengeance on his head as the sole author of the civil war, he consented to recall every hostile proclamation against the parliament, and to acknowledge that they had taken up arms in self-defence. He agreed also to surrender the command of the militia and the nomination of the chief officers of state for twenty years; to accept a hundred thousand pounds a year in lieu of the court of wards; to acknowledge the parliamentary great seal, and to give full satisfaction respecting Ireland.* But there were two points on which he remained inflexible—the exemption from pardon of seven delinquents, who were to be included in a bill of attainder and banishment, and the abolition of episcopacy. But all these concessions came too late. The parliament were indeed anxious to conclude their negotiations with the king, and would now, in order to free themselves from the dominancy of the army, have accepted terms which they formerly spurned. But a remonstrance against the treaty was presented to the House of Commons,

—terms agreed to by him.

The treaty obnoxious to the army—

* Rushworth, vol. viii. p. 1237; Burnet's Memoirs.

† This expedition was termed the Whigamore's Raid, according to Burnet, from the word *whig whig*, that is, "get on, get on," which is used by the western peasants in driving their horses; but according to others this name, so famous in the history of British political parties, was derived from *whig* or whey, the customary food of those peasants. (Burnet's History, vol. i. p. 58.)

‡ Whitelocke, p. 360; Burnet's Memoirs, p. 338; History, vol. i. p. 59.

* It is most painful to discover that Charles's incurable duplicity was not laid aside even in the critical position in which he was placed, and that there can be no doubt of his insincerity in making these concessions. Ormond had gone to Ireland to negotiate a peace with the insurgents, and prepare them for receiving and aiding the king, who was anxious to escape to Ireland in order to renew the war. Charles not only assured the commissioners that he had transacted nothing respecting Ireland except with themselves, but wrote to Ormond (October 11th) in the following terms:—"I must command you two things, first to obey all my wife's commands, then not to obey any public command of mine until I send you word that I am free from restraint; lastly, be not startled at my great concessions concerning Ireland, for they will come to nothing." Again, on the 28th of the same month, he says, "though you will hear that this treaty is near, or at least most likely to be concluded, yet believe it not, but pursue the way you are in with all possible vigour. Deliver thus also my command to all my friends, but not in a public way, because it may be inconvenient to me." In a letter to Sir William Hopkins (October 9th) he says, "To deal freely with you, the great concessions I made to-day was merely in order to my escape, of which if I had not hope, I had not done." In acknowledging the parliaments great seal he made this mental reservation:—"This part of the propositions we understood made not the grants under it valid if they were not so before." (Carte's Ormond, vol. ii.; Appendix, p. 17; Wagstaff's Vindication, Letters subjoined, p. 142; Burnet's Memoirs, p. 441.)

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signed by Fairfax and all his officers, calling for justice on the king as the capital source of all the public grievances; and his person was again seized by the army and conveyed to Hurst Castle, situate on a small neck of land on the coast of Hampshire, opposite the Isle of Wight. The parliament, though hopeless of success, had still the courage to resist the dictation of the troops. They protested against the seizure of the king as unwarranted, and, after a violent debate, which lasted three days, voted by a majority of 140 against 104 that the concessions of his majesty furnished a sufficient ground for the houses to proceed upon in settling the affairs of the nation. But this was the last effort they were permitted to make in his favour. Next morning (December 6th), Colonel Pride, at the head of two regiments, surrounded the House of Commons, and arrested and placed in confinement forty-one members of the presbyterian party. Above a hundred more were excluded on the two following days, and the number of members was reduced to about fifty, all known friends of the republican party. This infamous invasion of the rights of parliament was long familiarly known as "Pride's Purge," and the remaining members who usurped the name of parliament bore the appellation of "the Rump."

—approved of by the parliament.

"Pride's Purge."

The commons thus "purged" repealed the late resolutions, declared the king's concessions unsatisfactory, confirmed the vote against more addresses, and resolved that by the fundamental laws of the realm it is treason in the sovereign to levy war against the parliament and kingdom of England. The lords unanimously rejected the ordinance, and adjourned for a week. But the leaders of the republican party were quite willing to break in pieces every part of the machinery of government in order to accomplish their purpose, and they speedily resolved that the House of Peers was useless and dangerous, and ought to be abolished. Its existence, indeed, as well as that of the crown, was entirely incompatible with the next vote of the residue of the commons: "That the people are under God the origin of all just power; that the House of Commons of England, being chosen by and representing the people, have the supreme authority; and that whatsoever is enacted and declared for law by the commons in parliament hath the force of a law, and the people are concluded thereby, though the consent of the king and the peers be not had thereto."* As no court recognised by the law would take on itself the office of judging the sovereign, it was necessary to create a tribunal for the express purpose. A high court of justice was, therefore, constituted for the trial of the king; it consisted of a hundred and thirty-three persons, including all the great officers of the army, four peers, the Speaker, and the other principal members of the expurgated House of Commons, with the exception of Sir Harry Vane; but seventy-one was the largest number ever assembled at a time; forty-eight only were present on the day when the king's execution was pronounced, and the warrant for his decapitation was signed by fifty-nine. The twelve judges unanimously refused to sit on the tribunal, declaring its whole purpose and constitution to be contrary to every principle of English law.

Proceedings of "the Rump."

Court appointed to try the king.

"Several motives, springing from the respective tempers and views of the men, had conspired to unite this band of daring and enthusiastic spirits, acting in the name of a nation which viewed their deeds with astonishment and abhorrence, in the terrible resolution to offer to the world the spectacle, then unexampled in its annals, of a sovereign prince arraigned before a tribunal of his subjects, and led forth to public execution. Some few fell into the design from policy; they had offended beyond the rational hope of forgiveness, and now covered their just dread of retribution under an exaggerated alarm at the king's want of good faith in his engagements, should he ever be restored to power; or sought to avert the eyes of justice and the world from the guilt themselves had hitherto incurred by rendering the whole nation accessory to a deed which might paralyse vengeance itself with horror. Others were actuated by malignant thirst of revenge on one whom they had so long regarded as an enemy; again, others were impelled by a burning desire to carry out some generous, perhaps, but visionary scheme of government; and both these classes justified their ends, wholly or in part, on religious grounds, which, in wild variety, constituted, in those times, the real or pretended basis of almost all men's more serious public actions. It was held by many that historical incidents in the Old Testament, or the oracles of the Hebrew prophets, distorted by ignorance and misapplied by passion, furnished not hints and examples alone, but authoritative rules and precepts for the political conduct of Englishmen; and that to shrink from any act necessary to the establishment of the kingdom of Christ and his saints upon the ruins of temporal authorities, was to incur the terrible execrations denounced against the enemies of God. Of such enthusiasts Harrison was among the fiercest; Hutchinson and Ludlow among the most honest and sober-minded. 'I did it all,' declared the first, according to the best of my understanding, desiring to make the revealed will of God in his holy Scriptures my guide.' Ludlow has left on record, as his ample justification, that he was fully 'persuaded that an accommodation with the king was unsafe for the people of England, and unjust and wicked in the nature of it. The former, besides that it was obvious to all men, the king himself had proved by the duplicity of his dealing with the parliament, which manifestly appeared in his own papers, taken at Naseby and elsewhere. Of the latter I was convinced by the express words of God's law—that blood defileth the land, and the land cannot be cleansed of the blood that is shed therein, but

Motives of the republicans.

* Whitelocke, pp. 354—356; Rushworth, vol. viii. p. 1380; Ludlow, pp. 103, 104.

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by the blood of him that shed it. (Numbers xxxv. 33.) And, therefore, I could not consent to the counsels of those who contented to leave the guilt of so much blood upon the nation, and thereby to draw down the just vengeance of God upon us all, when it was most evident that the war had been occasioned by the invasion of our rights, and open breach of our constitution, on the king's part.' Similar is the vindication offered by Mrs. Hutchinson of her husband's conduct as a regicide:—'Although he did not then believe but it might one day come to be again disputed among men, yet both he and others thought they could not refuse it without giving up the people of God, whom they had led forth and engaged themselves unto by the oath of God, into the hands of God's and their enemies; and, therefore, he cast himself upon God's protection, acting according to the dictates of a conscience which he had sought the Lord to guide.'"*

The king brought from Hurst Castle to Windsor—

While these transactions were taking place at Westminster, the king was brought from Hurst Castle to Windsor, on the 23rd of December, by a party of horse under the command of Colonel Harrison. On their march, Charles, who for some time had expected a death like that of his unhappy predecessors, Edward II. and Richard II., mentioned to the republican soldier that he had been warned that he meant to assassinate him. Harrison repelled the charge with honest indignation, but told his majesty that he had said, "the obligations of the law were equally binding on the great and small, and that justice had no respect of persons." He further assured the king "that he needed not to entertain any such imagination or apprehension—that whatever the parliament resolved to do would be very public and in a way of justice, to which the world should be witness." "What these men did, indeed, they did in order that it might be a spectacle to heaven and earth, and that it might be held in everlasting remembrance." But "his majesty could not persuade himself to believe this, nor did he imagine that they durst ever produce him in the sight of the people under any form whatsoever of a public trial."† At Windsor, Charles enjoyed the melancholy consolation of a brief interview with the Duke of Hamilton, who was there detained a prisoner. Falling on his knees, Hamilton passionately exclaimed, "My dear master!"—"I have indeed been so to you!" replied the king, embracing him. His majesty was instantly hurried away, and no farther intercourse was allowed between them.

—he is brought before the court.

All the preliminary arrangements having now been made, this unprecedented trial commenced on the 19th of January, 1649. The court sat in Westminster Hall. John Bradshaw, a lawyer, was chosen president; John Coke was nominated solicitor-general for the people of England; and Dorislaus, Steele, and Aske, were appointed his assistants. When the king was brought forward before this court, he was conducted by the mace-bearer to a chair placed within the bar. His "gray discrowned head"* bore testimony to the sorrows and cares which he had endured in his confinement; but though long detained a prisoner, and now produced as a criminal, he still maintained the dignity of a king. After sternly eyeing the court and the spectators, he sat down without moving his hat, then, rising hastily, he cast a haughty glance at the guards and the crowded galleries, and again sat down. Sixty of the commissioners only answered to their names. When the crier pronounced the name of Fairfax, which had been inserted in the number, a voice from one of the galleries exclaimed, "He has more wit than to be here!" At a subsequent stage of the proceedings, when the charge against the king was stated to be in the name of the people of England, the same voice exclaimed, "Not a tenth part of them!" Axtel, the officer who commanded the guard, giving orders to fire into the gallery from which the interruption came, it was discovered that these speeches proceeded from Lady Fairfax, daughter of Horace Lord Vere, and wife of Sir Thomas Fairfax, general of the forces, who in this manner declared her resentment at the conduct of the king's enemies.

The charge stated by Coke.

The charge, which was read by Coke, accused the king of having been the cause of all the blood which had been shed since the commencement of the war; of the divisions among the people; invasions from foreign parts; the waste of the public treasury; the decay of trade; the spoilation and desolation of great part of the country; the continued commissions to the Marquis of Ormond and other rebels; taxed him with a wicked design to erect an unlimited and tyrannical government, and to overthrow the rights and liberties of the people; and, therefore, impeached him as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth.

The king declines the authority of the court—

Charles began his defence by declining the authority of the court. He represented that having been engaged in treaty with his two houses of parliament, and having finished almost every article, he expected a different treatment from that which he had now received. He saw no appearance, he said, of the upper house, which was necessary to constitute a just parliament; and even both houses, though free and united, were not entitled to try him, who was their native hereditary king, and derived his authority from God. He was himself, he alleged, the fountain of law, and, consequently, could not be tried by laws to which he had never given his assent; that having been entrusted with the liberties of the people, he would not now betray them by recognising a power founded on usurpation; that he was able, by the most satisfactory reasons, to

* Great Civil War, by the Rev. R. Cattermole, vol. ii. pp. 295—297.

† Clarendon's History.

* Verses written by Charles at Carisbrook Castle; Burnet's Memoirs, p. 381.

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justify the measures which he had been compelled to adopt; and that he was desirous, if called upon in another manner, to enter into the particulars of his defence, and to prove to the whole world the integrity of his conduct, but that until then he must decline any apology for his innocence, lest he should be justly branded as the betrayer of the constitution. Bradshaw endeavoured to support the authority of the court by insisting that they were delegated by the people, the only source of lawful power, whose elected king Charles was. "England was never an elective kingdom," was the spirited reply, "but an hereditary monarchy for near three thousand years. I stand more for the liberties of my people than any here that come to be my pretended judges." He insisted that the court could plead no power delegated by the people; and that even admitting that the people had the power and right to bring him to account, it could not be lawfully done unless the consent of every individual, down to the meanest subject, had been previously asked and obtained. Bradshaw still pressed the king not to decline the authority of the court, and told him that when he had once pleaded, he should be allowed to make the best defence he could against the charge. "For the charge," cried Charles, "I value it not a rush; it is the liberty of the people of England that I stand for. I cannot acknowledge a new court that I never heard of before. I am your king, bound to uphold justice—to maintain the old laws; therefore, until I know that all this is not against the fundamental laws of the kingdom, I can put in no particular answer."

In this manner the king was three times produced before the court, and as often persisted in declining its jurisdiction. His judges now examined some witnesses, by whom it was proved that the king had appeared in arms against the forces commissioned by parliament, and then drew up the sentence of death, which they had determined to pronounce against him. These proceedings occupied the fourth, fifth, and sixth days of this remarkable trial. On the seventh (27th of January) the king was brought for the last time before this self-elected tribunal. As he passed up the hall he was insulted by "some soldiers and others of the rabble," who cried out "Justice! justice! Execution! execution!"—"Poor souls!" said the king to one of his attendants, "for a little money they would do as much against their commanders." On taking his place at the bar the king earnestly desired to be heard. Bradshaw told him he should be heard in his turn, but that he must hear the court first. Charles still more eagerly renewed his request for a first hearing, urging repeatedly that hasty judgment was not so soon recalled. Bradshaw repeated he should be heard before judgment was given. The king then expressed an earnest desire that before sentence was pronounced he might at least be heard before the lords and commons, in the painted chamber, upon a subject which he said highly imported the lasting peace of the nation. This request was sternly rejected by Bradshaw; but one of the judges, John Downes, a citizen of London, having objected to this decision, the court adjourned in some confusion to deliberate. In about half-an-hour they returned with a refusal to the king's request, which they alleged tended to set up a co-ordinate jurisdiction in derogation of the authority of the court. Bradshaw, who throughout the trial had interrupted, overruled, and browbeat the hapless monarch in the rudest and most unfeeling manner, proceeded to deliver a long and abusive speech, in justification of the sentence of the court, denouncing the king as a tyrant, traitor, and murderer. Charles then said hurriedly, "I would desire only one word before you give sentence—only one word." Bradshaw told him that his time was now past. Again the king pressed that they would hear him a word—at most, a very few words. Bradshaw again told him that he had declined the jurisdiction of the court, and spoke of the language they had received from the royal party. The king said he knew nothing of that, and once more begged to be heard. Bradshaw replied that they had given him too much liberty already, and called upon him to hear "what sentence the law affirms to a traitor, a tyrant, a murderer, and a public enemy." The clerk then read the sentence of the court, adjudging "Charles Stewart" to be "put to death by severing his head from his body." Charles raised his eyes to heaven, and said, "Will you hear me a word, sir?"—"Sir," replied Bradshaw, "you are not to be heard after sentence." Charles, greatly agitated, said, inquiringly, "No, sir?"—"No, sir, by your favour," rejoined the harsh and inflexible president. "Guards, withdraw your prisoner." Still struggling to be heard, Charles said confusedly, "I may speak after the sentence, by your favour, sir. I may speak after the sentence, ever. By your favour—" "Hold!" cried Bradshaw.—"The sentence, sir," persisted Charles. "I say, sir, I do—" Again Bradshaw interrupted him with his insolent "Hold!" And then the unhappy monarch, muttering, "I am not suffered to speak—expect what justice other people will have," relinquished his fruitless efforts, and turned away with his guard.

—his treatment by the soldiers and the rabble—

—his request to be heard before sentence rejected.

Unfeeling behaviour of Bradshaw.

The behaviour of Charles throughout this trying scene was manly, firm, and dignified. In leaving the hall, the soldiers and rabble were again instigated to cry out "Justice!" and "Execution!" and to revile him with the most bitter reproaches. Among other insults, one miscreant presumed to spit in his face. All this brutal insolence the king bore with the most exemplary meekness and patience. The "vulgar spirits," as Whitelocke terms them who exhibited this "abject baseness," appear, however, to have been but few in number. Many of the spectators expressed, by sighs and tears, their sympathy for oppressed and fallen majesty, and

Behaviour of the soldiers.

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poured forth their prayers for his preservation. One soldier, more compassionate than some of his fellows, could not refrain from imploring a blessing on his royal head. An officer, overhearing this prayer, struck the honest trooper to the ground in the king's presence. "Methinks," was the observation of Charles, "the punishment exceeds the offence."*

Remonstrance of the Scotch parliament.

As soon as the intention of trying the king became known, the Scottish parliament energetically protested against this step, and directed their commissioners in London to use every exertion to save his life. Not only did they warmly remonstrate with the English parliament, but they made urgent application to Fairfax and Cromwell in the king's behalf, imploring them to consider "what an unsettled peace it is likely to prove which shall have its foundation laid in the blood of our king; what dangerous evils and grievous calamities it may bring upon us and our posterity; what reproaches upon religion and the work of reformation; and what infamy abroad in other nations."† The great body of the English people looked on in bewilderment and terror. The crowned heads of Europe, who might have been expected to feel alarm, if not sympathy, for the misfortunes of a brother sovereign, were engrossed with their own cares and projects, and regarded the downfall of the English monarchy with indifference. The government of the United Provinces of Holland alone sent over ambassadors to intercede for the king's life, but they were not allowed to see his majesty, or to obtain an audience of the parliament until the tragical catastrophe had taken place. The queen, though she had not behaved like an affectionate, dutiful wife, wrote a pathetic letter to the parliament, in her husband's behalf, which was laid aside unread; and Prince Charles sent a *carte blanche*, signed and sealed, offering any conditions provided only the life of his father were spared. Four of Charles's friends—Richmond, Hertford, Southampton, and Lindsay—wrote to the commons representing that they were the king's councillors, and, therefore, responsible in the eyes of the law for the offences imputed to him, and offering to save his life by the sacrifice of their own.‡ But no solicitations or remonstrances could deter the inexorable republicans from the execution of their designs.

—and of the United Provinces.

Offer of Prince Charles and of four of the nobles.

Three days were allowed the king to prepare for death. This interval he passed chiefly in reading and devotion, assisted by Bishop Juxon, who at his special request was allowed to attend him. He was also permitted to enjoy the society of the only children he had in England—the Princess Elizabeth, then in her thirteenth, and the Duke of Gloucester, in his ninth year. His last interview with them was deeply affecting. Placing them on his knees, he gave them such advice as was suitable to their years and the solemnity of the occasion. He charged the princess to tell her mother that his thoughts had never strayed from her, and that his affection should be the same to the last; and begged her to remember that she and her brothers and sisters should love one another and forgive their father's enemies. Then, addressing little Gloucester, he said, "Now they will cut off thy father's head." At these words the child looked very steadfastly at him. "Mark, child," he continued, "what I say; they will cut of my head, and perhaps make thee a king; but, mark what I say, you must not be a king so long as your brothers Charles and James are alive. They will cut off your brothers heads when they can catch them, and cut off thy head, too, at last; and, therefore, I charge you do not be made a king by them." At which the child said earnestly, "I will be torn in pieces first!" Such a reply from one so young filled the father's eyes with tears of joy. He then prayed God Almighty to bless them, and desired the princess to convey his blessing to the rest of her brothers and sisters, with commendations to all his friends; and dividing a few jewels among them, he kissed and again blessed them, and then hastily returned to his devotions. According to Herbert, who was present, this touching scene moved those to pity who had been most hard-hearted before.

The king's last interview with his children—

The fatal day having at last arrived (Tuesday, January 30th), Charles rose about two hours before daybreak, and calling Herbert, one of his attendants, who slept on a pallet by his side, he bade him employ more than usual care in dressing him, and preparing him for so great a solemnity. He then called Bishop Juxon, who remained an hour with him, and assisted him in his devotions. At ten o'clock the king left St. James's, and, accompanied by a guard of halberdiers, and by some of his own gentlemen and servants, he walked through the park to Whitehall, in front of which the scaffold had been erected. As the preparations were not completed, he waited at Whitehall for some time, which he spent in prayer with the bishop in his own old cabinet chamber. About twelve o'clock he was summoned by Colonel Hacker, and passed through the banquetting room to the scaffold, which was covered with black, and on it were to be seen the block, the axe, and two executioners in masks. Companies of horse and foot guarded the scaffold on every side, and, at a distance, stood an immense crowd of spectators, all silent as the grave. The king surveyed all these solemn preparations with dignified composure, and was to the last undisturbed, self-possessed, and serene. As he could not expect to be heard by the people at a distance, he addressed himself to the few persons who stood around him. He felt it to be his duty, he said, as an honest man, a good king, and a good Christian,

—his conduct on the scaffold—

* Warwick, p. 389.
† Acts of the Scottish Parliament, vol. vi. pp. 339, 340; Aikman, vol. iv. p. 354.
‡ Lloyd, p. 319.

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to declare his innocence in the late fatal wars; he observed that he had not taken up arms till after the parliament had set him the example, though he believed that ill instruments between them and him had been the chief cause of all this bloodshed; and declared that he had no other object in his warlike preparations than to preserve that authority entire which had been transmitted to him by his ancestors. But though innocent towards his people, he acknowledged the equity of his condemnation in the eyes of his Maker, and owned that the unjust sentence which he suffered to take effect against the Earl of Strafford was now punished by an unjust sentence upon himself. He forgave all his enemies, exhorted the people to return to their allegiance and acknowledge his son as his successor, and declared his attachment to the Protestant religion as professed by the Church of England. Turning to Bishop Juxon, he said, "I have a good cause and a gracious God on my side."—"You have now," said Juxon, "but one stage more; the stage is turbulent and troublesome, but it is a short one."—"I go," was the response, "from a corruptible to an incorruptible crown, where no disturbance can be." The king then took off his cloak, and, giving his George to Dr. Juxon, said in a low tone, "Remember!" Laying his neck upon the block, he gave the signal by stretching out his hands, and at one blow one of the executioners severed his head from his body. The other executioner, then holding it up, exclaimed, "This is the head of a traitor."* The soldiers shouted in triumph, but a "dismal, universal groan" issued from the crowd, and the tidings of the tragic event excited deep indignation and grief throughout the whole nation.

—his execution.

Thus perished, in the forty-ninth year of his age, and the twenty-fourth of his reign, the most unfortunate prince of a race singularly marked by misfortune. It would be unjust to deny that Charles possessed not a few of the qualities which adorn private life. He was an affectionate husband, a good father, and a kind relative. His abilities were good, and he had a refined taste in literature and art; his accomplishments were numerous; and, in his youth, he exhibited great diligence in the acquisition of knowledge. "He was addicted to no vicious excess; he was moderate in his expenses, decorous in his conduct, and regular in his devotions." Lilly, the astrologer, who was not disposed to flatter, says in his curious memoirs, "the king had many excellent parts in nature, was an excellent horseman, would shoot well at a mark, had singular skill in limning, was a good judge of pictures, a good mathematician, not unskilful in music, well-read in divinity, excellent in history and law; he spoke several languages, and writ well—good language and style." Perinchief corroborates the statements of Lilly regarding the universality of the king's acquirements, and states, in addition, that he was an antiquarian, a judge of medals, and understood fortification, gunnery, and naval architecture. "He delighted to talk with all kinds of artists, and with so great a facility did apprehend the mysteries of their professions, that he did sometimes say 'he thought he could get his living, if necessitated, by any trade he knew of but making of hangings,' although of these he understood much." Whitelocke also speaks of his majesty's "great abilities, strength of reason, quickness of apprehension, with much patience in hearing what was objected against him, wherein he allowed all freedom, and would himself sum up the arguments, and give a most clear judgment upon them."* In spite of all this, however, he was eminently deficient in the qualities of a good prince. Of the art of "kingcraft" he was entirely ignorant. He neither knew how to gain the hearts of his people, nor to float with the current of national feeling. His manner was reserved and cold, while his temper was naturally passionate—a fault which had been aggravated by want of restraint. "The more humbly," says Lilly, "any made their addresses to him, by so much the more was he imperious, lofty, and at a distance with them." "He loved state too well," says a friendly commentator, "and carried it to too great a height;" and in the steps which he took to "keep up the dignity of a prince, and command the veneration of subjects," showed himself imperious, harsh, and unmindful of what was due to his inferiors. Carte, who calls him "the worthiest person, the best man in all relations of life, and the best Christian that the age produced," was yet constrained to acknowledge that "he was stiff and formal, and received people with such an air of coldness that it looked like contempt. He was ungracious even in conferring favours upon those whom he loved and intended most to oblige."† In his youth he imbibed the lessons of arbitrary power in the profligate and servile court of his father, and he resolutely attempted throughout his reign to carry his father's political theories into practice. His treatment of his first three parliaments; his illegal and arbitrary proclamations; his forced loans and billetting of soldiers upon the people; his cruel imprisonments and mutilations of those who ventured to oppose, or murmur at, the acts of his government; his conscious violation of the laws, and wanton and foolish innovations upon the religious establishment of Scotland,—all clearly indicated his determination to overthrow the constitution of the country, and to destroy the liberties of his people. But the quality that mainly precipitated his downfall, and brought him to the scaffold, was his duplicity. Some of his apologists, who have not ventured to deny the existence of this fault, plead in excuse the difficulties by which he was surrounded, and the violence and hypocrisy of his enemies. But such persons forget, or overlook, the fact that insincerity was the besetting sin of Charles in the early years of his reign, and in the days of his prosperity, as well as amid the

Character of Charles.

* Whitelocke; Herbert.

* See Edinburgh Review, vol. lviii. p. 417.
† Ibid., p. 418.

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difficulties and perplexities which marked the close of his career. "He had," says Lilly, "much of *self-ends* in all that he did; and a most difficult thing it was to hold him close to his own promise or word."

Charles was of middle stature, robust, and well proportioned. His countenance was pleasant, but melancholy—an expression which it is probable may have been given to his features by the continual troubles in which he was involved. He left six children—three sons, Charles Prince of Wales, James Duke of York, and Henry Duke of Gloucester; and three daughters—Mary Princess of Orange, Elizabeth, and Henrietta, afterwards Duchess of Orleans.*

Trial and execution of the Duke of Hamilton.

A few hours after the execution of the king, the luckless Duke of Hamilton made his escape from Windsor, where, after his surrender, he had been confined a close prisoner; but he was retaken in Southwark, next morning, by three troopers, and on the 6th of February was tried before a new high court of justice, of which Bradshaw was president. He pleaded that he was a native of another kingdom, born in Scotland before the naturalisation of his father, and, therefore, owed no allegiance to the parliament of England; that he had acted in obedience to the highest judicature of his native country; and that he was a prisoner of war, and had surrendered upon articles by which his life had been guaranteed. These pleas, however, were overruled, and he was found guilty of treason, and condemned to death. His sentence was remitted to the House of Commons, but a majority voted that it should be carried into execution. Both the house and the high court rejected the petitions for mercy which were presented in his behalf; and on the 9th of March the duke, along with the Earl of Holland and Lord Capel, were beheaded in Palace Yard.

* Shortly after the death of Charles a work was published purporting to be from his pen, and entitled "Eikon Basilikê; or a Portraiture of his Sacred Majesty in his Solitudes and Sufferings." It attracted universal attention, and produced a most powerful impression in favour of the deceased monarch. "It is not easy," says Hume, "to conceive the general compassion excited towards the king by the publishing, at so critical a juncture, a work so full of piety, meekness, and humanity. Many have not scrupled to ascribe to that book the subsequent restoration of the royal family. Milton compares its effect to those which were wrought on the tumultuous Romans by Antony's reading to them the will of Cæsar." The work was long believed to be authentic, but Charles II., his brother James, and Clarendon, knew at the Restoration, if not sooner, that it was not the composition of the king; and it has now been proved beyond a doubt to have been written by Dr. Gauden, afterwards Bishop of Worcester. In 1786 there was published, in the third volume of the Clarendon State Papers, several letters addressed by Gauden to the chancellor, in which he explicitly grounds his claim to preferment on the fact that he was the author of the book which "goes under the late blessed king's name, the 'Ikon, or Portraiture of His Majesty in his Solitudes and Sufferings.'" "This book," he adds, "was wholly and only my invention, making, and design." Clarendon had before this learnt the secret from Morley, Bishop of Worcester; and in his reply to Gauden he fully acquiesces in the truth of the unpalatable statement. (See Laing's History of Scotland, vol. iii. p. 407, and note xiv. p. 530; Hallam's Constitutional History, two first editions, note at the end of vol. i.; Hume's History, chap. lix.; and an article in the Edinburgh Review, vol. xliv., by Sir James Mackintosh.)

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CHAPTER LI.

THE COMMONWEALTH.

A.D. 1649—1660.

Resentment of the Scots at the execution of the king.

THE execution of Charles I. was deeply resented by the people of Scotland, who had long felt aggrieved by the proceedings of the English parliament and army. Republican principles had taken no hold upon any portion of the Scotch nation. Their covenant recognised in the most solemn manner the royal authority, and the opinions of the English sectaries were regarded with abhorrence even by the extreme presbyterian party. The national pride of the Scots was hurt by the contemptuous disregard which had been shown to their remonstrances in favour of the king; and they were galled by the reproaches cast upon them on account of the surrender of his person by their army at Newcastle—an event to which, their enemies alleged, the death of the king was to be ascribed. Their resentment at the execution of their sovereign was increased by the contumelious treatment given to their commissioners, who were arrested, conducted by a guard to the Borders, and ignominiously dismissed. There can be little doubt that if the Scots had possessed the power they would immediately have declared war against the dominant party in England; but in the exhausted state to which the country was reduced they felt that they were unable to enforce the claims of the Stewart family upon the English throne, and were, therefore, obliged to content themselves with proclaiming Prince Charles, the eldest son of the deceased monarch, King of Scotland in his stead. But the covenanters, who since the Whigamores' Raid had possessed the supreme power in the country, refused to admit him to the actual possession of the sovereignty until he should give security for the religion, the unity, and the peace of the kingdom, according to the national covenant. Commissioners were accordingly sent to the Hague, where Charles then resided, to offer him the crown on these terms. The young prince, however, was already surrounded with counsellors, whose advice was more agreeable to his inclinations. The Marquis of Montrose and other exiled royalists urged him to reject the crown on the proposed conditions, and offered to place him by force of arms on the throne of his ancestors; while his English advisers recommended him to repair to Ireland, where Ormond and the Romish party still held out against the parliament. All hope of assistance from Ireland, however, was soon extinguished by the decisive victories of Cromwell; so that Charles was compelled to choose between the project of Montrose and the proposals of the Scottish parliament. With characteristic duplicity he entered into negotiations with both of these parties at one and the same time. While these were pending, Dorislaus, the English ambassador at the Hague, was assassinated by some of the retainers of Montrose; and so violently was this foul deed resented by the English government that Charles was obliged to leave Holland, and to repair first to Paris and then to Jersey.

Prince Charles proclaimed king—

—his duplicity.

Insurrection of the Scottish royalists.

Meanwhile the impatience of the ultra-royalists in Scotland led them to adopt some rash and ill-concerted measures for the unconditional restoration of the young king. A mutiny was excited in the garrison of Stirling, while the royal partisans in the north, under General Middleton and Lord Reay, with the knowledge and approbation of Charles himself, took up arms and seized upon Inverness, which they held for several months, till at length, in the month of May, they were attacked and completely routed by a party of the covenanters under Kerr, Hackett, and Strachan. This ill-judged insurrection accelerated, if it did not occasion, the execution of the weak though consistent Marquis of Huntley, who had remained in prison for sixteen months. He had rendered himself peculiarly obnoxious to the covenanters, and was now put to death in pursuance of a former sentence, in spite of the exertions of his brother-in-law, the Marquis of Argyll. The parliament had shortly before this passed an "Act of Classes," excluding from public office the authors and abettors of the Engagement, as well as the friends and supporters of Montrose; and the General Assembly, which met in July, followed up this step by fulminating ecclesiastical censures against the Engagers; and at the same time issued "a seasonable and necessary warning" against those who were threatening to invade the kingdom for the purpose of restoring the king to unconditional sovereignty. In language which reflects equal honour on their wisdom and patriotism, they declared that, "as magistrates and their powers are ordained of God, so are they in the exercise thereof not to walk according to their own will, but according to the law of equity and righteousness, and, therefore, a boundless and unlimited power is to be acknowledged in no king or magistrate; that there is a mutual obligation and stipulation betwixt the king and his people; that arbitrary government and unlimited power are the fountains of all the corruptions in Church and State; and that it is no new thing for kingdoms to preserve themselves from ruin by putting restraint upon the exercise of the power and government of those who have refused to grant the things that were necessary for the good of religion and the people's safety."*

Execution of Huntley.

The Act of Classes.

Principles enunciated by the General Assembly.

While Charles was residing in Jersey, the Scottish parliament dispatched Sir George Winram to renew the negotiations which had been broken off at the Hague. The king soon after removed to Breda.

Negotiations with Prince Charles—

* Acts of the Scottish Parliaments, vol. vi.; Aikman, vol. iv. p. 371.

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where, early next year, the treaty for his return was concluded by the Earls of Lothian and Cassillis. It was stipulated that Charles should acknowledge the solemn league and covenant, and confirm the presbyterian government and worship; that all civil matters should be determined by the parliament, and all ecclesiastical affairs by the General Assembly; that popery should not be tolerated; and that all proclamations inconsistent with the covenant, and all commissions hostile to the kingdom, should be recalled. These terms were in the highest degree unpalatable to the king and his English counsellors; and, with his hereditary and habitual insincerity, he contrived to prolong the treaty till the result of Montrose's intended invasion should be determined. While the negotiations with the covenanters were pending, he wrote to that gallant and ill-used nobleman, urging him to accelerate his preparations for a descent upon Scotland. Referring to the invitation given by the Scottish parliament, he says, "We have appointed a speedy time and place for their commissioners to attend us; and to the end you may not apprehend that we intend, either by anything contained in these letters, or by the treaty we expect, to give the least impediment to your proceedings, we think fit to let you know that as we conceive that your preparations have been one effectual motive that hath induced them to make the said address to us, so your vigorous proceedings will be a good means to bring them to such moderation in the said treaty as probably may produce an agreement and a present union of that whole nation in our service. We assure you, therefore, that we will not before or during the treaty do anything contrary to that power and authority which we have given you by our commission, nor consent to anything that may bring the least diminution to it." In reference to an advice which Montrose had given him not to acknowledge any commission emanating from what he esteemed an unlawful convention, his majesty, treading closely in his father's footsteps, says, "In the meantime we think fit to declare to you that we have called them a 'Committee of Estates' only in order to a treaty, and for no other end whatsoever, and if the treaty do not produce an agreement,—as we are already assured that the calling of them a committee of Estates in the direction of a letter doth neither acknowledge them to be legally so, nor make them such,—so we shall immediately declare to all our subjects of Scotland what we hold them to be, notwithstanding any appellation we now give them." The disreputable document concludes with reiterated injunctions to Montrose "to proceed vigorously and effectually" in his undertaking.*

—his commission to Montrose, and double dealing.

Thus stimulated by his unworthy sovereign, of whose treachery he had no suspicion, Montrose embarked at Hamburgh, early in the spring of 1650, with some arms and treasure supplied by the courts of Sweden and Denmark. He landed at one of the Orkney Islands, where he remained for a few weeks, and by forced levies constrained a few hundreds of the unwarlike fishermen to take up arms. He then passed over to the main land of Scotland near the extremity of Caithness, with the design of penetrating into the Highlands. But just as he advanced beyond the pass of Invercarron, at a place called Drumcarbisdale, on the river Kyle, near the confines of Rosshire (27th April), he fell into an ambuscade laid for him by Colonel Strachan, who had been sent forward in all haste with a body of horse to obstruct his progress.* The covenanting troops issued from the pass in three divisions. The first was repulsed by Montrose in person, who led the van of his army; but when the second division, headed by Strachan himself, sounded the charge, the unwarlike Orkneymen threw down their arms and called for quarter, and the Germans retreated to a wood, and there, after a short defence, surrendered themselves prisoners. Montrose's few Scottish followers made a desperate but unavailing resistance. Young Menzies of Pitfoddels, his standard-bearer, was killed by his side. Lord Frendraught and Sir John Urrey were made prisoners, and the rout became complete. Montrose himself was wounded, and his horse killed under him, but he was generously remounted by his friend, Lord Frendraught, who was also severely wounded. Seeing the day irretrievably lost, he fled from the field in company with the Earl of Kinnoul, and escaped into the wild mountain district of Assynt. His standard, which was of black, and represented the bleeding head of Charles I. on the block, with the

Montrose's descent on Scotland—

—he is surprised and defeated by Strachan—

* Life and Times of Montrose, p. 465. In a private letter which accompanied this paper of instructions (dated Jersey, 22nd Jan., 1650) Charles, evidently anticipating that some report of his treaty with the covenanters might reach his zealous partisan, whom he was thus basely misleading, says, "I conjure you not to take alarm at any report or messages from others, but to depend upon my kindness, and to proceed in your business with your usual courage and alacrity, which I am sure will bring great advantage to my affairs and much honour to yourself. I wish you all success in it." And in a letter of September the 19th, 1649, he says, "I entreat you to go on vigorously and with your wonted courage and care in the prosecution of those trusts I have committed to you, and not to be startled with any reports you may hear, as if I were otherwise inclined to the presbyterians than when I left you. I assure you I am still upon the same principles I was, and depend as much as ever upon your undertaking and endeavours for my service; being fully resolved to assist and support you therein to the uttermost of my power."—*Ibid.*, pp. 462, 465.

* "The ardent and impetuous character of this great warrior corresponding with that of the troops which he commanded, was better calculated for attack than defence—for surprising others rather than for providing against surprise himself. Thus he suffered loss by a sudden attack upon part of his forces stationed at Aberdeen, and had he not extricated himself with the most singular ability, he must have lost his whole army when surprised by Baillie during the plunder of Dundee. Nor has it escaped an ingenious modern historian that his final defeat at Dunbeith, so nearly resembles in its circumstances the surprise at Philiphaugh, as to throw some shade on his military talents."—Sir Walter Scott's *Border Minstrelsy*, vol. ii. p. 276.

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inscription, "Judge and avenge my cause, O Lord!" was found on the field, and his cloak with the star of his newly obtained garter, and the George, were afterwards discovered hidden at the root of a tree.

—his flight and sufferings.

"Montrose and the very few adherents who joined him in his flight, being compelled by the boggy and broken high ground in which they obtained temporary safety to relinquish the horses that carried them from the field of battle, and, judging that all the surrounding inhabitants were opposed to them, wandered into the most desolate and retired parts of the wide, extended, and mountainous region that separates Assynt from the Kyle of Sutherland—the object being to pass through the hills into the Reay country, then possessed by Lord Reay and the cadets of the Mackay family, who were friendly towards the marquis and the cause in which he suffered. The privations of food, and the distress and fatigue endured by these strangers in their wanderings, soon became insupportable; and by the evening of the second day after the battle, Montrose's companions, with the exception of the Earl of Kinnoul and Major Sinclair, left him and returned to the eastward, preferring the certainty of being taken prisoners to the risk of perishing in the wilderness. On the morning of the third day, Lord Kinnoul became so faint, and his strength was so exhausted by hunger, cold, and fatigue, that he could move no farther. He was therefore necessarily left by his distracted and enfeebled companions, without shelter or protection of any kind, on the exposed heath; but Major Sinclair volunteered to go in search of, and return with, assistance; while Montrose, still moving westward, and now alone, endeavoured to effect his escape to the Reay country. In the course of the same day he came in sight of a small hut, occasionally occupied for dairy purposes by one of the Laird of Assynt's tenants, at a grazing farm, known by the name of Glaschyle. Before leaving Drumcarbisdale the marquis disguised himself in a coarse woollen short coat or jacket of a countryman; and now, pressed with hunger, he ventured to approach the solitary hut before him, with the view of obtaining, if possible, some food, and of being directed in his proper course to the Reay country. The tenant of the farm chanced to be there alone; and the tradition still is, that Montrose very modestly asked if a stranger who had lost his way among the hills could be supplied with food of any description, and that the countryman viewed him, without any suspicion of his rank, as a respectable and civil stranger. This temporary place of residence was almost destitute of provisions, but its owner had a supply of whiskey in his possession, of which he gave some to the marquis.

"The marquis asked for a second supply of the spirit, and then, appearing active and vigorous, made inquiry as to the proper direction towards the Reay country, through the mountain passes to the north. The course to be taken was pointed out to him; and in answer to a remark that no stranger could find out the most accessible openings through the mountains without a guide, he said he regretted that he was too poor a man to pay any guide. The countryman's curiosity and suspicions were, however, roused by this time; for while Montrose had been drinking the whiskey, the breast of his coat, opening partially, displayed to the astonished eyes of the countryman the glitter either of a star or rich metallic embroidery on the waistcoat. Montrose proceeded in a north-west direction from Glaschyle, followed at a little distance by his recent host, who seemed disposed to become better acquainted with the mysterious stranger. But as Montrose was ascending a hill situated a few miles to the north of Glaschyle, he was met by a servant or scout, sent by the Laird of Assynt to learn if any strangers were wandering through that part of the country. When observed by this man, Montrose endeavoured to proceed in another direction; but finding it impossible to escape, he sat down until both the men overtook him, having previously scattered all the money in his possession among the heather, a few coins of which are said to have been picked up within the last ten years.

"Niel Macleod, the Laird of Assynt, then resided at Ardvrack Castle, situated on a peninsula in Lochassynt, in the interior of the parish. He was married to a daughter of Colonel John Morss of Lumlair, a military officer of some repute in the north of Scotland, and commander of a Sutherland regiment of foot, and who had acquired the character of a stern and cruel man. He was nicknamed, and is still spoken of by the country people as "Ian Dhu na Circh" (Black John of the Breast), in consequence of having been accessory to a barbarous mutilation of some women. He and his son, Captain Andrew Morss, served under Strachan at the battle of Drumcarbisdale, and the ambuscade so successfully resorted to was effected through the intimate knowledge possessed by these officers of the localities of the ground. Immediately after the engagement, Colonel Morss forwarded an express to his son-in-law, Macleod of Assynt, and directed him to secure such strangers as might escape to the west coast; and the servant who fell in with Montrose near Glaschyle was one of the men dispatched accordingly to watch the different passes into Assynt.

"In answer to questions by Macleod's servant, Montrose said that he was going into the Reay country, but had lost his way, and begged to be conducted there. To his request both the men seemed to agree, and promised to conduct him there; but instead of doing so, they conveyed him to Macleod's Castle of Ardvrack, distant about nine miles from the place where they met him. When he came in sight of the castle, its peculiar situation on a peninsula, so nearly surrounded with water as to appear to be what the old chroniclers call it—'the Isle of Assynt,' and of which Montrose had previously heard, convinced him that he was betrayed, and was now in the power of Macleod of Assynt. He anxiously inquired if it

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was Ardvrack Castle to which he was conducted; when his guides acknowledged that it was, and that he might observe Macleod's lady at its gate waiting to receive him. He hurriedly asked her father's name, and was told, as if to inspire terror, that she was the daughter of Black John of the Breast. Tradition bears that Montrose, on receiving this information, stood for a while motionless and aghast, and then exclaimed that his destiny was fulfilled, and his fate certain."*

—his capture by Macleod of Assynt—

On his arrival within the castle, the unfortunate Montrose was compelled to rest his weary limbs, and to ponder over his situation, in one of the strong vaulted cellars still to be seen in the ruins of the building. There he was closely confined and constantly watched, and notice of his capture instantly forwarded to Strachan. He, however, used every exertion to induce Macleod to consent to his liberation, by the promise of great rewards, and the countenance of the king, if he should be permitted to retire to the Reay country, or to Orkney. This Neil Macleod is said to have been a man of no great decision; but his lady is represented by the country people as having inherited the stern, unrelenting disposition of her father, and as the active person who kept Montrose in close confinement, and delivered him up to his enemies; and it is even supposed that had Macleod not been influenced by her, he would have permitted the marquis to escape.† Major Sinclair was also found traversing the hills, and was conducted to the prison of his leader; but as no accurate directions could be given by them to where the Earl of Kinnoul had been left, that nobleman, whose body was never discovered, must have perished miserably in some solitary recess among the mountains."‡

—he is delivered up to his enemies—

Montrose was shortly afterwards conveyed from Assynt, and escorted to the south by a troop of soldiers under Major-general Holburn. They treated him in the most ungenerous manner, heaped reproaches and outrages upon him, meanly refused to allow him any change of dress, and led him from place to place in the same peasant's habit in which he had disguised himself. In the words of an eye-witness,* "he sat upon a little shelty horse without a saddle, but a quilt of rags and straw, and pieces of ropes for stirrups, his feet fastened under the horse's belly with a tether,† and a bit halter for a bridle; a ragged old dark-reddish plaid, and a *Montrer* cap upon his head, a musketeer on each side, and his fellow-prisoners on foot after him. At the bridge of Inverness an old woman stepped forward and exclaimed, 'Montrose, look above, view these ruinous houses of mine which you caused to be burned down when you besieged Inverness.' Yet he never altered his countenance. At the end of the town the provost, Duncan Forbes, taking leave of him, said, 'My lord, I am sorry for your circumstances.' He replied, 'I am sorry for being the object of your pity.' The prisoner and his guard spent the Sabbath at Keith, and heard a sermon there. A tent was set up for him in the fields, in which he lay. The minister, Master William Kinninmond, chose for his text the words of Samuel the prophet to Agag, the king of the Amalekites—'As thy sword hath made women childless, so shall thy mother be childless among women.' This unnatural, merciless man so rated and railed at Montrose that some of his hearers, who were even of the opposite party, condemned him. Montrose heard him patiently for a long time, and at length said, 'Rail on, Raca,'‡ and so turned his back to him in the tent. But all honest men hated Kinninmond for this ever after." At Kinnaird, the house of his father-in-law, the Earl of Southesk, Montrose met with his two sons, but neither at meeting nor parting could "any change in his countenance be seen." At the house of the Laird of Grange, where he spent one night, he nearly effected his escape by a stratagem of the lady, who "plied the guards with intoxicating drink until they were all fast asleep, and then she dressed the marquis in her own clothes. In this disguise he passed all the sentinels, and was on the point of escaping when a soldier, just sober enough to mark what was passing, gave the alarm, and he was again secured."§ The citizens of Dundee, greatly to their honour, although they had suffered severely from his arms, expressed deep sympathy for their fallen foe, and supplied him with clothes and other necessaries suitable to his rank. "The marquis himself," says Sir Walter Scott, "must have felt this as a severe rebuke for the wasteful mode in which he had carried on his warfare; and it was a still more piercing reproach to the unworthy victors who now triumphed over an heroic enemy in the same manner as they would have done over a detected felon."

—his journey to Edinburgh—

* Montrose is supposed to have alluded to a legend of an old beldame's warning to Montrose in his youth, to beware of a black lake and the daughter of a black-visaged man. Bishop Burnet states that when Montrose was beyond sea he travelled with the Earl of Denbigh, and they consulted all the astrologers they could hear of. "I plainly saw the Earl of Denbigh relied on what had been told him to his dying day, and the rather because the Earl of Montrose was promised a glorious fortune for some time, but all was to be overthrown in conclusion." Montrose is also said to have been encouraged to undertake his last desperate enterprise by a prophecy that to him, and him alone, it was reserved to restore the king's authority in all his dominions. Montrose's mother was a daughter of William first Earl of Gowrie, in whose family a fondness for magical pursuits seems to have been hereditary. (See *supra*, p. 388, note.)

† This mean and sordid chief was rewarded by the committee of Estates, for giving up Montrose, with a present of four hundred bolls of meal. After the Restoration he was tried for his treachery, but by means of bribery, and the interest of Lauderdale, he escaped the punishment which he deserved. (Macleod's Indictment, Criminal Record, 1674.)

‡ MS. Memoir on the District of Assynt, by Mr. George Taylor of Golspie, communicated by the Duke of Sutherland to Earl Stanhope. See Historical Essays, pp. 180—184.

* MS. Chronicle, compiled by the Rev. James Fraser; Memorials of Montrose, vol. ii. p. 434.

† A rope.

‡ See St. Matthew v. 22.

§ Life and Times, p. 471.

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—his barbarous sentence without a trial—

Before Montrose reached Edinburgh his doom had been decided by the parliament. It was resolved to dispense with the form of a trial, and to proceed against him upon an act of attainder passed in the winter of 1644, while he was ravaging the country of Argyle. The barbarity of his sentence was studiously aggravated by every species of insult. He was appointed to be hanged for three hours on a gibbet thirty feet high, his head to be affixed to an iron spike on the Tolbooth of Edinburgh, his body to be quartered, and his limbs to be placed over the gates of the four principal towns in Scotland—Perth, Stirling, Aberdeen, and Glasgow; and his body (unless he should be released from the excommunication of the Kirk) to be interred in the Boroughmuir, under the gallows.*

—his ungenerous treatment by his enemies—

Montrose reached Edinburgh on Saturday, the 18th of May, and it was resolved by his ungenerous enemies to celebrate his entrance into the capital with a kind of mock procession. At the end of the Canongate he was received by the executioners, with the magistrates and the town-guard. His officers walked on foot bound with cords; then came the marquis himself placed on a high chair in a cart, bareheaded and bound to the seat with cords; the hangman, wearing his bonnet, rode on the foremost of the four horses that drew the cart. "In all the way," says a contemporary chronicler, "there appeared in him such majesty, courage, modesty—and even somewhat more than natural—that those common women who had lost their husbands and children in his wars, and who were hired to stone him, were upon the sight of him so astonished and moved that their intended curses turned into tears and prayers." As the melancholy procession moved slowly up the Canongate, it stopped opposite Moray House, where the Marquis of Argyll, his son, Lord Lorn, and his newly-married wife—a daughter of the Earl of Moray—with the chancellor and Warriston, appeared at a balcony for the purpose of gratifying their resentment by gazing on their captive enemy, but on Montrose "turning his face towards them, they presently crept in at the windows; which being perceived by an Englishman, he cried up it was no wonder they started aside at his look, for they durst not look him in the face these seven years bygone." On reaching the Tolbooth a deputation from the parliament waited upon him to interrogate him; but he refused to answer them until he knew on what terms they stood with the king, his royal master. They told him the king and they were agreed. "Then," said he, "I desire to be at rest, for the compliment you put upon me this day was a little tedious."

—his conference with the clergy—

At eight o'clock on Monday morning the Rev. James Guthrie, Robert Trail, and other clergymen, appointed for that purpose by the General Assembly, waited on Montrose in the prison. They began by admonishing him on his natural temper, which they said was too "aspiring and lofty;" and on his "personal vices," which they alleged were notorious.* On these points Montrose replied to them with much humility, "and discoursed on them handsomely, as he could well do, intermixing many Latin apothegms. He granted that God had made men of several tempers and dispositions, and he confessed he was one of those who love to have praise for virtuous actions. As for his personal vices, he did not deny but he had many; but if the Lord should withhold light on that account, it might reach unto the greatest saints, who wanted not their faults and failings." But though before God, and as an erring creature, he freely admitted the justice of all that had befallen him, yet before man he firmly vindicated his character and proceedings when his censors arraigned his public conduct in the king's service. With regard to his enlisting Irish and popish rebels, "he said it was no wonder that his majesty should take any of his subjects who would help him, when those who should have been his best subjects deceived and opposed him. 'We see,' he added, 'what a company David took to defend him in the time of his strait.'" As to the ravages which his soldiers committed in plundering the country, he reminded them that "soldiers who wanted pay could not be restrained from spoilzie, nor kept under such strict discipline as other regular forces. But he declared that he did all that lay in his power to keep them back from it; and as for bloodshed, if it could have been thereby prevented, he would rather it had all come out of his own veins." They then proceeded to the main point, the breach of the covenant, with which they charged him. He declared that he still adhered to the covenant which he took. "Bishops," he added, "I care not for them; I never intended to advance their interest. But when the king had granted you all your desires, and you were every one sitting under his vine and fig-tree—that then you should have taken a party in England by the hand, and entered into a league and covenant with them against the king, was the thing I judged my duty to oppose to the yondmost." He reminded them further that the course which they had followed had terminated in the death of the king, and the overthrow of the constitution. "That," rejoined one of the ministers, "was the work of a sectarian party that rose up and carried things beyond the true and first intent of them."—"Error is infinite," was the brief reply of Montrose. At the close of this lengthened conference, Mr. Guthrie expressed their deep grief that in consequence of the impenitence of the marquis, they could not release him

* Sir James Balfour's Notes of the Parliament; Life and Times, p. 479; Cumbernauld Papers in the Maitland Miscellany, vol. ii.

* Patrick Simpson, minister of Renfrew, who was present during this interview, and gave an account of it to Wodrow, says, by these "personal vices" was meant that Montrose was "given to women." It is but fair to state, however, that, as Mr. Napier remarks, "with no particular scandal of this kind was Montrose upbraided."

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from the sentence of excommunication. "I am very sorry," was his firm and dignified rejoinder, "that any actions of mine have been offensive to the Church of Scotland, and I would with all my heart be reconciled to the same. But since I cannot obtain it on any other terms, unless I call that my sin which I account to have been my duty, I cannot for all the reason and conscience in the world."*

—his dignified appearance before the parliament—

This conference over, Montrose was summoned before the parliament to hear his sentence read. He was richly dressed, but "looked somewhat pale, lank-faced, and hairy."† The chancellor, the Earl of Loudoun, in a long and vituperative speech, upbraided him for his violation of the covenant, his league with the Irish rebels, his invasion of the country, and his blood-guiltiness; for which God, he said, had now brought him to just punishment. Montrose then requested leave to speak, and vindicated his conduct with great courage, temper, and dignity. He declared

—his defence of his conduct.

that it was solely in consequence of their agreement with the king, of which they had informed him, that he submitted to appear uncovered before them. His care, he said, had always been to act as a good Christian and a loyal subject. He engaged in the first covenant, and was faithful to it until he perceived that certain persons, under colour of religion, intended to wrest the royal authority from the king. "As for that you call the league and covenant, I thank God I was never in it, and so could not break it. How far religion has been advanced by it, and what sad consequences followed on it, these poor distressed kingdoms can witness. . . . . His (late) majesty gave commission to me to come into this kingdom to make a diversion of those forces which were going from home against him. I acknowledge the command; it was most just, and I conceived myself bound in conscience and duty to obey it. What my carriage was in this country many of you may bear witness. Disorders in arms cannot be prevented, but they were no sooner known than punished. Never was any man's blood spilt but in battle, and even then many thousand lives have I preserved; and I dare here avow that never a hair of Scotsman's head that I could save, fell to the ground. And as I came in upon his majesty's warrant, so upon his letters did I lay aside all interests (of my own) and retire. And as for my coming at this time, it was by his majesty's just commands, in order to the accelerating of the treaty betwixt him and you—his majesty knowing that whenever he had ended with you, I was ready to retire upon his call. I may justly say that never subject acted upon more honourable grounds, nor by so lawful a power, as I did in these services. And, therefore, I adjure you to lay aside prejudice, and consider me as a Christian in relation to my cause—as a subject in relation to my royal master's command—and as your neighbour in relation to the many of your lives I have preserved in battle. And be not too rash, but let me be judged by the laws of God, the laws of nature and of nations, and the laws of this land. If otherwise, then I do here appeal from you to the righteous Judge of the world, who one day must be your judge and mine, and who always gives out righteous judgment."

Brutal behaviour of the chancellor.

To this address the chancellor Loudoun rejoined with much heat and virulent abuse, "Proving," says his friend, Sir James Balfour, "Montrose, by his acts of hostility, to be a person most infamous, perjured, treacherous, and of all this land ever brought forth the most cruel and inhuman butcher of his nation, a sworn enemy to the covenant and the peace of his country."* After this brutal invective Montrose was compelled to kneel while his sentence was read. He heard it with an unmoved countenance, and at the close merely remarked, "That, according to our Scots proverb, a messenger should neither be headed nor hanged." "He behaved himself all this time in the house," says Sir James Balfour, a hostile witness, "with a great deal of courage and modesty, unmoved and undaunted as appeared, only he sighed two several times, and rolled his eyes alongst all the corners of the house; and at the reading of the sentence he lifted up his face without any word speaking."

Montrose's second conference with the clergy.

He was then conveyed back to prison, where another deputation of ministers waited upon him by appointment of the commission of assembly. They endeavoured to shake his resolution by descanting on the horrors of his barbarous sentence; but he told them he considered it a greater honour to have his head fixed on the top of the prison for this quarrel, than that his picture should hang in the king's bedchamber; and so far from being troubled at the members of his body being dispersed among the four principal cities, as memorials of his loyalty, he only wished that he had limbs enough to send to every city in Christendom, as testimonies of his unshaken attachment to his king and country. The ministers continued to urge upon him his guilt in taking up arms in behalf of the king, and endeavoured to draw from him some expressions of penitence; but he at last put a stop to their exhortations with the words, "I pray you, gentlemen, let me die in peace." Before they took their leave he drew aside the well-known Robert Baillie, and conversed with him for some time in the corner of the room; but

* Wodrow MS., Life and Times, pp. 483—486.

† It appears that the permission to shave had been refused to Montrose. "I could not think," was his remark, "but they would have allowed that to a dog." This refusal probably proceeded from the apprehension that he might anticipate his ignominious death by committing suicide, for we are told that "the parliament would allow him no knife nor weapon in the room with him, lest he should have done harm to himself." Montrose indignantly disclaimed the imputation.

* The inveterate enmity of Loudoun, and his violent behaviour on this occasion, so unbecoming his high office, may be accounted for by the slaughter of the clan Campbells, of which he was a cadet, at Inverlochy, where his elder brother, the Laird of Lawers, fell.

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Mr. Baillie afterwards stated that "what he spoke to him was only concerning some of his personal sins in his conversation, but nothing concerning the things for which he was condemned." *

That evening, when left alone, he wrote with the point of a diamond on his prison window the following lines:—

"Let them bestow on every airth † a limb,
Then open all my veins—that I may swim
To thee, my Maker, in that crimson lake—
Then place my parboil'd head upon a stake;
Scatter my ashes—strew them in the air;—
Lord! since thou knowest where all these atoms are,
I'm hopeful thou'lt recover once my dust,
And confident thou'lt raise me with the just."

The next day, Tuesday, May 21st, was fixed for his execution. Early in the morning he was awakened by the noise of drums and trumpets calling out the guards and citizens to arms; for the parliament, it seems, were apprehensive that a tumult might be excited by the royalists, and an attempt made to rescue him. "Do I," he said, "who have been such a terror to these good folks during my life, continue still so formidable to them now when about to die?" Soon after, Sir Archibald Johnston of Warriston, then clerk-register, entered the prisoner's cell while he was combing the long curled hair which he wore, according to the fashion of the cavaliers, and asked him what he was about, in a tone which implied that he regarded this as but an idle employment at so solemn a time. "While my head is my own," replied Montrose with a smile, "I will dress and adorn it, but when it becomes yours, you may treat it as you please." ‡

—his behaviour on the scaffold—

All preparations being now complete, at two o'clock in the afternoon Montrose walked on foot from the prison to the place of execution in the middle of the market-place, between the Cross and the Tron, where a large square scaffold, covered with black cloth, had been erected, from which arose a gallows thirty feet high. He was clad in rich attire, "more becoming a bridegroom," says a contemporary chronicler, "than a criminal going to the gallows." § His firm and dignified bearing produced a deep impression upon the spectators, who were heard to exclaim, "There goes the finest gallant in the realm." None of his friends or kinsmen were allowed to accompany him; neither was he permitted to address the people from the scaffold, but the speech which he uttered to those around him, and in the midst of frequent interruptions, was taken down in shorthand by a young man, son of Sir Robert Gordon of Gordonstown, appointed by his friends for that purpose, and was circulated at the time.

—his dying speech—

"I am sorry," he said, "if this manner of my end be scandalous to any good Christian. Doth it not often happen to the righteous according to the ways of the wicked, and to the wicked according to the ways of the righteous? Doth not sometimes a just man perish in his righteousness, and a wicked man prosper in his malice? They who know me should not disesteem me for this. Many greater than I have been dealt with in this kind. Yet I must not say but that all God's judgments are just. For my private sins I acknowledge this to be just with God—I submit myself to Him. But in regard of man, I may say they are but instruments—God forgive them—I forgive them. They have oppressed the poor and violently perverted judgment and justice; but he that is higher than the highest will regard. What I did in this kingdom was in obedience to the most just commands of my lawful sovereign; for his defence in the day of his distress against those that did rise up against him. I acknowledge nothing, but to fear God and honour the king, according to the commandments of God, and the laws of nature and nations. I have not sinned against man, but against God; and with Him there is mercy, which is the ground of my drawing near unto Him. It is objected against me by many, even good people, that I am under the censure of the Church. This is not my fault, since it is only for doing my duty, by obeying my prince's most just commands, for religion, his sacred person, and authority. Yet I am sorry they did excommunicate me—and in that which is according to God's laws, without wronging my conscience or allegiance, I desire to be relaxed. If they will not thus do it, I appeal to God, who is the righteous judge of the world, and who must now be my judge and saviour. It is spoken of me that I blame the king! God forbid. For the late king—he lived a saint, and died a martyr. I pray God I may end so. If ever I would wish my soul in another man's stead, it were in his. For his majesty now living, never people, I believe, might be more happy in a king. His commands to me were most just. In nothing that he promiseth will he fail. He deals justly with all men. I pray God he be so dealt with, that he be not betrayed under trust as his father was. I desire not to be mistaken, as if my carriage at this time, in relation to your ways, were stubborn. I do but follow the light of my own conscience, which is seconded by the working of the good spirit of God that is within me. I thank him I go to heaven's throne with joy. If he enable me against the fear of death, and furnish me with courage and confidence to embrace it, even in its most ugly shape, let God be glorified in my end, though it were in my damnation. Yet I say not this out of any fear or distrust, but out of my duty to God, and love to his people. I have no more to

* MS. Journal by the Rev. Robert Trail; Life and Times, p. 490.

† Point of the compass. ‡ Wishart.

§ "In his downgoing from the Tolbooth to the place of execution, he was very richly clad in fine scarlet laid over with rich silver lace, his hat in his hand, his bands and cuffs exceeding rich, his delicate white gloves on his hands, his stockings of incarnate [flesh-coloured] silk, and his shoes with their ribands on his feet, and sarks [shirts] provided for him with pearling [lace] about above ten pund the elne. All these were provided for him by his friends, and a pretty cassock put upon him upon the scaffold, wherein he was hanged."—*Diary of John Nicholl, Writer to the Signet and Notary-public.*

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JAMES FIRST MARQUIS OF MONTROSE

From a Painting in the [illegible]

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say, but that I desire your charity and prayers. I shall pray for you all. I leave my soul to God, my service to my prince, my goodwill to my friends, and my name and charity to you all. And thus briefly I have exonerated my conscience." Being desired to pray apart, he said, "I have already poured out my soul before the Lord, who knows my heart, and into whose hands I have commended my spirit; and he hath been graciously pleased to return to me a full assurance of peace in Jesus Christ my Redeemer."

—his execution—

To add to the ignominy of his punishment, the executioner brought Dr. Wishart's narrative of Montrose's exploits, and his own manifesto to hang around his neck; but the marquis himself assisted to fasten them, merely saying, with a smile at this new token of his enemies' malice, "I did not feel more honoured when his majesty sent me the Garter." He then asked if they had any additional indignities to put upon him, as he was ready to submit to them. Before ascending the ladder he prayed for some time with his hat before his eyes, "being observed to be mightily moved all the while." Two of the ministers, Messrs. Trail and Law, were present according to the appointment of the commission of the General Assembly, in order that they might release him from the sentence of excommunication, if he should express penitence for his offences. "But," says the former, "he did not at all desire to be relaxed from his excommunication in the name of the Kirk—yea, did not look towards that place on the scaffold where we stood, only he drew apart some of the magistrates, and spake awhile with them; and then went up the ladder in his red scarlet cassock in a very stately manner, and never spoke a word; but when the executioner was putting the cord about his neck, he looked down to the people upon the scaffold, and asked, 'How long shall I hang here?' When my colleague and I saw him casten over, we returned to the commission, and related the matter as it was." *

Another eye-witness of this sad catastrophe says, "he was very earnest that he might have the liberty to keep on his hat—it was denied: he requested he might have the privilege to keep his cloak about him—neither could that be granted. Then, with the most undaunted courage, he went up to the top of that prodigious gibbet, where, having freely pardoned the executioner, he gave him three or four pieces of gold, and inquired of him how long he should hang there, who said three hours; then commanding him at the uplifting of his hands to tumble him over, he was accordingly thrust off by the weeping executioner. The whole people gave a general groan; and it was very observable that even those who at first appearance had bitterly inveighed against him could not now abstain from tears. 'Tis said that Argyll's expressions had something of grief in them, and that he did likewise weep at the rehearsal of his death, for he was not present at the execution. But they were by many called crocodile's tears; how truly I leave to others' judgment. But I am sure there did in his son, the Lord Lorn, appear no such sign, who neither had so much tenderness of heart as to be sorry, nor so much paternal wit as to dissemble—entertaining his new bride, the Earl of Moray's daughter, with this spectacle, he mocked and laughed in the midst of that weeping assembly, and, staying afterwards to see him hewn in pieces, triumphed at every stroke that was bestowed upon his mangled body." According to his sentence, the head of Montrose was affixed to an iron spike on the west end of the Tolbooth, his legs and arms were cut off and sent to the four principal towns of Scotland, and the trunk was thrown into a hole in the Borough-muir, under the gallows.* Eleven years later, at the Restoration, the head was taken down in the presence of Lord Napier and a number of the leading barons of the house of Graham, and the scattered limbs were reassembled, and interred with great pomp and ceremony in St. Giles's Church, in the tomb of his grandfather. A few weeks after, the head of Argyll was affixed to the spike from which the head of Montrose had just been removed.†

—his character.

Thus perished at the age of thirty-seven one of the most distinguished Scotchmen whom the seventeenth century, fertile in great men, produced. His talents for irregular warfare were certainly of the highest order; and he possessed beyond most men that indomitable energy which fearlessly grapples with the greatest difficulties, and by boldly confronting so often overcomes the most formidable obstacles. He was a poet and a scholar, as well as a soldier, and wrote and spoke clearly and eloquently. His genius was of the heroic cast, and, in the opinion of the celebrated Cardinal de Retz—no mean judge of character—closely resembled that of the ancient heroes of Greece and Rome. "Montrose," says Lord Clarendon, "was in his nature fearless of danger, and never declined any enterprise for the difficulty of going through with it, but exceedingly affected those which seemed desperate to other men; and did believe somewhat to be in himself above other men, which made him live more easily towards those who were, or were willing to be, inferior to him (towards whom he exercised wonderful civility and generosity) than with his superiors or equals. He was naturally jealous, and suspected those who did not concur with him, in the way, not to mean so well as he. He was not without vanity, but his virtues were much superior, and he well deserved to have his memory preserved and celebrated

* MS. Journal by the Rev. Robert Trail; Life and Times, p. 495.

* "Two days after the murder, the heart of this great hero, in spite of all the traitors, was by conveyance of some adventurous spirits, appointed by that noble and honourable lady, the Lady Napier, taken out and embalmed in the most costly manner by that skilful chirurgeon and apothecary, Mr. James Callender, and then put in a rich case of gold."—*Relation of the True Funeral of the Great Lord Marquis of Montrose, in the year* 1661. For an account of the further fortunes of this curious relic see Appendix II.

† Fraser MS.; Memorials of Montrose, vol. i. p. 446.

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among the most illustrious persons of the age in which he lived." Montrose was undoubtedly ambitious and fond of applause; as he himself frankly acknowledged, "he was one of those that loved to have praise for virtuous actions." Clarendon notices the contrast between his behaviour at Oxford in 1642, "when he seemed to have very much modesty and deference to the opinions and judgment of other men," and his deportment at the Hague in 1649, after "he had done so many signal actions, won so many battles, and, in truth, made so great a noise in the world that there appeared no less alteration to be in his humour and discourse than there had been in his fortune."* But he frankly admits that Montrose was a man of "a clear spirit"—"a man of the clearest honour, courage, and affection to the king's service"—"a person of as great honour, and as exemplary integrity and loyalty as ever that nation (the Scottish) bred."† His enemies have pertinaciously accused him of treachery and cruelty. The former appears to rest on no valid foundation; but it is impossible to deny that he waged war in a sanguinary spirit, and that he permitted, if he did not authorise, his troops to lay waste the country in a cruel and vindictive manner.‡ It can only be pleaded in extenuation, that this was "the fault of his country and his age, and that his enemies showed as little of mercy and forbearance." In his personal deportment Montrose was dignified yet graceful. Burnet says, "his whole manner was stately to affectation." His features, though not handsome, were singularly expressive. "His hair was of a dark brown colour, and a high nose, a full, decided, well-opened, quick grey eye, and a sanguine complexion, made amends for some coarseness and irregularity in the subordinate parts of the face. His stature was very little above the middle size; but in person he was uncommonly well-built, and capable both of exerting great force and enduring much fatigue." "He was a man of a very princely carriage and excellent address, which made him be used by all princes for the most part with the greatest familiarity. He was a complete horseman, and had a singular grace in riding." "As he was strong of body and limb, so he was most agile, which made him excel most others in those exercises where these two are required. His bodily endowments were equally fitting the court as the camp."*

Execution of Montrose's officers.

Montrose was followed to the scaffold by his principal officers. Colonel Sibbald, one of his attendants from England; Sir Francis Hay of Dalgetty; Spottiswood, a youth of eighteen, a grandson of the primate; and Sir John Urrey, who had repeatedly changed sides during these unhappy commotions, were beheaded by the "maiden,"† a less ignominious mode of death than that which was inflicted on their gallant commander. His friend, Lord Frendraught, anticipated the public vengeance by a death "in the old Roman way."

Meanwhile the negotiations between Charles and the Scottish parliament were brought to a termination. On the discovery of the prince's duplicity, Warriston, Hope, and other leaders of the covenanters, proposed to break off the treaty and to to recall their commissioners, but this proposal was overruled mainly by the influence and address of Argyll,‡ and the only alteration made in the terms consisted in a statement that the Act of Classes, excluding certain persons from the court, applied to the authors of the Engagement, as well as to the malignants. The king is said to have expressed strong displeasure at the execution of Montrose, as a violation of the treaty; but his complaints were silenced by an intimation that certain facts were known to the parliament, which were likely to affect his honour. Charles must thus have been made aware that his commission to Montrose had been discovered. He, therefore, no longer hesitated to accept the crown on the terms offered, and having embarked with his court in a Dutch fleet, he arrived at the mouth of the Spey on the 23rd of June, 1650, only one month after the execution of Montrose. But as the suspicions of the people had been roused by his double-dealing, he was required

Charles's arrival in Scotland—

* History of the Rebellion, vol. vii. pp. 284—287, Edit. 1826.

† Clarendon's State Papers, vol ii. p. 544.

‡ Clarendon has given an account of a remarkable conversation which he had on this point at the Hague with the Earl of Lauderdale, one of the most vindictive of Montrose's enemies. On being asked what "foul offence" the marquis had committed that should prevent the Scottish presbyterians from uniting with him to restore the king, Lauderdale told the historian "calmly enough that he could not imagine or conceive the barbarities and inhumanities Montrose was guilty of in the time he made a war in Scotland, and that he never gave quarter to any man, but pursued all the advantages he ever got with the utmost outrage and cruelty; that he had in one battle killed fifteen hundred of one family, of the Campbells, of the blood and name of Argyll; and that he had utterly rooted out several names and entire noble families. The other told him that it was the nature and condition of that war that quarter was given on neither side; that those prisoners which were taken by the Scots, as once they did take some persons of honour of his party, were afterwards in cold blood hanged reproachfully, which was much worse than if they had been killed in the field; and asked him if Montrose had ever caused any man to die in cold blood, or after the battle was ended? since what was done in it flagrant, was more to be imputed to the fierceness of his soldiers than to his want of humanity. The earl confessed that he did not know he was guilty of anything but what was done in the field; but concluded with more passion, that his behaviour there was so savage that Scotland would never forgive him. And in other company, where the same subject was debated, he swore, with great passion, that though he wished nothing more in this world than to see the king restored, he had much rather that he should never be restored, than that James Graham should be permitted to come into court."—*Clarendon's History*, vol. vi. p. 290. (Memorials of Montrose, vol. ii. pp. 376, 377.)

* See Wishart; and an anonymous contemporary chronicler quoted in Life and Times, p. 13.

† A kind of guillotine, which appears to have been used for the first time in the execution of some of the inferior agents in the murder of Riccio.

‡ Charles had the baseness to disown the conduct of his ill-starred and devoted follower, and authorised Lothian to report to the parliament "that his majesty was no way sorry that James Graham was defeated, in respect, as he (Charles) said, he had made that invasion without, and contrary to, his commands." But the parliament, though they appeared to credit the royal statement, were well aware of its falsehood.

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to sign the covenant before he was permitted to land; the greater part of his English adherents were dismissed; and Hamilton, Lauderdale, and other leading engagers, were compelled to leave the court, and retire to their own homes. Charles himself was received with all the outward marks of respect, but he was carefully excluded from all power, and treated as a mere pageant of State.

—his treatment by the clergy.

The clergy addressed to him frequent and lengthened exhortations, full of invectives against the sins of his father, the idolatry of his mother, and his own ill-disguised favour for the malignants, and they sternly reproved every appearance of frivolity in his person or court. They were especially careful to disclaim all sympathy with the principles of the old royalist party, and both the General Assembly and the committee of Estates set forth a public declaration, in which they protested "that they did not espouse any malignant quarrel or party, but fought merely on their former grounds or principles; that they disclaimed all the sins and guilt of the king and of his house; nor would they own him or his interest otherwise than with a subordination to God, and so far as he owned and prosecuted the cause of God and acknowledged the sins of his house and of his former ways." *

The English parliament resolves to invade Scotland.

As soon as the English parliament learned that Charles had arrived in Scotland, and that the Scots had raised a considerable army in support of the royal cause, they resolved to prevent the dangers which thus menaced their newly-formed republic by invading Scotland, while still weakened by her domestic dissensions; and in a month from the time of the king's arrival, Cromwell was on the banks of the Tweed at the head of sixteen thousand veteran troops. The Scots made vigorous preparations for his reception. On the first notice of this movement a general levy had been appointed throughout the kingdom, and on the approach of the enemy the open country between Berwick and Edinburgh was swept of every article of subsistence. "The

Defensive plans of the Scots.

Scots," says Whitlocke, "are all gone with their goods towards Edinburgh by the command of the Estates of Scotland, upon penalty if they did not remove; so that mostly all the men are gone. But the wives stay behind, and some of them do bake and brew to provide bread and drink for the English army." † Cromwell made a speech to his men "as a Christian and a soldier," ‡ exhorting them "to be doubly and trebly diligent, to be wary and worthy, for sure enough they had work before them; and then not to doubt of a blessing from God, and all encouragement from himself." The soldiers answered with loud acclamations, and, advancing along the coast, quartered on the first night in the fields near Mordington, where Cromwell proclaimed throughout the camp that none, on pain of death, should offer violence or injury to the persons or goods of any in Scotland not in arms, and that no soldier should presume, without special licence, to stray half a mile from the army.

Leslie's position and tactics—

Meanwhile David Leslie, who commanded the Scottish army, had established a fortified camp between Leith and Edinburgh, flanked by the fortifications of Leith, and by batteries erected on the Calton Hill. Cromwell advanced towards his lines, and tried every expedient to draw him out to action; but Leslie kept his position at "Bruchton village," * his right wing resting upon the eastern slope of Salisbury Craigs and Arthur's Seat, and his left wing posted at Leith, and remained resolutely on the defensive. He was well aware that his army, though superior in numbers, was greatly inferior in discipline to the English, and that his raw levies were unable to encounter the veteran troops of Cromwell: he therefore prudently avoided a battle, and by frequent skirmishes tried to confirm the courage of his soldiers, and to harass and wear out the enemy. The English

—their success.

made an attack upon Arthur's Seat, which was partially successful, but "upon the whole," says Cromwell, "we did find that their army were not easily to be attempted. Whereupon we lay still all the said day,† which proved to be so sore a day and night of rain as I have seldom seen, and greatly to our disadvantage—the enemy having enough to cover them, and we nothing at all considerable. In the morning, the ground being very wet and our provisions scarce, we resolved to draw back to our quarters at Musselburgh, there to refresh and revictual." ‡ His retreat was harassed by the Scots, and Major-general Lambert was wounded in two places, and taken prisoner, but was ultimately rescued. In the course of the night, a select body of troops under Montgomery and Strachan attacked the English at Musselburgh, beat in their guards, and threw their cavalry into disorder, but were ultimately repulsed with considerable loss. §

Cromwell's manifesto, and the reply of the Scots.

Cromwell on entering Scotland had published a manifesto, or "declaration of the English army to all the saints in Scotland." A counter declaration had been prepared by the Scottish clergy, to which some "godly ministers" who accompanied the invading army composed a reply. Cromwell himself took part in this controversy, and in letters addressed to the General Assembly and to David Leslie, earnestly entreated "the honest people in Scotland" to desist from "espousing a malignant-party's quarrel or interest," to give "some satisfying security" to the English parliament, and not to allow themselves to be deceived "by a few formal and feigned submissions from a

* Walker's Historical Discourses, pp. 166, 167; Whitlocke, pp. 442, 443.
† Whitlocke, p. 450. ‡ Hodgson, p. 130.

* Broughton; now a part of the new town of Edinburgh.
† At Niddry, near Duddington.
‡ Commons' Journals, vol. vi. p. 451. § Ibid.

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person that could not tell otherwise how to accomplish his malignant ends."* Hopes were at one time entertained that "the godly party in Scotland" would abandon the "malignant king's interests, and make bloodless peace" with the English. The extreme presbyterian party had recently expelled from the army eighty officers, who were accused of "malignancy," and the refusal of the king to sign a declaration which they had prepared seemed likely to lead to an open rupture. Charles, however, dreading that his refusal would provoke the covenanters to disavow his cause, consented, with some qualifications, to sign a declaration that "although he was bound as a dutiful son to honour his father's memory, and to hold his mother in estimation, yet he desired to be deeply humbled and afflicted in spirit for the adherence of the former to evil counsels, and his opposition to the covenant; and for the idolatry of the latter, the toleration of which was a matter not only of offence to the Protestant churches, but undoubtedly of high provocation to a jealous God. He declared that he received the covenant with no sinister nor improper design; professed to have no enemies but in common with it; exhorted his subjects to receive it as they valued his protection or favour; annulled his treaties with the Irish catholics; recalled his commissions against the English trade; promised to confirm the propositions of the two kingdoms presented to his father, and to grant an indemnity to all but the authors of his murder; and since the sectaries had invaded Scotland, he required the well affected in England not to omit the opportunity of re-establishing their ancient government."† Still the facility with which Charles yielded to the demands of the covenanters did not remove their suspicions that all his declarations were regarded by him merely as an empty form; and as a further test of his sincerity, as well as a public penance, they appointed a day of humiliation to be observed by his household, and by the whole kingdom, and required him on that occasion anew to express his penitence for the various transgressions of his father and grandfather, the idolatry of his mother, and his own early connection with inveterate malignants.

Declaration exacted from Charles.

Cromwell meanwhile had tried every military stratagem to bring the Scots to action, but in vain. Leslie prudently adhered to his defensive policy. Foiled in their attempts to force the Scottish lines on the east of the capital, the English army marched inland to the Braid Hills, Colinton and Redhall, and formed an encampment on the eastern extremity of the Pentland Hills, to advance on Edinburgh from that side, and threatened to cut off the supplies which the Scots received from Stirling and the western districts of the country. But Leslie, perceiving their intention, immediately quitted his intrenched camp, and took up a new position to the westward, protected by the water of Leith and the drains and mill-leads at Saughton and Coltbridge. On Tuesday, October 27th, both armies marched to the vicinity of Gogar, but after a distant cannonade the English, finding that they could not dislodge the Scots, were compelled to withdraw next day "to their leaguer at the Braid Hills," and thence to Musselburgh. The situation of Cromwell had now become critical. He had no provisions except what he obtained from his ships with considerable difficulty and in insufficient qualities. The communication with the fleet grew daily more precarious, sickness broke out among his troops, and the weather became exceedingly inclement. It was clearly impossible that the army could remain in its present position; and on the evening of Saturday, the 31st (old style), they fired their huts, and marched towards Dunbar. Leslie immediately left his encampment, for the purpose of harassing the retreating enemy, and hung closely upon their rear. Marching along the skirts of Lammermoor, he took up a strong position on the Doon Hill, which overhangs the town of Dunbar, and seizing the difficult passes which lay between that town and Berwick, completely intercepted the retreat of the English. The Scottish army continued to gather and increase on the adjacent hills, "like a thick cloud, menacing such a shower to the English as would wash them out of their country, if not out of the world; and they boasted that they had them in a worse pound than the king had the Earl of Essex in Cornwall." The situation of Cromwell was indeed apparently desperate. His army was now reduced to twelve thousand men, who were drawn up along the base of the peninsula on which the town of Dunbar stands, in a line extending from Belhaven Bay on the west, to Brocksmouth House on the east, "about a mile and a half from sea to sea." Directly in front of them, on the top and slope of Doon Hill, with the barren heaths of Lammermoor behind, lay the Scottish army, three and twenty thousand strong, and in high spirits. It was impossible to attack them but at the most imminent hazard. On the east the English were hemmed in by a tremendous ravine or pass, called the Peath or Pease, which Leslie had occupied, and where, according to Cromwell's own description, "ten men to hinder is better than forty to make way." Behind them was the sea, their ships lying in the offing with their supply of provisions daily growing more scanty. The English general, however, in the words of one who knew him well, "was a strong man—in the dark perils of war, in the high places of the field, hope shone in him like a pillar of fire when it had gone out in all the others." In a letter, written on Monday, September 2nd, to Sir Arthur Haselrig, governor of Newcastle, he says, "We are upon an engagement* very difficult. The enemy hath blocked up our way at

Cromwell foiled by Leslie—

—he is compelled to retreat.

Critical situation of the English army.

* Parliamentary History, vol. xix. pp. 330—333.
† Walker, p. 168; Laing, vol. i. p. 430.

* Complicated concern.

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THE RAILWAY BRIDGE & RAVINE, FROM THE GLEN

SKETCH TO ILLUSTRATE THE BATTLE OF DUNBAR 1650.

Scale of English Miles
0
1
2
3
MOUTH OF THE
FIRTH OF FORTH
Belhaven Bay
Belhaven
DUNBAR
Station
N. British Railway
From Edinburgh and Haddington
Broxburn
1650
London Road
Old Broxmouth
Doon Hill
Scottish Camp
1650
Spott Village
Spott Mains
Old Mains
West Mains
Pinkerton Law
East Mains
Middle Pinkerton
Little Pinkerton
Brunt Hill
Bell Craig
Thornton

LONDON: JAMES S. VIRTUE.

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the pass at Copperspath,* through which we cannot get without almost a miracle. He lieth so upon the hills that we know not how to come that way without great difficulty; and our lying here daily consumeth our men, who fall sick beyond imagination. I perceive your forces are not in a capacity for present release; wherefore, whatever becomes of us, it will be well for you to get what forces you can together, and the south to help what they can. The business nearly concerneth all good people. If your forces had been in a readiness to have fallen upon the back of Copperspath, it might have occasioned supplies to have come to us. But the only wise God knows what is best. All shall work for good. Our spirits† are comfortable, praised be the Lord, though our present condition be as it is. And indeed we have much hope in the Lord, of whose mercy we have had large experience." ‡

Folly of the Scottish committee.

In this desperate extremity Cromwell entertained thoughts of embarking his infantry and artillery on board his ships, and of endeavouring to cut his way through, at all hazards, with his cavalry. But the folly of the committee of Estates and Kirk, and the national precipitancy of the army, destroyed this fair prospect of success, and extricated the English from their perilous position. They were under the impression that Cromwell had embarked half of his men and all his great guns, and therefore could not fight, and fearing that he would escape, they resolved to descend into the plain, and attack the English in their retreat.§ Their object was, in the first instance, to seize Brocksmouth House, where Cromwell had his head-quarters, and then pass over the brook or 'burn' there, so that they might attack the enemy at their will. The Brocks burn, or rivulet, has its source in the Lammermoor Hills, and, skirting the Doon Hill, falls into the sea at Brocksmouth House. Its course is through a rugged glen forty feet in depth, and about as many in width; from the base of Doon Hill to the sea it formed the boundary of Cromwell's position; and on Monday his troops were arranged in battle order along the left bank of the burn and glen. Before sunrise on that day Leslie sent down his horse to occupy the other side of the brook; about four in the afternoon his train came down, gradually followed by his whole army. The space between the hill and the sea was at that time a low uneven tract of ground, only partially cultivated, and in some places marshy and covered with rough bent grass. There was only one farmhouse on this tract, and thither Cromwell's cannon, which had at first been placed in the church, were sent on Monday morning. Nearly opposite the centre of Doon Hill, in the bottom of the glen, at a place where the banks of the brook are depressed into a slope passable for carts, stood a small shepherd's house,* in which Pride and Lambert had, early in the morning, placed six horse and fifteen foot. But they were driven out by Leslie's horse, and three of them taken prisoners. About a mile to the east of this spot, and a little to the west of Brocksmouth House, was the only other pass across the Brocks burn,† and from its southern bank the ground gradually rises up into the high tableland, out of which the Doon Hill springs. At this spot the brunt of the battle took place.

Position of the hostile armies.

In the afternoon of Monday, Cromwell, walking with Lambert in the grounds of Brocksmouth House, perceived Leslie's movements on the slope of the hill, and, instantly penetrating his design, remarked that it would give them a great advantage if they were to become the assailants, cross the brook, and attacking Leslie's right wing in flank and front with an overwhelming force, drive it back upon its own battle, which, hampered in the narrow sloping ground between the Doon Hill and the brook, had no room to manœuvre or deploy itself. In this way, by defeating the right wing, the whole army would be beaten. Lambert and Monk, who came up at this moment, cordially approved of the plan, and it was resolved to put it in execution early next morning. The night proved wet and tempestuous; and the Scots, who were entirely without shelter, suffered severely from the storm. About three o'clock in the morning, by order of Major-general Holburn, they extinguished their matches, all but two in a company, and, cowering under the corn-shocks, endeavoured to obtain some partial shelter and sleep. An hour later, the English horse were ordered to march towards the pass over the brook. Lambert, who was appointed to lead the attack, was ordering the line far to the right, and was impatiently expected by Cromwell. Owing to this delay the attack did not take place till six o'clock, instead of at daybreak, as originally intended. The watchword of the Scots was "The Covenant;" that of the English, "The Lord of Hosts." "The contest," says an eye-witness, "on this right wing was hot and stiff for three quarters of an hour." The Scottish force, though taken at a great disadvantage, made a gallant resistance, as

Battle of Dunbar.

* The country pronunciation of Cockburn's Path, which again is a corruption of Colbrand's Path.

† Minds.

‡ Cromwell's Letters and Speeches, vol. iii. p. 40.

§ "A vague story, due to Bishop Burnet, the watery source of many such, still circulates about the world, that it was the Kirk committee who forced Leslie down against his will, that Oliver at sight of it exclaimed, 'The Lord hath delivered,' &c., which nobody is in the least bound to believe. It appears, from other quarters, that Leslie was advised or sanctioned in this attempt by the committee of Estates and Kirk, but also that he was by no means hard to advise; that, in fact, lying on the top of Doon Hill, shelterless in such weather, was no operation to spin out beyond necessity; and that if anybody pressed too much upon him with advice to come down and fight, it was likeliest to be royalist civil dignitaries, who had plagued him with their cavillings at his cunctations, at his 'secret fellow-feeling for the sectarians and regicides' ever since this war began. The poor Scotch clergy have enough of their own to answer for in this business: let every back bear the burden that belongs to it." (Carlyle—Cromwell's Letters and Speeches, vol. iii., part vi., p. 46.

* See view of the battle-field taken from this spot.

† The London road now crosses the burn at this pass.

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Cromwell himself admits. Their horse, "with lancers in the front rank," charged desperately, and drove the English back across the hollow of the brook; but the charge was renewed by the latter with great enthusiasm, and was completely successful: the Scottish horse fled in disorder, some to Cockburn's Path, but the greater part across their own foot. The infantry, consisting entirely of raw, undisciplined levies, and trampled down by their own horse, were unable to resist the shock of Cromwell's veteran troops, and after a brief struggle gave way on all sides. When the Scots began to waver, Cromwell was heard to say, "They run—I profess they run!" At this moment the sun showed his broad disk on the surface of the German Ocean, and the victorious general exclaimed with enthusiasm, "Let God arise, and let his enemies be scattered." He then commanded a halt, and "sang the hundred and seventeenth Psalm,"* says one of his officers, "till our horse could gather for the chase." Two regiments only of the Scottish foot maintained their ground, but they were cut off as they stood almost to a man. The fugitives fled to Belhaven, or in their distraction even to Dunbar. The pursuit, led by Hacker, extended as far as Haddington. Three thousand were slain, including a number of the officers and several ministers, and nearly ten thousand were taken prisoners. About half of the number, "almost starved, sick, and wounded," says Cromwell, were dismissed from the field; the remainder were sent under a convoy to England, and were treated with the greatest barbarity. Some of them on their journey southward, for sheer hunger, ate raw cabbages in the "walled garden at Morpeth." They suffered grievous hardships at Durham, where they were imprisoned in the cathedral, and many of them died of pestilence there.† The survivors, with a cruelty hitherto unknown in Christian countries, and most dishonourable to Cromwell and the parliament, were transported to the English settlements in America, and there sold for slaves.‡

Complete defeat of the Scots.

The immediate result of the defeat of Dunbar was the surrender of Edinburgh, with the exception of the castle, in which some of the clergy had taken refuge. Cromwell offered them liberty to preach in the several churches of the city, but this offer was at once declined, and a lengthened, but unsatisfactory, correspondence took place between them and the English general respecting the violation of the covenant; the restrictions he had placed upon the ministers of Christ in England and Ireland; the rights and qualifications of regular pastors, and the abuse of unlicensed persons usurping the work of the ministry.* Meanwhile various soldiers and other lay preachers occupied the vacant pulpits, and held forth to crowded auditories.

Cromwell's correspondence with the ministers of Edinburgh.

Leslie, with the wreck of his army, retired upon Stirling, where the committee of Estates and the commission of the Church were assembled. In spite of the disaster that had befallen them, they presented an unyielding front to the enemy; and the commission issued a short declaration and warning to all the congregations of the Kirk of Scotland, acknowledging the hand of God, whose judgments are unsearchable, and whose ways are past finding out, in the calamities which had brought the land very low; admonishing all classes to be humbled for their sins before the Lord, that He might turn away his wrath from them; and to beware of murmuring and complaining against his dispensations, and questioning the truth and goodness of their cause on account of anything that had befallen them. "Let us bear the indignation of the Lord," they said, "because we have sinned against him, until He plead our cause and execute judgment for us." They strenuously exhorted the people to be no less vigorous in resisting the enemy than they had been in opposing malignants; warned them not to imagine that all danger from this party was now over, but to be on their guard, lest, under the pretence of supporting the royal cause and the welfare of the country, they should obtain the power to promote their old designs. The warning of the commission was followed up by a peremptory order from the committee of Estates, requiring a number of the king's attendants, who were denounced as profane, scandalous, and disaffected persons, to quit the court within twenty-four hours, and to leave the kingdom in twenty days.

Resolute behaviour of the Scots.

Warning issued by the commission.

Charles was exceedingly provoked at this resolute behaviour, and made a strenuous but fruitless attempt to obtain a delay of these proceedings till the parliament met. According to Clarendon the defeat of the Scottish army, though disastrous to the country, was by no means unacceptable to the king and his courtiers. They imagined that the power of the strict presbyterians would thereby be shaken, and that in order to provide for the national defence the committee of Estates would now be constrained to accept the assistance of those whom they had formerly excluded from the army, and from all places of trust. But the firmness which the government displayed in the midst of all their difficulties, and their resolution to enforce the act of parliament against the obnoxious attendants of the king, convinced the

Policy of Charles.

* "O give ye praise unto the Lord
All nations that be;
Likewise ye people all accord
His name to magnify!
"For great to us-ward ever are
His loving kindnesses;
His truth endures for evermore:
The Lord O do ye bless!"

† Parliamentary History, vol. xix. p. 417; Haselrig's Letter to the Council of State. See Appendix I.

‡ Ibid., p. 339; Whitlocke, pp. 425, 426. The battle of Dunbar was long remembered by the people of Scotland under the opprobrious epithet of "the race of Dunbar," or "the Tuesday's chase," the engagement having taken place on a Tuesday.

* See Appendix K.

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courtiers that their expectations were likely to be disappointed. In conjunction with his majesty, therefore, they entered into a conspiracy for the overthrow of the dominant party. It was proposed that Charles should make his escape from Perth, where he was then residing; and that on the same day a strong body of Highlanders should rush down from Atholl, and seize the committee of Estates. The town of Dundee was to be secured by Lord Dudhope, its constable; Lord Ogilvy was to take arms in Angus; while Middleton and Huntley were to raise the north. But this foolish and ill-concerted plot was completely marred in the execution. Leaving Perth under the pretext of hawking, Charles, attended only by some of his domestic servants, galloped to Dudhope, near Dundee, whence he was conducted by the Earl of Buchan, and Viscount Dudhope, to a seat of the Earl of Airlie. But, to his great disappointment, instead of being welcomed by the gentry of Angus, he was received only by some sixty or seventy Highlanders, who escorted him to a miserable cottage at Clova,* where, after the fatigue of his journey, he was fain to repose upon an old bolster above a mat of sedges and rushes. A party of horse, under Montgomery, sent after him by the committee, found him in this wretched plight, and easily persuaded him to return with them next day to Perth.

Royalist conspiracy.

Flight of the king—

—his return—

This incident, which is usually termed the "Start," alarmed the committee, and, though ignorant of the extent of the conspiracy, they were induced by their fears to make some changes in the king's situation. Believing that his flight was to be attributed to the rigour with which he had been treated, they now permitted his friends to have free access to his presence; and, at his request, granted an indemnity to the Highlanders who had taken up arms by his orders. He was invited to preside in the council; and they received without hesitation the apology made by the chancellor, in his name, for his conduct in the recent "Start," which he attributed to the "wicked counsel of evil men, who had deluded him and deceived both him and themselves." These proceedings, however, excited great dissatisfaction among the stern presbyterians of the south and west, who were from the first averse to a war with England, and had no confidence in the king's sincerity. Immediately after the defeat at Dunbar, an association was formed in these districts for the defence of the country, and a strong body of about three or four thousand horse levied and placed under the commands of Colonels Strachan and Ker. Strachan had originally served in the English parliamentary army, and still felt a strong leaning towards his former friends. His present associates, including the greater part of the gentry and ministers of the western shires, though hostile to the sectaries, were still more opposed to the malignants, and were rather inclined to abandon the cause of the king, than to sacrifice the interests of the presbyterian Church and the welfare of the country. They openly denounced the temporising conduct of the committee of Estates, and the duplicity of the king; and, especially after the proof of his treachery, and of the insincerity of his repentance, afforded by his flight from Perth, they advocated the immediate and public disavowal of his cause.

—improvement in his situation.

Dissatisfaction of the western presbyterians.

While the unhappy country was torn by these dissensions, Cromwell, after an unsuccessful attempt upon Stirling, advanced towards the west with the greater part of his forces. His main object in this movement was to gain over the extreme presbyterian party, who had manifested their distrust of the king's honesty, and their reluctance to carry on a war with England for his sake. "I am in great hopes," writes the general to the president of the English council of state, "that through God's mercy we shall be able to give the people such an understanding of the justness of our cause, and our desire for the just liberties of the people, that the better sort of them will be satisfied therewith." For this purpose, on the 9th of October, he addressed a letter to the committee of Estates, reminding them of his previous statement of the grounds of his invasion of Scotland; of his earnest desire that the end he had in view might be accomplished without blood; and of the difficulties in which they had involved themselves by "taking into their bosom that person in whom, in spite of his hypocritical and formal show of repentance, that which is really malignancy, and all malignants, do centre. The daily sense," he goes on to say, "we have of the calamity of war lying upon the poor people of this nation, and the sad consequences of blood and famine likely to come upon them; the advantage given to the malignant, profane, and popish party by this war; and that reality of affection which we have so often professed to you, and concerning the truth of which we have so solemnly appealed—do again constrain us to send unto you to let you know that if the contending for that person be not by you preferred to the peace and welfare of your country, the blood of your peoples, the love of men of the same faith with you, and (in this above all) the honour of that God we serve, then give the state of England that satisfaction and security for their peaceable and quiet living beside you, which may in justice be demanded from a nation giving so just ground to ask the same from those who have, as you, taken their enemy into their bosom while he was in hostility against them. Do this and it will be made good to you, that you may have a lasting and durable peace with them, and the wish of a blessing upon you in all religious and civil things."*

Conciliatory policy of Cromwell—

—his letter to the committee of Estates—

* The village of Clova is situated in the northern extremity of Forfarshire, near to the source of the South Esk, in a glen of the Grampians.

* Cromwelliana, p. 93; Cromwell's Letters and Speeches, vol. iii. pp. 101, 102.

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This appeal, as might have been expected, produced no effect upon the committee of Estates at Stirling; but it was taken into consideration by the western army under Ker and Strachan, and some correspondence regarding it took place between them and Cromwell. It was mainly with the hope of a closer communication with this party that the English general advanced to Glasgow, which he reached on the 18th of October. He behaved there with great moderation, though the well-known Zachary Boyd "railed" on him and his officers "to their very face in the high Church,"* calling them sectaries and blasphemers, and inveighing in no measured terms against the sins of the day, the prevalence of sectarianism, and the violation of the covenant.† Cromwell even invited the clergymen to meet him next day, and, accompanied by some of his officers, held a discussion respecting the disputed points with some of the presbyterian divines. His first visit to Glasgow lasted only two days, for a movement of the western army towards the capital caused him to return thither with all speed. He was for some time occupied in rooting out various nests of moss-troopers, who infested the neighbourhood of Edinburgh, and waylaid and destroyed the stragglers from his army. "One Watt," says a contemporary chronicler, "a tenant of the Earl of Tweedale's, being sore oppressed by the English, took to himself some of his own degree, and by daily incursions and infalls on the English garrisons and parties in Lothian, killed and took of them above four hundred, and enriched himself by their spoils. The like did one Augustin, a high German, who was purged out of the army before Dunbar Drove; but a stout and resolute young man, and lover of the Scots' nation, imitating Watt, in October or November this year annoyed the enemy very much, killing many of his stragglers, and made nightly infalls upon their quarters, taking and killing sometimes twenty, sometimes thirty, more or less of them, whereby he both enriched himself and his followers, and greatly damnified the enemy. His chief abode was about, and in, the mountains of Pentland and Soutra."‡ To put a stop to these excesses, which, if persevered in, must have greatly increased the horrors of this warfare, Cromwell issued a proclamation complaining that "divers of the army under his command had been not only spoiled and robbed, but also sometimes barbarously and inhumanly butchered and slain, by a sort of outlaws and robbers not under the discipline of any army," many of them inhabitants of the places where the outrage was committed, and their movements being almost always guided by intelligence furnished by their countrymen. He therefore expressed his determination whenever, in future, any of his soldiers were robbed or spoiled by such parties, to "require life for life, and a plenary satisfaction for their goods from those parishes and places where the deed had been committed, unless they discovered and produced the offender."*

—his correspondence with the western levies—

—his visit to Glasgow—

—his treatment of the moss-troopers.

On the approach of Cromwell the western army retired to Dumfries, where their officers and ministers prepared the first sketch of their famous remonstrance against the policy adopted by the ruling party in their lenient treatment of the malignants, and their proposal to crown the king, and admit him to the full exercise of royal authority. In this paper the most flagrant instances of Charles's insincerity were enumerated: his pretended repentance denounced as hypocritical; the haste with which the treaty of Breda was commenced, and the "unaccountable folly" of continuing it after the king's duplicity was discovered, and his commission to Montrose actually in the hands of the parliament were denounced in no measured terms. Notwithstanding of this behaviour, they waited they said to discover whether Charles had at last really embraced the national cause; but now his union with the malignants at home, and his correspondence with those abroad, his steady prosecution of his original designs, and his recent flight for the purpose of joining their enemies, who were about to rise in arms for the overthrow of the government, all afforded clear evidence that the Estates had been deceived and ensnared by his dissembling. They therefore disclaimed all the guilt of the king, and of his house; declared that they could not own him, or his interest, in the state of the quarrel betwixt them and the enemy; and proposed that he should not be entrusted with the exercise of sovereign power till he should show by his conduct that his professions of repentance were sincere. And they implored the committee of Estates to consider that if it were a sin in them to entrust power to a sovereign unworthy to reign over their own nation, how much more aggravated the guilt would be of endeavouring by force of arms to impose such a ruler upon England.†

Remonstrance of the western levies—

The committee of Estates were greatly divided in opinion respecting this remonstrance; but, after some discussion, they agreed to condemn it as scandalous and injurious to his majesty's person, and prejudicial to his authority;

—it is condemned by the committee of Estates.

* Baillie, vol. iii. p. 119.

† It is said that one of his officers spoke to Cromwell in a whisper, calling the clergyman an insolent rascal, and asking leave to pull him out of the pulpit by the ears; and that Cromwell commanded him to sit still, telling him that the minister was one fool, and he another.

‡ Balfour, vol. iv. p. 166; Letters and Speeches, vol. iii. pp. 108, 143.

* Letters and Speeches, vol. iii. p. 109; Cromwelliana, p. 94. Augustin, however, seems like others of his class to have preyed both upon friends and foes, for Whitlocke mentions, in November, 1651, "That the Scots themselves rose against Augustin, killed some of his men, and drove away the rest;" and in January following he states that "Augustin, the great robber in Scotland, went into the Orcades, and there took ship for Norway." (Cromwelliana, p. 104; Whitlocke, 23rd November, 1651, and 14th January, 1651-2.)

† Scottish Acts, vol. vi.; Whitlocke, p. 484, *et seq.*; Balfour, vol. iv.; Aikman, vol. iv. p. 411.

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as calculated to breed dissension among the people; and as dishonourable to the kingdom—in as far as it tended to produce a breach of the treaty with his majesty, and was fitted to strengthen the hands of the enemy, and to weaken the hands of honest men. The commission of the assembly, at the request of the committee of Estates, expressed their opinion also respecting the remonstrance; and while satisfied as to the facts and principles stated in it, they had doubts as to the propriety of openly declaring them at this juncture; and objected to certain expressions contained in it, which seemed to reflect upon the General Assembly, and were so incautiously framed as to have given advantage to the enemy. They had found, they said, that the remonstrance contained many sad truths in relation to the sins charged upon the king, his family, and the public judicatories; but they disapproved of it "as apt to breed division in Kirk and kingdom, as we do find already in part by experience."* The remonstrance of the western army, indeed, met with the cordial approval of a large portion of the strict presbyterians in all parts of the country; and not a few were ready to say with the minister of Kirkaldy, that "a hypocrite ought not to reign over them; that they should treat with Cromwell, and give him assurance not to trouble England with a king; and that whoever should mar such a treaty, the blood of the slain should be on his head."† "Nothing but remonstrating, protesting, treatying, and mistreatying from sea to sea. To have taken up such a remonstrance at first, before the war began, had been very wise, but to take it up now, and attempt not to make a peace by it, but to continue the war with it, looks mad enough. Such nevertheless is Colonel Gibby Ker's project—not Strachan's, it would seem. Men's projects strangely cross one-another in this time of bewilderment; and only perhaps in doing nothing could a man in such a scene act wisely."‡ The forces levied in the five associated counties§ were lying at a place called Carmunnock; and as Strachan, who was decidedly opposed to the treaty with the king, had now laid down his commission, the sole command had devolved upon Ker. Colonel Montgomery had been ordered by the committee of Estates to march to the west with four or five regiments of horse, to take charge of the western levies, and to lead them to the main army. But on his approach, Ker, apparently with the desire of distinguishing himself by some exploit before resigning his command, attacked an English force under Lambert, which had been sent against him, and was, as he had been informed, lying in unsuspecting security at Hamilton. Lambert, however, was on the alert, and in much greater strength than the Scots supposed. The attack, which was made early on the morning of December the 1st, 1650, was so warmly received, that, after a brief contest, the assailants, though at first successful, were repulsed with the loss of about a hundred men; Colonel Ker himself was wounded and taken prisoner, along with several of his officers; his forces were dispersed all over the country, a small body who rallied were persuaded by Strachan to disband, and he himself soon after went over to the enemy.*

Repulse and dispersion of the western levies.

Meanwhile a meeting of the parliament was held at Perth; and, after a plausible but hypocritical speech from his majesty, professing his deep penitence for the folly and sinfulness of his conduct in the late "Start," a committee was appointed to make preparations for the coronation of the king, and to consider the propriety of accepting the assistance of those who had formerly been excluded or dismissed from the public service. It was resolved that the coronation should be preceded by a fast for the sins of the king, of his family, and of the nobility; and by another for the contempt of the Gospel displayed by vast multitudes of the people. The commissioners of assembly were required to consider what persons should be admitted to take up arms in defence of the kingdom; and returned for answer, that "in this case of so great and evident a necessity" all fencible persons should be permitted to fight against the enemy, "except such as are excommunicated, forfeited, notoriously profane or flagitious, or obstinate enemies of the covenant and cause of God." On receiving this reply, the Estates passed resolutions declaring that those who had made defection or maintained a "detestable neutrality" should, on making a profession of their repentance, be admitted to share in the service and defence of the nation; and ordered all the fencible men in the country, from sixteen to sixty, to be embodied for the protection of the kingdom. The more strict of the presbyterians protested against these resolutions, maintaining that to accept the aid of those who had proved unfaithful to the covenant was to betray their cause, and that their pretended repentance was a profane mockery, which must provoke the Divine displeasure, and be followed by the most disastrous consequences. In spite of their opposition, however, a coalition of all parties for the public defence was carried into effect. The malignants, engagers, and others who had been excluded by the Act of Classes, hastened with hypocritical professions of penitence to obtain readmission into the Church, in order that they might be qualified to resume their situations in the army, or in the public service; and on the nomination of the colonels, not only the lords of the Engagement, but a number of royalists were appointed, who had fought under the banner of Montrose, and who had within the last twelve months been twice declared rebels for their share in the northern insurrections.

Meeting of parliament.

Readmission of the excluded royalists and engagers.

* Scottish Acts, &c., *ut supra*.
† Baillie, vol. iii. p. 125.
‡ Letters and Speeches, vol. iii. p. 111.
§ Renfrew, Ayr, Kirkcudbright, Wigton, and Dumfries.

* Parliamentary History, vol. xxx. p. 444.

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Surrender of Edinburgh Castle.

While the Scottish parliament was engaged in these preparations for the defence of the kingdom, Cromwell was employed in the reduction of the Castle of Edinburgh, which still held out against his victorious arms. After a blockade of three months, and a fruitless attempt to reduce it by mining, the lord-general got his batteries ready on the 12th of December, and summoned the fortress to surrender. It had been well provisioned for a siege; and Augustin, the German moss-trooper, on the 13th, gallantly broke through the besieger's lines with a party of one hundred and twenty horse, killed eighty of the enemy, took several prisoners, and strengthened the garrison with a reinforcement of thirty-six men.* But the governor, Walter Dundas, and his officers belonged to the party of the remonstrants or protesters, and were far from being hearty in the cause—most of them, indeed, ultimately went over to the enemy; and, either through cowardice or disaffection, after some interchange of letters, which occupied several days, Dundas agreed to surrender the castle, on condition that the garrison should march out with the honours of war, and be at liberty to retire whence they pleased; that the public registers and all public property should be safely conveyed to Stirling; and that all private property lodged in the castle for security should be faithfully restored to its owners. There were sixty-seven guns of various sizes in the castle at the time of its surrender—a greater amount of brass ordnance, Cromwell says, than all the rest of Scotland contained. In announcing the fall of this fortress to the parliament, he describes it as "a very great and seasonable mercy." "I need to say little," he adds, "of the strength of this place, which, if it had not come in as it did, would have cost very much blood to have attained, if at all to be attained; and did tie up your army to that inconvenience that little or nothing could have been attained while this was in design, or little fruit had of anything brought into your power by your army hitherto without it." †

Reduction of other fortresses.

After the surrender of Edinburgh Castle, Roslin, Tantallon, Hume, ‡ and other fortified places successively fell into the hands of the enemy; so that in the course of the winter the whole of Scotland south of the Forth submitted to Cromwell. The moss-troopers, however, still continued their desultory and harassing warfare, and, assisted by the country people, cut off numbers of stragglers and detached parties of the English.* A melancholy and affecting picture of the miserable state of the country at this time is given by Baillie, who says, "It cannot be denied but our miseries and dangers of ruin are greater than for many years have been; a potent, victorious enemy, master of our seas, and for some good time of the best part of our land; our standing forces against this his imminent invasion few, weak, inconsiderable; our Kirk, State, army, full of divisions and jealousies; the body of our people besouth Forth spoiled and near starving; the benorth Forth extremely ill used by a handful of our own; many inclining to agree and treat with Cromwell without care either of king or covenant; none of our neighbours called on by us, or willing to give us any help, though called." †

Miserable state of the country.

Coronation of Charles.

The coronation of Charles took place at Scone, near Perth, on the 1st of January, 1651. The ceremony was performed with the usual regal solemnities, but mingled with rites which must have been highly distasteful to the libertine monarch. Clad in a prince's robe, he walked in procession from the hall of the palace to the church; the spurs, sword of estate, sceptre, and crown being carried before him by the principal nobility. The sermon was preached by Robert Douglas, one of the ministers of Edinburgh and moderator of the General Assembly, from the strikingly appropriate text—"And he brought forth the king's son, and put the crown upon him, and gave him the testimony; and they made him king, and anointed him; and they clapped their hands, and said, God save the king. And Jehoiada made a covenant between the Lord and the king and the people, that they should be the Lord's people; between the king also and the people." ‡ The sermon, which has been printed, contains an able and faithful exposition of the reciprocal duties of kings and subjects, and of the nature of the compact between a sovereign and his people in a limited monarchy. At the close of his discourse the plain-spoken preacher, with almost prophetic sagacity, earnestly warned the youthful prince against imitating the sins of his grandfather, James VI., "the guiltiness of whose transgression lieth on the throne, and on the family." "Many doubt of your sincerity in the covenant," he adds, "let your sincerity and reality be evidenced by your steadfastness and constancy; for many, like your ancestors, have begun well, but have not been constant. Take warning from the example before

Faithful address of Robert Douglas.

* Balfour, vol. iv. p. 214.

† Cromwelliana, pp. 97—99; Letters and Speeches, pp. 117—130.

‡ Whitlocke gives a somewhat amusing account of the reduction of Hume Castle:—"February 3rd, 1650. Letters that Colonel Fenwick summoned Hume Castle to be surrendered to General Cromwell. The governor answered, 'I know not Cromwell; and as for my castle, it is built on a rock.' Whereupon Colonel Fenwick played upon him a little with the great guns. But the governor still would not yield; nay, sent a letter couched in these singular terms:—

'I, William of the Wastle,
Am now in my castle;
And a' the dogs in the town
Shanna gar me gang doun.'

So that there remained nothing but opening the mortars upon this William of the Wastle, which did gar him gang doun." (Letters and Speeches, vol iii. p. 132.)

* "Letters that the Scots in a village called Gedd[illegible] (Jedburgh) rose and armed themselves, and set upon Cap[illegible] Dawson as he returned from pursuing some moss-troop[illegible] and killed his guide and trumpet; and took Dawson [illegible] eight of his party, and, after having given them quarter, killed them all in cold blood."—*Whitlocke*, p. 464.

† Baillie, vol. iii. 127.

‡ 2 Kings, xi. 12, 17.

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you; let it be laid to heart; requite not faithful men's kindness with persecution; yea, requite not the Lord so, who hath preserved you to this time, and is setting a crown upon your head; requite not the Lord with apostasy and defection from a sworn covenant." Charles then, on his bended knees, and with uplifted hands, solemnly declared in the presence of Almighty God his approbation of the national covenant, and of the solemn league and covenant, and promised to prosecute the ends thereof in his station and calling; to consent to all acts of parliament, enjoining the same, and establishing presbyterial government; to observe these in his own practice and family, and never to oppose them or endeavour any change thereof. He then subscribed the covenant and his oath, written upon a roll of parchment, as the charter by which he held his crown, and was entitled to his people's obedience. At a subsequent stage of the proceedings he took, with equal solemnity, the coronation oath presented by the parliament, to maintain the true religion of Christ now established within the realm; to abolish and gainstand all false religions; to govern according to the command of God and the laws and constitution of the realm; to preserve inviolate the rights and privileges of the crown; to repress all kinds of oppression and wrong; to do justice to all his subjects without respect of persons; and to root out all heretics and enemies to the true worship of God. The constable then girt his majesty with the sword, the earl-marshal put on his spurs, and the Marquis of Argyll placed the crown upon his head—a service which was afterwards recompensed with base and characteristic ingratitude. The oath of allegiance was taken by the nobles in succession; and the solemnities of the day were concluded by a plain and energetic address to the king, nobles, and people, in which they were severally admonished to fulfil the obligations they had that day entered into.

Coronation oath.

The authority of the king was now greatly augmented; the Act of Classes was repealed; most of the engagers, and even of the malignants, were permitted to resume their seats in parliament; and many royalist officers were received into the army. With his wonted dissimulation, Charles strove to conciliate Argyll, whom he secretly hated; and even made a proposal to marry that nobleman's daughter; but the wary chief was too wise to be imposed upon by such artifices. Meanwhile the raising of the new levies proceeded with great spirit, and the army was now equal in number to that which had been defeated at Dunbar. Charles himself assumed the chief command of the forces, with the Duke of Hamilton as his lieutenant, and Leslie as his major-general. Made wiser by experience, they now adhered resolutely to the defensive system, and took up a strong position in front of Stirling, their right resting upon the Torwood, and the river Carron protecting their front, which was strongly intrenched, while the northern counties behind them were kept open for provisions and supplies. If they had been masters of a fleet to guard the Frith of Forth, or had been supported by another army in Fife, their position would have been impregnable. Cromwell, meanwhile, had occupied himself during the winter in subjugating the country south of the Forth, reducing the strongholds of the barons, and rooting out the moss-troopers. On the 4th of February his forces quitted their winter quarters, and marched towards Stirling, but encountered such a storm of hail, snow, wind, and rain, that after marching as far as Kilsyth, they were compelled to retrace their steps and return to Edinburgh. In this tempestuous expedition the lord-general caught a dangerous illness, which hung about him till the month of June, and seriously alarmed his friends. "I thought I should have died of this fit of sickness," said he in a letter to the president of the council of state, "but the Lord seemeth to dispose otherwise."* It was not until the middle of April that operations were renewed. Having collected a flotilla of gunboats under Lambert, who was ordered to attack the small island of Inchgarvie, situated in the Frith, and the town of Burntisland, on the coast of Fife, Cromwell marched westward with a great part of his army, for the purpose of making another attempt upon the Scottish lines. On the 18th of April he reached Glasgow, where he remained till the 30th,† when

Return of the engagers and malignants to power.

Prudent policy of the generals.

Severe illness of Cromwell—

—his second visit to Glasgow—

* Cromwelliana, p. 101; Letters of Cromwell, vol. iii. pp. 160, 161.

† The following interesting account of Cromwell's second visit to Glasgow is given by Baillie:—"Cromwell, having come to Hamiltone on Friday late, and to Glasgow on Saturday, with a body of his armie, sooner than with safety we could weel have retired ourselves. On Sunday, before noone, he came unexpectedlie to the High Inner Church, where quiethe he heard Mr. Robert Ramsay preach a very good honest sermon, pertinent for his case. In the afternoon, he came also unexpectedlie to the High Outer Kirk, where he heard Mr. John Carstair's lecture, and Mr. James Durhame preach, graciouslie and weel to the times as could have been desyred. Generallie all who preached that day in the town gave a fair enough testimony against the sectaries. That night some of the armie wes trying if the ministers would be pleased, of their own accord, to conferr with their general. When none had shewed any willingness, on Monday, a gentleman from Cromwell come to the most of the brethren, severallie desyring, yea, requiring them, and the rest of the ministers in towne, to come and speak with their generall. All of us did meet to advyse; and after some debate, we were all content to goe and hear what would be said. When we came he spoke long and smoothlie, shewing the scandale himselffe and others had taken at the doctrine they had heard preached; especiallie that they were condemned, 1st, As unjust invaders: 2nd, As contemners and tramplers under foot of the ordinances: 3rd, As persecutors of the ministers of Ireland: That as they were unwilling to offend us by a publict contradicting of us in the Church, so they expected we would be willing to give them a reason when they craved it in private. We shew our willingness to give a reason either for these three, or what else was excepted against in any of our sermons. The time appointed for this was this day, at two o'clock, at Cromwell's lodgeing. We trust, by the grace of God, to speak nothing for the disadvantage of the truth and cause in hand." Baillie, unfortunately, gives no account of this interesting conference, but merely says, "We had no disadvantage in the thing. You will see

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he was hastily recalled to Edinburgh by a false alarm respecting some movements of the Scottish army.* At length, on the 25th of June, having completely recovered from his illness, after three successive relapses, the lord-general mustered his army in its old camp on the Pentland Hills; and, marching westward, once more endeavoured to force the enemy from his strong position at Stirling. Various skirmishes and cannonadings took place, in which the Scots seem in general to have had the advantage; and strongly intrenched at the Torwood, and protected by bogs and brooks, they baffled every attempt of the enemy to drive them from their advantageous positions, and Cromwell was compelled to return to his former quarters at Linlithgow. The attack of the gun-boats on Burntisland failed, but Colonel Overton, at the head of a detachment of fourteen hundred foot and some horse, surprised north Queensferry, which was feebly guarded. A strong body of troops, under Sir John Brown and Colonel Holburn, were immediately dispatched from Stirling to regain this important point, which commanded the passage of the Frith; but they were anticipated by Cromwell, who sent across two thousand men, under Lambert, to secure the advantage he had gained. A fierce encounter took place near the town of Inverkeithing, in which Holburn behaved basely, if not treacherously; the Scots were completely routed, with the loss of two thousand men, who fell on the field, and about five or six hundred were taken prisoners, among whom was Sir John Brown, who had displayed great bravery in the action, and a few days after died of grief. Inchgarvie and Burntisland, with a considerable number of cannon, were the immediate reward of this victory; and Cromwell himself soon after crossed the Frith at the head of fourteen thousand men, and marched to Perth, which was surrendered by Lord Duffus, the governor, on the same day on which it was invested.

—fails in his attempt upon the Scottish lines at Stirling.

Defeat of the Scots at Inverkeithing.

The situation of the Scottish army now became somewhat critical, but by no means desperate. Their supplies from Fife and Perth were indeed cut off; but, on the other hand, the west and south were relieved from the pressure of the enemy; the Highlands were still open, though by a circuitous rout; and the clans, whose strength was entirely unbroken, were peculiary fitted for desultory warfare. The summer was already far advanced, and Cromwell admits that he dreaded another winter campaign as likely to prove "the ruin of his soldiery, for whom the Scots are too hard in respect of enduring the winter difficulties of the country," besides "the endless expense of the treasure of England in prosecuting this war."* Charles, however, was tired of the fatigues of a protracted warfare; and, exaggerating both the difficulties of his situation and the strength and zeal of

Critical situation of the Scottish army.

Proposal to march into England—

the sum of it drawn by Mr. James Guthrie and Mr. Patrick Gillespie, the main speakers;" but this paper is now lost. (Baillie's Letters and Journals, vol. iii. pp. 165—168.) An account of this interview, probably written by one of Cromwell's officers, confirms the accuracy of Baillie's statements:—"We came hither [to Glasgow] on Saturday last, April 19th. The ministers and townsmen generally stayed at home, and did not quit their habitations as formerly. The ministers here have mostly deserted from the proceedings beyond the water [at Perth], yet they are equally dissatisfied with us. But though they preach against us in the pulpit to our faces, yet we permit them, without disturbance, as willing to gain them by love. My lord-general sent to them to give us a friendly Christian meeting, to discourse of those things which they rail against us for; that so, if possible, all misunderstandings between us might be taken away. Which accordingly they gave us on Wednesday last. There was no bitterness nor passion vented on either side, all was with moderation and tenderness. My lord-general and Major-general Lambert, for the most part, maintained the discourse; and, on their part, Mr. James Guthrie and Mr. Patrick Gillespie. We know not what satisfaction they have received. Sure I am there was no such weight in their arguments as might in the least discourage us from what we have undertaken; the chief thing on which they insisted being our invasion into Scotland."—*Cromwelliana*, p. 102.

* On his return from Glasgow to Edinburgh, Cromwell passed along the uplands near the Kirk of Shotts, and called at Allertoun, a mansion-house belonging to Sir Walter Stewart. The following curious account of this visit has been recently published in the Coltness Collections. "There was a fifth son"—of Sir Walter Stewart, Laird of Allertoun—"James, who in his younger years was called the Captain of Allertoun, from this incident:—Oliver Cromwell, captain-general of the English sectarian army, after taking Edinburgh Castle, was making a progress through the west of Scotland, and came down towards the river Clyde, near Lanark, and was on his march back, against King Charles the Second's army, then with the king at Stirling. Being informed of a near way through Auchtermuir, he came with some general officers to reconnoitre, and had a guide along. Sir Walter, being a royalist and covenanter, had absconded. As he (Cromwell) passed, he called in at Allertoun for a further guide; but no men were to be found save one valetudinary gentleman, Sir Walter's son.

"He found the road not practicable for carriages; and upon his return he called in at Sir Walter's house. There was none to entertain him but the lady and Sir Walter's sickly son. The good woman was as much for the king and royal family as her husband; but she offered the general the civilities of her house; and a glass of canary was presented. The general observed the forms of these times (I have it from good authority), and he asked a blessing in a long, pathetic grace before the cup went round; he drank his good wishes for the family, and asked for Sir Walter; and was pleased to say his mother was a Stewart's daughter, and he had a relation to the name. All passed easy; and our James, being a lad of ten years, came so near as to handle the hilt of one of the swords; upon which Oliver stroked his head, saying, 'You are my little captain;' and this is all the commission our Captain of Allertoun ever had.

"The general called for some of his own wines for himself and other officers, and would have the lady try his wines; and was so humane when he saw the young gentleman so maigre and indisposed, he said changing the climate might do good, and the south of France, Montpellier, was the place.

"Amidst all this humanity and politeness he omitted not, in person, to return thanks to God in a pointed grace after his repast; and after this hasted on his return to join the army. The lady had been a strenuous royalist, and her son a captain in command at Dunbar; yet upon this interview with the general she abated much of her zeal. She said she was sure Cromwell was one who feared God, and had that fear in him, and the true interest of religion at heart. A story of this kind is no idle digression; it has some small connexion with the family concerns, and shews some little of the genius of these distracted times."—*Coltness Collections*, published by the Maitland Club, p. 9.

* Letter of Cromwell to the Speaker, 4th August, 1651; Letters and Speeches, vol. iii. p. 189.

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his adherents in England, recommended that the army should immediately break up their camp and march to the south. If they remained in their present position, he alleged, they had no choice but to starve, or to fight under disadvantageous circumstances. The way to the capital was open; the enemy might be outstripped in the march; and, if opportunity were offered, all their royalist friends, as well as the presbyterians, who were dissatisfied with the present government, would flock to the royal standard. The greater part of the generals were persuaded to enter into these views, but the proposal was strenuously opposed by Argyll, who urged that it was ungenerous to abandon a people who had afforded the king an asylum in his extremity, and had suffered so much in his cause, to deprive them of their last army, and leave them an easy prey to their enemy; and that it was imprudent to desert a country where the king's authority was acknowledged, for a country where his title was prescribed and another form of government established; where no preparation had been made for his reception, and where the miserable wreck of the last expedition remained as a warning beacon that their hopes of assistance from England were altogether delusive. But the objections of this sagacious and prudent chief were overruled, and he was permitted to retire to his estate. The desperate expedient recommended by the king was adopted, and about the beginning of August the Scottish army, about fourteen thousand strong, suddenly broke up their camp, and by rapid marches advanced into England.

—is opposed by Argyll—

—but adopted by the army.

This movement of the royal army took Cromwell by surprise. He lost no time, however, in providing against the danger to which the commonwealth was exposed by this sudden invasion of the enemy. He dispatched letters to the parliament, exhorting them not to be dismayed at the approach of the Scots; and reminding them that a much more considerable army, and "unfoiled," had invaded England "when it was much more unsteady than now," and they had but a weak force to resist it, and yet it was singularly overthrown; whereas "the present movement of an enemy, heart-smitten by God, was not out of choice on their part, but by some kind of necessity, and it was to be hoped would have a like issue."* His measures were characterised by his usual vigilance and activity. Leaving a garrison in Perth, he sent General Monk with a force of seven thousand men to reduce Stirling; he ordered the militia to assemble and obstruct the progress of the enemy; dispatched Harrison and Rich to watch the motions of the enemy and intercept their recruits; commanded Lambert, with a body of cavalry, to hang upon their rear and retard their march; and hastened himself, at the head of the remaining horse and some regiments of foot, to follow them with all the expedition possible.

Prompt measures of Cromwell.

* Letters and Speeches, vol. iii. p. 190.

The Scottish army entered England by Carlisle on the 6th of August, and advanced into Lancashire; but they were entirely disappointed in their expectations of assistance from their English friends. The movement was totally unexpected, so that the most zealous partisans of the king, having received no warning of his approach, were not prepared to join him. The royalists were now completely crushed and dispirited, and were besides deterred from offering their services by a proclamation which the committee of ministers issued, that none should be allowed to join the army who would not subscribe the covenant; while the presbyterians, though favourable to the royal cause, were not disposed to hazard their lives and fortunes in such a desperate enterprise without some security that their principles would be maintained; and an intercepted letter from Charles to Massey, who commanded the advance guard, ordering him to suppress the declaration of the clergy, showed how little confidence could be placed in the king's sincerity. At Warrington Bridge their passage was disputed by Lambert and Harrison, who were, however, compelled to retire in disorder. In spite of this success, the sagacious Leslie, who had from the beginning perceived the desperate nature of the enterprise, presaged its disastrous termination. They summoned various towns as they proceeded but without effect; and now, reduced in numbers by fatigue and desertion, they abandoned in despair the march to the capital, and on the 22nd of August turned aside to Worcester, a loyal city, where they proposed to halt and rest a little, while Massey proceeded to Gloucester, in the expectation of collecting his former adherents there. But Lambert, Harrison, and Fleetwood, at the head of eighteen thousand of the militia and other troops, were close at hand, and hemmed in the royalists, while Cromwell with the main army was steadily advancing behind. The Scots found time before the arrival of the general to repair and strengthen the fortifications of the city; but the only reinforcements they received was the Earl of Derby with thirty men, the remains of fourteen hundred, raised in Lancashire, but whom Lilburn had attacked and overthrown at Wigan. On the 28th of August, Cromwell came in sight, and now thirty thousand men surrounded the devoted city, and shut up every avenue of escape. A portion of the Scottish army was stationed at the suburb of St. John, on the western bank of the Severn, at some distance south-west from Worcester, and connected with the city by Severn Bridge. The city itself stands on the left or eastern bank of the river, and was defended on the south-east by an intrenchment of the Scots termed Fort Royal. It was resolved to make a simultaneous attack on both sides; and the third day of

March of the Scots—

—they are disappointed in their expectations of assistance—

—they intrench themselves in Worcester.

—they are surrounded and attacked by Cromwell.

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September, the anniversary of the battle of Dunbar, was appointed for the general assault. On the night of the second, a considerable body of the English forces, under Fleetwood, crossed to the western bank of the Severn some miles below Worcester, by Upton Bridge, which Massey had destroyed, but not sufficiently to prevent Lambert's men "straddling across by the parapet." Between Upton and the Scottish outposts at St. John's there runs the river Teme, a tributary of the Severn, into which it falls about a mile below the city. The bridge which crosses the Teme at Powick was in the possession of the Scots, but Fleetwood resolved to cross by a bridge of boats close by the spot where the river joins the Severn. At this point, also, a bridge of boats was laid across the Severn itself, so that both divisions of the army might readily communicate with each other in case of need. Early on the morning of the 3rd Fleetwood was in motion, but it was not till late in the afternoon that the bridges were ready. The Scots had meanwhile lined the hedges with which the ground in that quarter was intersected; and when the enemy at length crossed the river in great force, and began the attack, they met with so warm a reception that Cromwell himself was obliged to cross the Severn to their assistance with a considerable number of his best troops. The struggle was long and fierce. Every hedge and ditch was obstinately contested, but the Scots were at length compelled by overwhelming numbers to give way, and were driven into the town. Meanwhile Charles and his council of war were on the top of the cathedral anxiously watching the struggle, and they now resolved to sally out and attack the portion of the enemy's forces which had been left on the eastern bank of the river, in the hope of being able to overpower them before the others could come to their assistance. To meet this movement Cromwell hastily crossed the river by the bridge of boats, and the deadliest part of the struggle began. The Scots fought with desperate fury, drove back the English Life Guards, and for some time obtained possession of their artillery. But fresh reinforcements poured in and restored the battle. "My lord-general," says an eye-witness, "did exceedingly hazard himself, riding up and down in the midst of the fire; riding himself in person to the enemy's foot to offer them quarter, whereto they returned no answer but shot." The battle raged here with alternate success for three hours. It was "as stiff a contest," Cromwell says, "as he had ever seen." But at length the Scots were compelled to yield to overwhelming numbers. Fort Royal was stormed, their other works carried one by one, and their own guns turned against them. The conflict was renewed in the streets, which were strewed with the dead. About three thousand were slain; six or seven thousand were made prisoners in the town, besides those who were captured in the pursuit. The Duke of Hamilton was mortally wounded, and died on the fourth day. Eleven other noblemen and upwards of one hundred and fifty persons of distinction were taken. Among these was the Earl of Derby, who was severely wounded, and was afterwards executed at Bolton; and the Earls of Lauderdale, Cleveland, Rothes, and others, who were condemned to perpetual imprisonment in the Tower. The common soldiers who survived their wounds and the horrors of the overcrowded prisons were, with disgraceful barbarity, transported to the plantations and sold as slaves.*

Battle of Worcester.

Total defeat of the Scots.

The king himself, after witnessing the ruin of his cause, escaped from Worcester in company with a few friends, and rode without halting to the borders of Staffordshire. Here he was compelled to separate from his attendants, and sought refuge with a farmer named Pendrell, to whom he had been recommended by the Earl of Derby. Clothed in the garb of a peasant, he was employed during the day in the woods cutting fagots. His nights were spent sometimes in a barn, at other times in wretched hovels. In one instance he took refuge in a large oak, where he concealed himself among the leaves and branches for twenty-four hours, and overheard several parties of soldiers who were in search of him express their earnest wishes for his capture. At another time he rode before a lady, Mrs. Lane, in the disguise of a servant. He found shelter in various houses of the Roman Catholic gentry, and was concealed in the recesses which had been constructed for the security of their priests. On one occasion he passed undiscovered with a female cousin of Colonel Lane's behind him through a body of parliamentary troops commanded by Desborough. On another he narrowly escaped detection through the sagacity of a smith, who remarked that his horse's shoes had been made in the north, and not in the west, as he pretended. At length, after a variety of romantic adventures, and the most imminent risk of discovery, he succeeded in embarking in a collier vessel at Shoreham, in Sussex; and forty-five days after his escape from Worcester was safely landed in France. No less than fifty persons had at different times been privy to his concealment; but neither the promise of a great reward, nor the threats of the severest punishment, could induce any of them to betray him.

Escape of the king.

This "crowning mercy," as Cromwell termed his victory at Worcester, placed Scotland completely in his power. Deprived of all its regular troops by the ill-judged and disastrous expedition, it could offer no effective resistance to the arms of the republicans. Stirling Castle was, indeed, well provided with everything requisite for its defence, but the Highlanders, who composed the garrison, terrified at the explosion of the shells, to which they were quite unaccustomed, mutinied against their officers, and forced them to capitulate. The records

Subjugation of Scotland by Monk.

* Cromwelliana, pp. 113, 114; Whitlocke, p. 482; Letters and Speeches, vol. iii. pp. 191—206.

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of the kingdom, which had been removed to this fortress on the surrender of Edinburgh Castle, fell a second time into the hands of the enemy, and were sent by Monk to the Tower of London.* His arms were next turned against Dundee, a well-fortified seaport town, to which the Mint had been removed, and in which the rich furniture, plate, and money of the adjacent country had been deposited as in a place of safety. It was expected to make a vigorous resistance, but, owing to the intoxication of the soldiers and citizens, it was taken by storm on the 1st of September; the garrison were put to the sword; the town was set on fire and pillaged; the inhabitants, without distinction of sex or age, were given up to an indiscriminate massacre; and the gallant Sir R. Lumsden, the governor, after obtaining quarter, was basely put to death in cold blood by orders of Monk. The clergy of the town, although they had advised its surrender, were treated with the utmost insolence and rudeness by the brutal general, and sent prisoners to England.† Ten days before this a committee of Estates, consisting of the lord-chancellor, Alexander Leslie, the old Earl of Leven, Lords Ogilvy, Crawford, Lindsay, and other noblemen met at Alyth, in Angus, to concert measures for the relief of Dundee; but Colonel Alured, led by a traitor named William Buchan, general scout-master of the Scottish army, surprised and made them prisoners.‡ A few of them made their escape, and met afterwards at Inverury, in Aberdeenshire, where it was proposed to create Huntley captain-general; but on the approach of the enemy they took refuge in the Highlands, and Huntley and Balcarras submitted to the invaders. An attempt of the royalists at Dumfries, under Sir Philip Musgrave, was suppressed with equal ease. Montrose, Aberdeen, Inverness, St. Andrew's, and other towns, intimidated by the cruel treatment of Dundee, surrendered at discretion. Dunnottar Castle, in Kincardineshire, situated upon a high rock overhanging the ocean, held out till the 4th of June, 1652, and was the last stronghold in Scotland which surrendered to the enemy.§ Argyll made a fruitless attempt to rouse the depressed spirits of his fellow nobles, and invited a convention of Estates to meet at Inverury, but no one attended the summons. He proceeded, however, to muster his clan, and to fortify some of his Highland strengths; and though two of the English commissioners held a conference with him, and endeavoured to persuade him to submit to the English commonwealth, he steadfastly refused to accept the terms offered by them. But a reluctant submission was at last extorted from him by Major-general Dean, who unexpectedly arrived at Inverury by sea, and surprised the marquis while confined to his castle by sickness. To him, however, belongs the honour of being the last man of rank or influence who submitted to the victorious arms of the English commonwealth.*

Cruel treatment of Dundee.

Capture of the committee of Estates.

Resolute behaviour of Argyll.

In spite of the depressed state of the country, both from internal distractions and the calamitous issue of two disastrous campaigns, in which thirty thousand of the flower of the population had perished, the Scots were not yet disposed to remain quiescent under the yoke of the commonwealth; and when war broke out in 1653 between the English and

Insurrection of Glencairn.

* A number of the principal public registers were restored by Cromwell in 1657; the rest, amounting to eighty-five hogsheads full, after the Restoration, were lost in their passage to Scotland by sea.

† "Their ministers were very averse from holding out the toune, but wold had it rendered; notwithstanding the choleric, merciless commander wold not heire them speake one word in their own defence, bot, in a rage, commandit Mr. Jo. Robertson not to speake one word, which, if he presumed to doe, he would scobe his mouthe."—*Balfour*, vol. iv. p. 316.

‡ Gordon's General Hist., p. 560. Leslie, who along with the other members of the committee, was sent to the Tower, was afterwards released on the intercession of Queen Christina of Sweden. (Balfour, vol. iv. p. 316.)

§ The crown, sceptre, and sword of state were deposited in this strong fortress after the battle of Dunbar; but before the surrender of the castle these venerable symbols of Scottish sovereignty were conveyed out of it by Mrs. Granger, the wife of the minister of Kinneff. The crown was concealed in the lap of this intrepid matron, and the sword and sceptre wrapped up in bundles of flax placed upon the back of a female domestic. The regalia were thus transported to the manse of Kinneff, and were afterwards buried in the church by the Rev. James Granger. On the reduction of the fortress the disappointment of the English general was extreme upon finding that the regalia had been removed, and every effort was made, but in vain, to discover the place of their concealment. The Countess of Marischal diverted the suspicions of the enemy into a false channel by spreading a report that these national treasures had been carried abroad by Sir John Keith, a younger son of the Earl Marischal. When Dunnottar was finally surrendered for want of provisions, the Governor Ogilvy, of Barra, was rigorously dealt with, imprisoned, and, it is said, even tortured to make him discover where the regalia were concealed. His lady was subjected to similar severities, and her health sunk under the close confinement; but with her dying breath she exhorted her husband to preserve inviolable the secret entrusted to him. The minister of Kinneff and his courageous wife did not escape suspicion and harsh treatment; but nothing could be extorted from them respecting the treasure under their charge. After the Restoration, honours and rewards were distributed to those who had been concerned in saving the regalia, but, as Sir Walter Scott remarks, they were bestowed with more regard to rank and influence than to justice. Sir John Keith, who had no share in the transaction, except to give the use of his name as a blind, was created Earl of Kintore and Knight-marischal of Scotland, with a salary of four hundred pounds a year. Ogilvy, whose patrimonial estate had been impoverished by the fines and sequestration imposed by the English, received the merely honorary reward of a baronetcy, while Mrs. Granger was rewarded with the sum of two thousand marks Scotch.

The regalia, or "Honours of Scotland" as they are termed, are now deposited in the Castle of Edinburgh. The crown, which is very elegantly formed, is in all probability the diadem worn by Robert Bruce; but James V. added two concentric arches of gold, crossing and intersecting each other above the circles, and surmounted in the centre by a ball or globe, over which rises a cross patée adorned with pearls. The sceptre was made in the time of James V., most probably during the king's visit to Paris in 1536. But the large globular mass of rock crystal near the top seems of a much older date, and was probably part of the more ancient sceptre of the Scottish kings. The sword of state was presented to James IV. by the warlike Pope Julius II. in the year 1507, and being wrought in Italy shortly after the revival of the arts, is a most beautiful specimen of sculpture. (See Antiquities of Scotland by Sir Walter Scott, vol. i. pp. 1—49.)

* Whitlocke, pp. 486—491.

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the Dutch, and Monk was recalled to take the command of the fleet, the Earls of Glencairn and Balcarras took up arms, and, in imitation of Montrose, repaired to the Highlands, in the expectation that the greater part of the clans would flock to their standard. Here they were joined by the Earl of Atholl; the Marquis of Montrose, son of the great marquis; Lord Lorn, son of the Marquis of Argyll; and Lord Kenmure; and by Lochiel, Glengarry, and other Highland chieftains. Two brilliant and successful skirmishes, one at Aberfoyle, the other at the celebrated pass of the Trosachs, contributed to augment the ranks of the insurgents, and they were joined by a considerable body of old disbanded soldiers, and of "desperate people sequestrate, sequestrable, or much in debt."* Their numbers increased to five thousand men; but Glencairn, though possessed of personal courage, was deficient in military skill, as well as in the ability to preserve order and subordination among the motley band who were under his command. His authority was openly disputed, and it was proposed by Lord Balcarras that the army should be governed by a committee composed exclusively of those who adhered to the solemn league and covenant. The production of a royal commission appointing Glencairn captain-general silenced, but did not satisfy, the mutinous nobles and chiefs, who contrived to make the king acquainted with their dissatisfaction.

Dissensions among the insurgents.

Middleton assumes the command—

In the hope of reconciling their feuds, General Middleton, who had escaped from the Tower, was sent over by Charles to take the command of the army; but the dissensions of the royalist leaders still continued. Glencairn himself quarrelled and fought a duel with Sir George Munro, Middleton's lieutenant-general. Another and more fatal encounter of the same kind took place between a Captain Livingstone and a gentleman named Lindsay, in which the former was killed, and the latter was tried by a court-martial, and shot at Dornoch, in spite of Glencairn's endeavours to save him. The earl in consequence left the army in disgust, and returned to the Lowlands, where, after one or two petty skirmishes, he accepted the terms offered by the English, which were more favourable than could have been expected. His example was followed by the greater part of the Lowland nobles. Middleton, though weakened by their defection, still endeavoured to prolong the struggle; but the termination of the war with Holland enabled the protector to dispatch Monk with additional forces to suppress the Scottish insurrection; and a party of them under General Morgan surprised and defeated the royalists at Lochgarry, 26th of July, 1654. On the approach of night they dispersed among the hills, and Middleton himself retired to the Continent, so that the last embers of resistance to the protector's authority were completely trodden out.

—he is defeated, and escapes to the Continent.

In connection with this ill-concerted and worse managed attempt to throw off the English yoke, a romantic exploit, performed by a gallant young English cavalier named Wogan, deserves notice. He had been originally engaged in the service of the parliament, but had abandoned that party on the execution of Charles I. He joined the court of the exiled king, in France, and, having heard there of the insurrection of the Scottish royalists, he took leave of Charles II., passed over to London, assembled a body of about eighty cavaliers, whom he led with such dexterity and courage through England and the Lowlands of Scotland that, though the whole country was completely under the domination of Cromwell, he safely united his gallant troop with the body of Highlanders under Glencairn. He took an active part in the desultory warfare which was carried on for some months in the mountains, and gained the highest reputation for bravery and skill. But in an encounter near Drummond, in Athol, with a regiment of Cromwell's invincibles called "the Brazen Wall," whom he threw into disorder, he received a trifling wound, which, from the want of proper surgical assistance, proved fatal, and prematurely terminated his glorious career.*

Gallant exploit of Col. Wogan.

All resistance to the arms of the commonwealth having now ceased, it was resolved by the parliament to effect an incorporating union between England and Scotland; and St. John, Sir Henry Vane, and six other commissioners, were appointed to make arrangements for this purpose. On their arrival in Scotland they found the country reduced to the lowest ebb, and torn by political and religious divisions; but the various parties, though agreeing in nothing else, were all hostile to a union with England and the surrender of their national independence. The counties and towns were ordered to choose delegates to meet with the commissioners to settle the affairs of the kingdom; but the tardiness which they displayed in the election of representatives, afforded conclusive proof that the measure contemplated was exceedingly unacceptable to the nation. The clergy protested against the union, because it would draw along with it the subordination of the Church to the State in spiritual matters. Only about one-third of the counties and towns to which writs had been issued could be induced, either by threats or promises, to elect delegates to meet with the English commissioners. The burghs and shires who declined to send representatives were disfranchised, and the delegates who refused to accede to the proposed union were excluded from the protection of the government.† A bill was brought into the English parliament for the union of Scotland with the English com-

Union between Scotland and England.

* Appendix to Military Memoirs of the great Civil War, pp. 209—212. Kenmure marched through the country with a cask of *aqua vitæ*, which was termed Kenmure's Drum.

* Clarendon, vol. vi. p. 507; see also "Waverley," ch. xxix.

† Whitlocke, pp. 487—499.

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monwealth, but the measure was frustrated by the forcible dissolution of that famous assembly.

Terms presented by Cromwell—

When Cromwell usurped the supreme authority, he at once proclaimed the incorporating union of the two kingdoms; and shortly after he issued an ordinance discharging the Scottish people from all allegiance to the house of Stewart; formally abolishing the monarchy of Scotland, and the authority of the Estates; and fixing at thirty the number of members for Scotland and the isles, who were to sit in the united parliament. The provisions of the ordinance by which the two nations were incorporated into the same commonwealth were extremely favourable to Scotland, and displayed wisdom and liberality rare in that age.

—their wisdom and liberality.

Though united under one sovereign, the English parliament had hitherto treated the Scots as aliens and rivals, rather than as fellow-subjects. High, and even prohibitory, duties had been imposed on the products of Scottish industry; but now the most complete freedom of trade was established: all restrictions on the commerce of Scotland, all prohibitions or duties which impeded the transit of the commodities of one kingdom into the other, were removed. The system of feudal vassalage, with its whole train of personal services and confiscations, was abolished, and the hereditary jurisdiction of the chiefs suppressed. The civil administration

Council of State.

of the country was committed to a council of state, composed of nine members: Lord Broghill was made president, and Lockhart and Swinton were the only Scotsmen who were admitted. Their powers were much more extensive than those of the old privy council. The disposal of the revenue; the appointment of all the officers of customs, excise, and sequestrations; and the nomination of inferior judges, sheriffs, commissaries, and justices of peace, were entrusted to their charge. Their sanction also was requisite to entitle the ministers to draw their stipends—an arrangement which was exceedingly obnoxious to the strict presbyterian party.

Impartial administration of justice.

The administration of justice was committed to four English and three Scottish judges, who made regular circuits throughout the country. The Scottish courts of justice had long been notorious for their shameless partiality and corruption. Buchanan laments that in his time the property of the nation was subjected to the absolute will and disposal of fifteen men, whose authority was perpetual, whose powers were tyrannical, and whose arbitrary decrees

Venality of the Scottish judges.

were the only laws.* Other writers speak in strong terms of the open venality of the judges, and declare that no man possessing a well-filled purse need fear an unfavourable decision. Money was avowedly received by lawyers from their clients for the express purpose of purchasing the votes of the bench. The subserviency of the judges to the crown had long been proverbially notorious, as well as their glaring partiality to their own families and faction;* and it was not regarded as in any way improper to employ personal solicitation to obtain a favourable decision. This gross and scandalous perversion of justice was completely remedied during the protectorate. The judges appointed by Cromwell discharged the duties of their office with the strictest impartiality, and without fear or favour. Their decisions, it has been justly said, "are marked rather by sound sense than by the subtleties of legal discrimination, and were long remembered as the purest and most vigorous dispensation of justice which the nation had enjoyed."† Their ignorance of Scotch law, and the refusal of the principal advocates to plead at their bar, led to the use of voluminous and expensive written memorials, instead of oral pleadings—a custom which has unfortunately survived both the Restoration and the Revolution; although with the return of the royal family the shameless corruption and partiality of the Scottish courts of justice revived in all their pristine vigour.

State of the Church.

With regard to the presbyterian church, it continued to be rent asunder by intestine feuds between the resolutioners and the protesters. The former adhered to the resolutions of the commission of assembly held at Perth in 1650, which recommended that all who were capable of bearing arms should, under certain limitations, be enrolled for the defence of the country; the latter protested against this course, as involving a breach of the solemn league and covenant, as well as of the Act of Classes, which excluded all malignants and engagers from the national service. The General Assembly, which met at St. Andrew's in 1651, having confirmed the resolutions of the commission, the protesters, or remonstrants, refused to acknowledge the authority of the assembly, and protested against its proceedings. The debates between the

Feuds of the resolutioners and protesters.

parties were exceedingly violent and acrimonious, and the resolutioners, who formed the majority, went so far as to depose three of the most active of their opponents—James Guthrie, minister of Stirling; Patrick Gillespie, of Glasgow; and James Simpson, of Airth.

Cromwell was well aware that though the protesters were prepared to yield obedience to the English commonwealth, the great majority of the Scottish clergy were firmly attached to the cause of monarchy, and were of opinion that the nation was still bound by the covenant to endeavour to procure the restoration of the king, and to promote religious uniformity; he therefore resolved, after the battle of Worcester, to prohibit the meetings of the General Assembly, and to place various other

* Hist. book xiv.

* Johnston's Hist., p. 231.

† Laing, vol. iii. p. 468. According to a learned judge, in the beginning of the following century, the English judges deserved no thanks for their impartiality, for they were a pack of "kinless loons." "For my part," added his candid lordship, "I can never see a cousin or a friend in the wrong."

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restrictions upon the freedom of the ministers. Accordingly, when the assembly had convened at Edinburgh on the 20th of July, 1653, the church in which they met was surrounded by a troop of horse, under the command of an officer named Cottrel, who entered the assembly, and, standing upon a bench, demanded to know by whose authority they had met. The moderator, Mr. David Dickson, replied that they were a spiritual court of Christ, which meddled not with anything civil; that their authority was from God, and confirmed by the laws of the land, yet unrepealed. Cottrel then demanded a list of the members, which the moderator informed him he would get if he would wait till the roll was called; but the officer, in imitation of the example of his commander, declared that this would be too tedious an affair, and ordered them to depart. Upon this the moderator protested against this violent treatment, and was proceeding to dissolve the meeting with prayer, when Cottrel rudely interrupted him, and ordered him to the door. "He led us all through the whole street," says Baillie, "a mile out of the town, encompassing us with foot companions of musketeers and horsemen, all the people gazing and mourning as at the saddest spectacle they had ever seen. When he had led us a mile without the town, he then declared what further he had in commission:—That we should not dare to meet any more above three in number; and that against eight o'clock to-morrow we should depart the town, under pain of being guilty of breaking the public peace; and the day following we were commanded off the town, under the pain of present imprisonment. Thus," adds Baillie, "our General Assembly, the glory and strength of our Church upon earth, is by your soldiery crushed and trode under foot without the least provocation from us, at this time, in word or deed."*

Dissolution of the assembly.

Although the General Assembly was thus forcibly dissolved, the synods and presbyteries of the Church were permitted to meet, but they were forbidden to impose any covenant or oath upon the people without the authority of the English parliament; and the magistrates were prohibited to enforce ecclesiastical censures by civil penalties. The ministers were required to cease praying in public for King Charles under penalty of deprivation of their salaries. The remonstrants readily complied with this injunction, and ultimately the resolutioners were constrained to follow their example; but only one minister, Mr. Patrick Gillespie, publicly prayed for the protector, though several were induced to make an acknowledgment of his authority, and that of the English commonwealth. In 1655 the protector issued a commission to about thirty persons belonging to the party of the remonstrants, empowering them "to endeavour the promoting of the preaching of the Gospel, and the power of true religion and holiness; and to take care that the usual maintenance here be received and enjoyed by such ministers as are of a holy and unblameable conversation, disposed to live peaceably under the present government, are able and fit to preach the Gospel, and shall be approved according to an ordinance of his highness of the 8th of August, 1654."* In the ordinance referred to, it is expressly provided that in the induction of ministers "respect shall be had to the choice of the more sober and godly sort of the people, although the same should not prove to be the greater part"—a very convenient rule, which left the most ample discretion to those who were entrusted with the patronage of the Church, and was no doubt intended to secure the appointment of ministers favourable to the government of the protector.

Establishment of toleration.

Mode of inducting ministers—

A considerable party among the protesters, however, including Warriston and James Guthrie, were opposed to this ordinance, and refused to avail themselves of the authority with which the commission invested them. But party-spirit ran high, especially in the western counties, where the extreme presbyterians were numerous and powerful; very unseemly contests took place at the settlement of various ministers, and not unfrequently the sacred services were desecrated by blows and wounds † Even the pulpit was on many occasions converted into an arena of strife; and the unseemly spectacle was seen of ministers preaching, and even praying, against each other. In spite, however, of these discreditable contests, the presbyterian religion retained its predominancy in the country. The lay preachers, who occasionally entered into the pulpits of the clergy with swords at their sides and pistols in their hands, and publicly challenged the preachers to dispute with them in the doctrines which they held, though regarded as "weill giftit," ‡ yet produced no favourable impression on their Scottish hearers, who firmly refused to receive any of the numerous sects which at this period swarmed in England. There is the most indubitable evidence that genuine piety flourished in no ordinary degree, notwithstanding the divisions and contentions which unhappily abounded. "It is true," says Kirkton, "that they did not permit the General Assembly to sit (and in this I believe they did no bad office, for both the authority of that meeting was denied by the protesters, and the assembly seemed to be more set upon establishing themselves than promoting religion); also the division of the Church betwixt protesters and resolvers continued for six or seven years with far more heat than became them; and errors in some places infected some few; yet were all these losses inconsiderable in regard of the great success the Word had in sanctifying the people of the nation; and I verily believe there were more souls converted to Christ in that short period of time than in any

—riots occasioned by it.

Prosperous state of religion.

* Baillie's Letters, vol. ii. p. 369; M'Crie's Sketches, vol. ii. pp. 52, 53.

* Nicholl's Diary, pp. 163—166.
† Baillie, vol. ii. ‡ Nicholl's Diary, anno. 1651.

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CROMWELL.

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season since the Reformation, though of triple its duration. Nor was there ever greater purity and plenty of the means of grace. Ministers were painful, people were diligent. So, truly, religion was at this time in very good case, and the Lord present in Scotland, though in a cloud." Again he says, "At the king's return every parish had a minister; every village had a school; every family almost had a Bible; yea, in most of the country all the children of age could read the Scriptures, and were provided of Bibles either by their parents or ministers. Every minister was a very full professor of the reformed religion, according to the large Confession of Faith framed at Westminster. None of them might be scandalous in their conversation, or negligent in their office, so long as a presbyterie stood. I have lived many years in a parish where I never heard an oath; and you might have ridden many miles before you heard any. Also, you could not, for a great part of the country, have lodged in a family where the Lord was not worshipped by reading, singing, and public prayer. Nobody complained more of our church government than our taverners, whose ordinary lamentation was, their trade was broke—people were become so sober." *

Depressed state of the nobility.

The power of the nobles was in a great measure broken during the sway of the protector; they were deprived of their right to call their vassals to arms, and compelled to lay aside for a time, at least, their fierce intestine feuds. Nearly all the most powerful of their number, indeed, had perished in the civil war, or were in exile or ruined. The premier peer, the Duke of Hamilton, had died of his wounds at Worcester, and his vast patrimonial possessions were forfeited. Montrose and Huntley had perished on the scaffold. The Earls of Crawford, Eglinton, Lauderdale, Leven, Marischal, and Rothes, were prisoners in England, and their estates sequestrated. Loudoun, the chancellor, was now hiding in the Highlands. The Marquis of Argyll had retired to his estates, and was excluded from public life by the jealousy of Cromwell. Douglas, Lennox, Leven, and the other leading nobles, were living in obscurity at their country seats or castles, shorn of their power, and many of them overwhelmed with debt.† The tenantry and lower classes, however, protected from the grinding tyranny of the nobles, were permitted to cultivate their lands, and to reap the fruit of their toils in security; order and peace were maintained, and the country enjoyed a degree of prosperity to which it had long been a stranger.

The tranquillity and obedience of the kingdom were preserved by means of a standing army amounting to from nine to twelve thousand men, under the command of General Monk. A long line of forts and garrisons was maintained throughout the country to overawe the disaffected, but the principal forces were stationed in the citadels of Leith, Glasgow, Ayr, and Inverness. The presence of these troops served to repress the outrages of the Highland caterans and the Border moss-troopers, as well as to prevent any outbreak on the part of the royalists. The expense of the army in 1654 was upwards of half a million a year, but by the reduction of the number of soldiers, the cost of their maintenance was diminished to £250,000. To assist in defraying this expense, a land-tax of £120,000 was imposed upon Scotland, to be raised by monthly instalments of £10,000; but, owing to the depressed state of the country, this was felt to be an intolerable burden, and it was ultimately reduced to £6000 a month. The inland excise yielded about £13,200. The customs in 1656 amounted only to £4637,* and the excise to £34,313; but they increased in three years to £62,154. At Cromwell's death the public revenue of Scotland was £143,642; while the expenditure, civil and military, amounted to £286,458: the balance had to be paid out of the assessments of England.† The residence of the English forces, and the circulation of the money required for their support, had a beneficial effect upon the trade of the country; and its physical prosperity was greatly promoted by the complete freedom of commerce which Cromwell established; so that the rule of the protector, though galling to the pride of the Scottish people, was yet eminently conducive to their wellbeing, and presented a marked contrast to the wretched misgovernment of their native sovereigns, by which it was preceded and followed.

Financial state of the country.

This brief period of comparative repose and prosperity was soon terminated by the death of Cromwell, which took place on the 3rd of September, 1658, in the fifty-ninth year of his age. The character of this great man was long the subject of the most virulent invective and calumny; of late it has been the subject of panegyrics scarcely less extravagant. His enemies have been constrained to admit that he was possessed of signal military talents, invincible courage, and eminent dexterity and address; that his domestic administration was characterised by great ability, and his foreign enterprises by remarkable intrepidity and success. While his friends cannot deny that not a few of his actions were arbitrary, oppressive, and unjust; and that, when occasion served, he showed himself a master of dissimulation. His sagacity in reading the characters and discerning the designs of others, was equalled by his skill in disguising his own. Though his youth and the prime of his manhood were passed in a private station, he showed himself equal, on emergency, to the highest duties of a great general and a great prince. He was quick to discover, and forward to reward, excellence. "If there was a man in England who excelled in any

Death of Cromwell—his character—

* Kirkton's Hist. of the Church of Scotland, pp. 63, 64.

† Scott of Scotstarvet's Staggering State of Scottish Statesmen from 1550 to 1650.

* Of this sum Leith yielded £674; Glasgow, £381; Borrowstonness, £382; Dundee, £243; Aberdeen, £200; Inverness, £129; Burntisland, £125; Ayr, £90.

† Thurloe, vol. iv. p. 530; Parl. Hist. vol. xxi. pp. 328—335; Laing, vol. i. pp. 464, 465.

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faculty or science, the protector would find him out, and reward him according to his merits;" and he possessed the rare talent of employing the abilities of others in the way most profitable to himself, and to the State. His understanding was remarkably sound and vigorous, but he was defective in the power of expressing his thoughts clearly either in speaking or in writing. He showed great promptitude, both in the formation and execution of his plans; and perceived almost intuitively the bearing of events, and took advantage of them to promote the ends he had in view. He was quick in temper, but not vindictive; and though humanity never obstructed the execution of his designs, when his safety or interest was not concerned, his government was just and even lenient. "He left a fame behind him," says Mr. Hallam, "proportioned to his extraordinary fortunes and to the great qualities which sustained them; still more perhaps the admiration of strangers than of his country, because that sentiment was less alloyed by hatred which seeks to extenuate the glory that irritates it. The nation itself forgave much to one who had brought back the renown of her ancient story, the traditions of Elizabeth's age, after the ignominious reigns of her successors. This contrast with James and Charles in their foreign policy gave additional lustre to the era of the protectorate. There could not but be a sense of national pride to see an Englishman, but yesterday raised above the many, without one drop of blood in his veins which the princes of the earth could challenge as their own, receive the homage of those who acknowledged no right to power, and hardly any title to respect, except that of prescription. The sluggish pride of the court of Spain, the mean-spirited cunning of Mazarin, the irregular imagination of Christina, sought with emulous ardour the friendship of our usurper. He had the advantage of reaping the harvest which he had not sown, by an honourable treaty with Holland, the fruit of victories achieved under the parliament. But he still employed the great energies of Blake in the service for which he was so eminently fitted; and it is just to say that the maritime glory of England may first be traced from the era of the commonwealth in a track of continuous light. The oppressed Protestants in Catholic kingdoms, disgusted at the luke-warmness and half-apostacy of the Stewarts, looked up to him as their patron and mediator. Courted by the two rival monarchies of Europe, he seemed to threaten both with his hostility; and when he declared war against Spain, and attacked her West Indian possessions,—with little pretence, certainly, of justice, but not by any means, as I conceive, with that impolicy sometimes charged against him,—so auspicious was his star, that the very failure and disappointment of that expedition, obtained a more advantageous position for England than all the triumphs of her former kings."* His moral character was unimpeachable, and his behaviour as a son, a husband, a father, and a friend, was worthy of the highest commendation. Baxter, an unfriendly, but honest, witness, says, "that he had a zeal for religion, meant honestly, and was pious in the main course of his life, till prosperity corrupted him." "His body," says a contemporary, "was well built, compact, and strong; his stature under six feet (I believe about two inches); his head so shaped as you might see in it a storehouse and shop both, of vast treasury of natural parts; his temper exceedingly fiery, as I have known, but the flame of it kept down, for the most part, or soon allayed, with those moral endowments he had. He was naturally compassionate towards objects in distress, even to an effeminate measure; though God had made him a heart wherein was left little room for any fear but what was due to Himself, of which there was a large proportion, yet did he exceed in tenderness towards sufferers. A larger soul, I think, hath seldom dwelt in a house of clay than his was."*

Oliver Cromwell was succeeded in his office of protector by his eldest son Richard, a young man of moderate abilities, of no experience, accustomed only to a retired life, and totally unfitted to carry on the government in the critical circumstances in which he was placed. During several months, however, his administration went on tranquilly and regularly; his title was recognised by the council, the city, the army, and the navy; upwards of ninety addresses were presented to him from the counties and most considerable corporations, expressing the strongest attachment to his person and government; foreign sovereigns vied with each other in their addresses of congratulation on his accession; the obedience of Ireland was secured by his brother Henry, and Scotland by Monk, who professed great attachment to the family of Cromwell; so that for some time the authority of the new protector seemed more firmly established than even that of his great father.

—peaceful accession of his son Richard—

It was necessary, however, to summon a parliament to obtain supplies, as the debts and engagements of the late protector were pressing, the payment of the troops was in arrears, and the coffers of the State were almost empty. Either in the expectation of obtaining greater influence among the small boroughs, which Cromwell had disfranchised, or from a desire to return to the ancient constitution, writs were issued in the ordinary manner to all boroughs which had been accustomed to send members; and the reformed model of Cromwell was consequently abandoned. Thirty members were returned from Ireland, and an equal number was sent from Scotland, among whom was Argyll, who had hitherto been prevented by the jealousy of the ruling powers from obtaining a seat. Rather more than one half of the members of the new parliament

—he summonses a parliament.

* Hallam's Constit. Hist. vol. i. p. 670; see also Macaulay's Critical and Historical Essays; and Carlyle's Letters and Speeches of Cromwell.

* Maidstone's Letter to Winthorp, Governor of Connecticut.

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consisted of supporters of the government; the remainder was made up of presbyterians and republicans. The other house, as it was termed, was made up of Cromwell's peers. The parliament met on the 27th of January, 1659. After taking an oath of allegiance to the protector, they proceeded to consider a bill for the recognition of Richard as the undoubted lord-protector and chief magistrate of the commonwealth, which was carried with difficulty, and only after the epithet "undoubted" was thrown out. His mode of accession was severely scrutinised; his negative voice in passing bills objected to; and the sitting of the Scotch and Irish members opposed. Defeated on these questions, the opposition, who disputed everything, made a fierce attack upon the late administration, and threatened to impeach Thurloe, the secretary of state, and Butler, one of Oliver's major-generals.

Opposition of the republican party.

But the government of the young protector was menaced with a more formidable danger from another quarter. Richard had no authority over the army. All his tastes and habits were pacific; and the stern military enthusiasts, whom Oliver had so often led to victory, regarded with contempt the character and administration of his indolent, good-natured son. They soon began to cabal against him, and, led by Fleetwood, Richard's brother-in-law, and Desborough, his uncle, they formed a coalition with the republican minority of the house of commons. These military malcontents held frequent meetings at Wallingford House, the residence of Fleetwood. They proposed that the office of lord-general should be separated from that of protector, and together with the power over all commissions in the army conferred upon Fleetwood, who was a weak and fanatical, though honest, republican, and completely in their hands. The commons, on the other hand, alarmed at the caballing of the officers and the republican faction, passed a resolution to the effect that, during the sitting of parliament, no general council or meeting of the officers of the army should be held without leave of the protector and of both houses. This step brought about an immediate collision between the commons and the junto of Wallingford House, who, three days after (April 22nd), compelled Richard to dissolve the parliament.

Cabals of the officers—

—collision between them and the commons.

On the 6th of May a declaration was published by the council of officers, inviting the members of the Long Parliament, who had been expelled by Cromwell, on the 20th of April, 1653, to return to their seats. On the next day, Lenthal, the speaker, and a considerable number of the members of the Rump Parliament, as it was contemptuously termed, hastened to Westminster, and resumed their functions. Their first act was to pass a declaration touching their resolution to secure the property and liberty of the people, and that without any house of peers, or the supremacy of a single person, protector or king. Richard Cromwell, who had been virtually deposed when his parliament was dissolved at the dictation of the military junto, now formally signed his demission; and, abandoning without a struggle a position for which he had neither ability nor inclination, retired to enjoy the tranquillity of private life.

Re-assembling of the Rump Parliament.

Resignation of Richard Cromwell.

A council of state was immediately nominated to carry on the government, and Fleetwood was appointed commander-in-chief during the pleasure of the army. The royalists, who deemed this a favourable opportunity for bringing about the restoration of the king, projected a simultaneous rising in various parts of the kingdom, and Charles, with his brother, the Duke of York, proceeded to Calais, to watch the progress of the insurrection. But the plot was betrayed by Sir Richard Willis, and the attempt was everywhere unsuccessful. Sir John Gore, and various other cavaliers, were arrested and committed to prison, on a charge of high-treason. Sir John Booth, a presbyterian, who took up arms at Chester, and declared for a free parliament, was defeated and made prisoner by Lambert. In various other quarters the insurgents fled before the forces of the parliament, and threw down their arms, and in the course of a few weeks the insurrection was completely suppressed.

Unsuccessful risings of the royalists.

The old quarrel, however, between the army and the parliament speedily revived. The officers, elated by their recent successes, and conscious that the Rump existed only at their pleasure, demanded that Fleetwood should be declared commander-in-chief, without limitations to his authority; and that Lambert, who, with very inferior abilities and claims, was manifestly aiming to tread in the steps of Cromwell, should be appointed major-general, as a proper reward for his services. The Rump, however, led by Haselrig, a headstrong and intemperate man, "being jealous that the soldiers might break them," endeavoured to anticipate their movements by dismissing Lambert, Desborough, and other officers, and declaring it high-treason to levy money without the consent of parliament.* On this Lambert marched his troops to Westminster, and dispersed the assembly, now powerless, as well as degraded in public estimation. A committee of safety, consisting of twenty-three persons, named by the officers, assumed the direction of public affairs; and thus the kingdom was once more subjected to a military despotism.

Quarrel between the officers and the Rump.

Dissolution of the parliament.

In this critical state of affairs all eyes were turned to General Monk, on whose decision the fate of the different parties seemed to hang. Monk had originally borne arms for the king, and had been taken prisoner by Fairfax, at the siege of Nantwich, and committed to the Tower; but on his release he

Character and behaviour of Monk.

* Whitlocke, p. 683; Thurloe, vol. vii. p. 703.

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accepted a commission from the parliament, and was employed in the reduction of Ireland. When the government was seized by Cromwell, Monk cordially supported the protectorate, and on the death of Oliver, he readily transferred his services to his son. He had quietly acquiesced, however, in the deposition of Richard, and the restoration of the Rump. But he seems to have taken offence at the second expulsion of the parliament, and the appointment of a provisional government by the officers at Westminster; and probably felt some apprehension that his own position was not secure from their attacks. He therefore refused to acknowledge the usurped authority of the committee of safety, declared at once for the parliament, and prepared for marching into England to vindicate their invaded privileges. With this view he new-modelled his army, and displaced the officers whose attachment he suspected; he drew together the various scattered regiments; he hastily summoned a meeting of the commissioners of the shires, and obtained from them an advance of money for the sustenance of his troops. Having communicated to the meeting his resolution of marching to London, he recommended the internal tranquillity of the country to their care; and leaving a division of the army to assist them, he set out at the head of seven thousand veteran troops.

—he declares for the parliament—

On receiving notice of this movement the provisional government instantly appointed Lambert to command the forces in the north of England, and sent several ministers to Monk, "to persuade him to a right understanding of things, and to prevent the effusion of blood." The wary general declared that his sole object was to free the parliament from the oppression of the soldiers, and made the most solemn protestations that he was, above all things, a friend to liberty and the commonwealth. On learning that Lambert was advancing at the head of a superior force, Monk, with the view of gaining time, sent three commissioners to the provisional government with great professions of his desire for peace, and with offers of an amicable arrangement. When the treaty was concluded, however, he refused to ratify it, complaining that the terms were unsatisfactory, and that his commissioners had exceeded their powers, but offered to enter into a new negotiation at Newcastle. While he thus amused the committee with these fallacious offers, the army of the unwary Lambert, which was reduced to great straits for want of money, and compelled to live at free quarters, melted away, and at length entirely dispersed.

—his cautious policy.

Meanwhile, as soon as the tidings of Monk's proceedings reached London, the people everywhere manifested their dissatisfaction with the conduct of the military junto, and refused to pay taxes. A violent tumult broke out in the capital, and was not suppressed without bloodshed. The city apprentices assembled in great numbers, and demanded a free parliament. The fleet, under Admiral Lawson, sailed up the river, and denounced the usurpation of the military; and the governor and garrison of Portsmouth declared for the parliament. The soldiers themselves separated into factions, and several regiments, abandoning their officers, revolted to their opponents. In the midst of these commotions the members of the Rump once more ventured to resume their seats, from which they had twice before been ignominiously expelled; and, untaught by experience, proceeded at once to dismiss their rivals, Lambert and Desborough, and other officers, from their command, and ordered them to retire to their houses. Sir Henry Vane, and some other members who had adhered to the military council, were ordered into a similar confinement, and Lambert was arrested and committed to the Tower. Utterly blind to the signs of the times, they prepared a bill for renouncing anew the title of Charles Stewart and of all his line, and, unconscious of their danger, they passed a vote of thanks to Monk for his letter promising to them all obedience and faithfulness, and desired him to come up to London as soon as possible.

Public dissatisfaction with the officers.

The Rump resume their seats.

In the meantime, Monk had crossed the Tweed on the 2nd of January, 1660, and was advancing towards the capital. In all the counties through which he passed, the leading gentry flocked round him, expressing their earnest desire that he would employ his power in restoring the kingdom to peace and liberty. At York he was waited on by Fairfax, who urged him to declare for the king; but the General, taciturn, selfish, and wary, refused to disclose his intentions. He still continued to make loud professions of his duty and obedience to the parliament; but on reaching St. Alban's he sent a message demanding that the soldiers who were in and around the capital should be removed to make room for his own forces. The parliament, though greatly perplexed by this demand, were obliged to comply; but the soldiers mutinied, and were with great difficulty induced to yield their quarters to the northern army. On entering the city Monk still maintained an impenetrable reserve respecting his plans; it is by no means improbable, indeed, as has been conjectured, that he did not make up his mind till he had been some days in the capital, and had satisfied himself that the popular feeling was strongly in favour of a free parliament, which it was evident would instantly restore the exiled family.

Monk's reserve and dissimulation—

His conduct at first, however, either from dissimulation or irresolution, was exceedingly uncertain, and kept the public mind in a state of painful suspense. Shortly after his arrival in London, the common council, dissatisfied both with the parliament and the army, refused to submit to an assessment imposed upon them, till it should be levied by a free and lawful parliament. The council of state resolved to inflict immediate chastisement upon the refractory citizens, ordered Monk to march into the city, to seize twelve of the most obnoxious of the

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common-councilmen, and to pull down the chains, gates, and portcullises. To the surprise and mortification of the citizens he promptly obeyed these orders; but two days after, he retraced his steps, and wrote a letter to the parliament, complaining of the odious service which they had forced upon him, reproached them with their cabals, and the encouragement they had given to turbulence and anarchy, and required them immediately to invite the secluded members of the Long Parliament to resume their seats, and to fix a time for their own dissolution, and the assembling of a new parliament. This declaration was welcomed with extravagant demonstrations of joy by the great body of the people. Bonfires blazed in every street; and "rumps," in derision of the parliament, were roasted in every quarter of the metropolis.

—he declares for a free parliament.

Joy of the people.

On the 21st of February the presbyterian members of the house of commons, who had been excluded by Pride's Purge before the trial of the king, in 1649, returned to their seats amid the acclamations of the multitudes who filled Westminster Hall and Palace Yard. The leaders of the Rump perceived that their power was gone, and abandoned the field without a struggle; all the proceedings of the parliament since the exclusion of the presbyterians were declared null and void; the solemn league and covenant was ordered to be read in the churches; Monk was appointed commander-in-chief of all the forces in England, Scotland, and Ireland; an assessment was fixed for the support of the army and navy; a committee of Estates was appointed to carry on the government; writs were issued for a general election; and then the famous Long Parliament, which during twenty years had exercised, both for good and evil, a vast influence on the destiny of the country, was finally dissolved.

The elections for the new house of commons went everywhere in favour of candidates inclined to the royal family. When the parliament assembled on the 25th of April, the peers resumed their hereditary seats and functions. The two houses concurred in the same purpose of restoring the king; and it was evident that this could be secured in a peaceable manner only by the adoption of prompt and vigorous measures. The soldiers were deeply dissatisfied with the turn affairs had taken, and needed only a leader in whom they could confide to induce them to renew the struggle for the preservation of their power and privileges. The country, indeed, very narrowly escaped the perils of a bloody contest. On the day before the meeting of the new parliament, Lambert made his escape from the Tower, and began to assemble forces at Daventry. His former comrades hastened from all quarters to his standard; but the activity of Colonel Ingoldsby dispersed the discontented troops before they could assemble in sufficient numbers to become formidable; and Lambert himself was taken prisoner, and brought back to his former quarters in the Tower.

Feeling of the new parliament.

In this critical state of affairs it was of vast importance that the restoration of the exiled family should be carried into effect with the least possible delay. Any lengthened discussion of the terms on which the king should be recalled would, without doubt, have occasioned fierce disputes and quarrels between the presbyterians and royalists, and might possibly have ended in subjecting the nation to the permanent rule of a military despotism. Both the great parties, therefore, cordially agreed in the propriety of bringing the interregnum to a speedy termination. On the 1st of May Sir John Granville, who had been employed for some time in the negotiations between Charles and Monk, arrived from Breda with royal despatches, which the general, who continued to wear the mask to the last moment, refused to receive in private, and caused Granville to present to him in the midst of the council of state. Shortly after it was announced to the commons, that a servant of the king's was at the door with a message from his majesty. Granville was immediately called in with the loudest acclamations, and the letter of the king, containing the celebrated "Declaration of Breda" was read. It offered to grant a free pardon and indemnity to all persons whatsoever, without any other exceptions than should be made by parliament; it promised complete liberty of conscience; offered to leave all grants, purchases, and alienations of lands made during the civil war to be regulated by the parliament; and assured the soldiers that they should be satisfied with respect to their arrears, and that the pay which they then enjoyed should be secured to them for the future. A committee was at once appointed to prepare an answer to the king's letter, expressing the satisfaction of the house with his majesty's gracious offers; and it was agreed that the letter and declaration should immediately be published. The venerable Sir Matthew Hale ventured to recommend that some more definite settlement should be made before the king was restored; but Monk interposed, and informed the house that, if the treaty was delayed, he could not answer either for the peace of the nation, or the obedience of the army. All attempts, therefore, to impose conditions on the king were laid aside. On the 8th of May Charles was proclaimed with great solemnity in Palace Yard, at Whitehall, and at Temple Bar. A deputation from both houses was sent to Breda to invite him to return, and take possession of the throne. On the 25th of May, 1660, he landed at Dover, accompanied by his two brothers, the Dukes of York and Gloucester; and on the 29th, which was also his birthday, he entered London amid the most extravagant demonstrations of joy, and took up his residence in the palace of his ancestors.

Resolution to restore the king.

Declaration of Breda.

The king lands in England.

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CHAPTER LII.

CHARLES THE SECOND.

A.D. 1660—1685.

Accession of Charles II.

CHARLES II. was thirty years of age when he ascended the throne of his ancestors. His restoration was hailed with delight by nearly all classes of the community; and he possessed not a few qualities calculated to recommend him to popular favour. He had a good understanding, a lively wit, graceful and engaging manners, and an affable demeanour. But he was selfish in the extreme, utterly destitute of principle, honour, or gratitude, fond of debasing indulgences and of frivolous amusements, and insensible to shame or reproach. Few monarchs owed more to the spontaneous affection and generous indulgence of his people, and few have repaid them with such infamous ingratitude. The restoration of the royal authority was hailed with peculiar delight by the Scottish nation; for it was not merely the restoration of their ancient race of kings, but also, as they supposed, of their national independence. The presbyterians, who composed nearly the entire nation, flattered themselves that they had special claims upon the royal gratitude. They had repeatedly taken arms for the monarchy, and had suffered severely in their unsuccessful attempts to maintain the Stewart dynasty upon the throne. The iron yoke of Cromwell had been regarded by them with bitter hatred; and no Scotsman of rank or influence had lent to the protectorate his active support. They had rallied round the young king at the moment when his affairs were nearly desperate, and had freely spent their blood and treasure in support of his claims. He had himself taken their covenant, and had solemnly sworn to defend their church; and his declaration from Breda promised complete liberty of conscience to all his subjects. On all these grounds they expected that kindness, or at least justice, would be shown to them by the restored monarch; and that they would be permitted, without molestation, to worship God according to the form so dear to their hearts. But Charles entertained an inveterate dislike to the strict observances of the Scottish Church: he was accustomed to say that the Presbyterian religion was quite unfit for a gentleman; and his vindictive recollection of the manner in which he was treated by the clergy during his brief residence in Scotland, combined with his secret attachment to the Romish faith, induced him readily, in spite of his solemn oaths and engagements, to sanction the proposal for the overthrow of presbytery, and the establishment of prelacy in its room. A similar attempt had led directly to the ruin of his father; but England was at that time strongly disaffected towards the royal government, and sympathised with the determined resistance made by the Scots to this arbitrary attack on their rights and liberties; whereas the English were now zealous alike for monarchy and prelacy, and regarded the Scottish Church with indifference, if not with aversion. The scheme, therefore, for the overthrow of the presbyterian religion, and the establishment of episcopacy, though in the highest degree obnoxious to the Scottish nation, and disapproved by the greater part even of the nobles, was attended with little risk to the throne, and was carried into effect, in spite of the remonstrances of Lauderdale and other courtiers, who well knew how distasteful it was both to the national and religious feelings of the people.

Hopes of the Scottish nation.

Dislike of the king to presbyterianism.

The Lord Chancellor Hyde, Earl of Clarendon, on whom the management of public affairs was devolved by the king, entertained a strong dislike to the Scottish nation, whose fanatical and rebellious spirit, he alleged, rendered them unworthy of confidence; and, not contented with procuring the overthrow of their national church, he recommended that the forts erected by Cromwell should be maintained, in order to repress the disloyal and mutinous spirit of the people; and the advice was supported by Monk, now created Duke of Albemarle, whose avarice made him desirous to retain the command of the English garrisons in Scotland. But Lauderdale, who possessed considerable influence with the king, pleaded the tried loyalty of the Scottish nation, and their strong attachment to their native sovereign; and hinted that, as republican principles still prevailed in England, the time would probably come when, instead of English garrisons in Scotland, his majesty might require Scottish garrisons in England, to repress the turbulence of his English subjects, and to defend the throne against their renewed attacks. These representations, together with the consideration of the expense which it would cost to maintain the garrisons, induced his majesty to disband or withdraw the forces in Scotland, and to demolish all the citadels and forts which had been erected there.

Demolition of the forts in Scotland.

Immediately on the return of the king, great numbers of the nobility and principal gentry hurried to London to tender their services, and to prefer their claims to the chief offices of state. His majesty was greatly influenced in the distribution of his patronage by the advice of Clarendon; and that advice was in too many cases given without any reference to the merit of the applicant. Middleton, an unprincipled soldier of fortune, was elevated to the peerage, and made general of the forces, and royal commissioner to the parliament; Glencairn was appointed chancellor; Rothes, president of the council; Crawford, treasurer; Lauderdale, secretary; Marischal, lord privy seal; Sir Archibald Primrose, clerk-register; and Sir John Fletcher, lord-advocate.

Formation of the Scottish administration.

At a meeting, held by the king's authority, of all the leading Scotchmen in London, it was agreed that the committee of Estates, nominated by the

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parliament of 1650, should undertake the management of public affairs until a new parliament assembled. The committee entered upon the duties of their office in a spirit which showed clearly what Scotland had to expect from her restored sovereign. Their first act was to commit to prison a number of the remonstrants who had assembled to frame an humble petition to the king. They then, with an obsequiousness not less base than useless, hastened to obliterate the inscriptions on the tombs of Alexander Henderson and George Gillespie, and ordered Rutherford's celebrated treatise, entitled "Lex Rex," to be burned by the hands of the common hangman.

Behaviour of the committee of Estates.

The parliament assembled on the 1st of January, 1661, and was opened by Middleton with unusual magnificence. The Scottish Estates had rarely ventured to offer any serious opposition to the will of the sovereign; but the present parliament proved unusually obsequious. The candidates whose subserviency to the crown could not be relied on, had been either imprisoned, or summoned to appear as delinquents; and the members chosen, through the management of the chancellor, had been preferred chiefly on account of their readiness to comply with the wishes of the court. When the Estates proceeded to business, it soon became evident that it was their intention to overturn the entire fabric of the civil and religious liberties of the country. The privilege which had been conceded to the parliament, of electing its own president, was taken away, and the office restored to the chancellor. The nomination of councillors, judges, and officers of state, was recognised as an inherent branch of the royal prerogative. The command of the militia, and the right to summon and dissolve parliaments and public assemblies, were declared to reside in the sovereign alone; and any attempt to hold any such meeting, without his authority, was converted into treason. An oath of allegiance was enacted, which acknowledged the royal supremacy over all persons, and in all matters civil and religious, and made the denial of it high-treason. The power of electing the lords of the articles, without whose consent no act could be introduced, was taken away from the parliament; and the old custom was revived, which left the nomination of this committee really, though not in form, in the hands of the crown.* The solemn league and covenant was annulled, and its renewal, without the sanction of the king, prohibited under the severest penalties. A last expiring effort was made by the ministers to stay the torrent which was sweeping away the whole work of reformation, but without effect. When they met in their provincial synods, for the purpose of framing an humble petition to the king, messengers from the parliament ordered them to disperse under pain of treason. The monthly assessments levied by Cromwell had long been felt as a grievous burden on the resources of the country; but the Estates, in the excess of their servile loyalty, conferred upon the king for life an annual subsidy to the same amount—forty thousand pounds sterling—for the purpose of preserving the public tranquillity by a military force.*

Meeting of parliament—its base subserviency.

At length, tired of reversing particular statutes, the Scottish councillors proposed to annul all the proceedings of the various parliaments and conventions which had been held since 1633, as irregular and unconstitutional—on the absurd pretext that the late king had been constrained by violence to give them his sanction. No such allegation however could be made, even by the shameless and debauched nobles who now managed the affairs of Scotland, regarding the parliament of 1641, at which the king's father had himself presided, and the parliament of 1648, which was chosen and directed by his special instructions, for the purpose of confirming the engagement. But Middleton, with characteristic effrontery, maintained that the former had been held in the interval between two rebellions, when a real restraint had been imposed upon the king by the necessity of affairs, although no personal violence had been used; while the latter had attempted to conciliate the covenanters by such hypocritical terms as rendered its whole proceedings deserving of condemnation. In spite of the unexpected and strenuous opposition of Crawford, Cassillis, Loudoun, and other old covenanters, this act was passed by a large majority; and thus, at one sweep, all the barriers which had been raised to protect the civil and religious liberties of the nation—all the valuable privileges which had been wrested from the crown—were at once completely annulled, and a precedent was furnished destructive of all security of person or property, and of all confidence between the sovereign and his subjects. This infamous act, as Burnet remarks, "was only fit to be concluded after a drunken bout." It is well known, indeed, that it was proposed at a debauch, by the miserable and abandoned crew who now managed the affairs of the nation, and carried in the midst of drunken acclamations. "It was a maddening time," says Burnet, "when the men of affairs were perpetually drunk."† Middleton himself often took his place on the throne in such a state of intoxication that the house had to be adjourned.

Reversal of all the acts of previous parliaments since 1633.

Drunkenness of the officials.

When the king was restored to the throne, either through accident or design, the amnesty which was promised to his English subjects was withheld from Scotland. "It was deemed more political for him," says one of his apologists, "to hold over men's heads for some time the terror of punishment, till they should have made the requisite compli-

* Acts of the Scottish Parliament, vol. vii.

* Acts of the Scottish Parliament, vol. vii.

† Burnet's History of his Own Times, vol. i. p. 174. Burnet says that Sir Archibald Primrose, "the subtilest of all Lord Middleton's creatures," first suggested, "half in jest," this notorious act, which was not resolved upon, however, till the junta "had drunk higher."

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ances with the new government." But there can be no doubt that this ungenerous course of policy was persevered in by the king and his advisers with the view of gratifying their revenge by the destruction of some of the most eminent of the parliamentary leaders. The Marquis of Argyll was the first victim selected. To seize this powerful noble in the midst of his devoted retainers, would have been a work of difficulty and danger; and therefore he was encouraged to repair to London by an apparently friendly letter from the king. On reaching the capital, he hastened to Whitehall; but, while waiting in the privy chamber for permission to kiss his majesty's hand, he was suddenly arrested, and hurried to the Tower as a traitor and a regicide—it being asserted that he had secretly encouraged the republicans to put the late king to death. He was shortly after sent down to Scotland, to be tried by his bitterest enemies, who were eagerly expecting to be rewarded with the grant of his estates. His indictment consisted of fourteen different charges, extending over all the transactions in Scotland, from the rising of the covenanters in 1638 down to his sitting in Richard Cromwell's parliament in 1659. He was accused as the author of all the opposition which had been made by the Scottish nation to the arbitrary proceedings of Charles I.; the calling of the convention of Estates in 1643; the formation of the solemn league and covenant with England; and the severities inflicted on the royalists during the civil wars; as an accessory to the surrender and execution of the late king; as the prime mover of the opposition made to the engagement, and of the conditions with which the invitation given to his present majesty was clogged; and, finally, he was charged with a criminal compliance with the late usurpation, in opposition to the supporters of the crown.

Apprehension of the Marquis of Argyll—

—he is brought to trial—

The defence of Argyll was unanswerable: he pleaded that during the late unhappy commotions he had always acted by authority of parliament, and not on his individual responsibility; that all the public proceedings of the covenanters were covered by the act of oblivion passed by Charles I., in consequence of the treaty of Ripon, and by the indemnity granted by his present majesty in the parliament at Stirling; that the atrocities imputed to his clan were either fictitious or greatly exaggerated—that they had been provoked by the cruelties inflicted upon the district, which had been twice wasted by fire and sword, and that, whatever might be their nature or aggravation, they could not be imputed to him, as they were perpetrated during his absence in England; that as for his compliance with the late usurpation, the whole kingdom shared in it equally with himself—that it was necessary for his own preservation—that he did not submit till the whole nation had acquiesced in the rule of the commonwealth, and resistance was no longer practicable; that his submission to the existing government did not imply a recognition of its original title, much less a treasonable opposition to the rightful heir, while excluded from the throne. "And how could I suppose," he added, "that I was acting criminally, when a man so learned as his majesty's advocate took the same oath to the commonwealth with myself?" Here Sir John Fletcher, the lord-advocate, was so enraged at this appeal that he called him an impudent villain: Argyll meekly replied that he had learned in his afflictions to suffer reproach.

—his defence.

After he had concluded, his counsel protested that, as they pleaded for the marquis by order of parliament, they should not be held personally responsible for the arguments they might employ; but their protestation was at once repelled by the court, and they were informed that they must plead at their own hazard.* By their advice the marquis then petitioned to be tried before the justiciary court, on the ground that his indictment was so intricate, that it would require learned judges to decide upon the points of law involved in it. But the prosecutors not only rejected this petition, but were with great difficulty induced to pardon the counsel for advising their client to prefer a request which was construed into a declining of the authority of parliament. The counsel then prayed that they might be allowed to produce exculpatory proof, but this also was refused, and the defences were ordered to be given in in writing.

Shameful behaviour of the court.

Lord Lorn, the eldest son of Argyll, who had always opposed the government of Cromwell, obtained from the king a letter ordering the crown lawyers not to prosecute for any offences committed previous to the indemnity granted at Stirling in 1651, nor to pronounce any sentence till the whole process was submitted to his majesty. To counteract the influence of Lorn and of Lauderdale, whose niece he had married, Glencairn and Rothes were dispatched to London, and by representing to Clarendon and Monk that the delaying of the sentence till the proceedings were submitted to the king would "much discourage this loyal and affectionate parliament, and would look like a distrust of its justice," they succeeded in procuring the recall of that part of his majesty's letter, and the other portion of it Middleton was allowed virtually to disregard. Eager to procure Argyll's condemnation, as he expected to be enriched by the forfeiture of his

* Under the infamous statute of "leasing-making," if a man defended the rights of his country in parliament, or opposed the most flagrant attack upon the national liberties in the form of an act, he was liable to be tried for high-treason as attempting to render the lieges dissatisfied with their sovereign; and if an accused person attempted to defend himself on his trial, by proving that the servants of the crown had been guilty of the most wanton oppression, he was liable to the highest penalties of the law on the same ground. On the trial of Argyll his counsel were not allowed to bring forward exculpatory proof, but at the risk of rendering themselves liable to be tried on a similar charge. The counsel assigned to Argyll were Messrs. Sinclair and Cunningham, with Sir George Mackenzie, who was afterwards the "bloody Mackenzie," the persecutor of the covenanters.

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estate, the greedy and unscrupulous commissioner undertook in person the management of the trial, which he conducted with a total contempt of justice and honour, and even of common decency. It was well known that when Cromwell was in Scotland, in 1648, he held various conferences with Argyll; and that immediately upon his return to London the treaty of Newport was broken off, and the king brought to trial. Hence Middleton affirmed that these proceedings had been concerted with Argyll; and urged with all the weight of his authority and personal influence that this conclusion, though founded on mere presumption and totally unsupported by evidence, was sufficient to warrant Argyll's condemnation. But Gilmour, the president of the court of session, had the courage and honesty to denounce this infamous attempt to pervert justice; and after a fierce debate, in which Middleton stormed and swore, but in vain, the parliament, by a majority of votes, exculpated Argyll from all participation in the execution of the king.

Integrity of President Gilmour.

Nothing now remained but the charge of compliance with the usurpation. Even here the evidence was exceedingly defective; and, after it was concluded, and the Earl of Loudoun had addressed the house in an eloquent and well-reasoned speech, which produced a strong impression in favour of the prisoner, the court was proceeding to give judgment, when a violent knocking was heard at the door of the parliament-house, and a messenger who had come express from London entered, and presented a packet to the commissioner. On being opened, it was found to contain a number of private letters, that Argyll had written to Monk during the commonwealth, expressing his attachment to the government of the protector, and which that treacherous villain—who had himself been the active agent of Cromwell, while Argyle had only passively acquiesced in his rule—had sent down with all haste, on learning from Middleton's envoys the scantiness of the proof.* On evidence thus basely obtained, and brought forward in the most illegal manner, after the case was closed, and which, as even Hume admits, could not by any equitable construction imply the crime of treason, the old nobleman was found guilty, and sentence of death was immediately pronounced upon him. He was condemned to be beheaded in two days, and his head to be affixed to the Tolbooth, on the spot which had been occupied by the head of Montrose. Argyll begged for a respite of ten days, in order that his sentence might be communicated to the king; but, when this was refused, he understood the intention of the court, and exclaimed, "I placed the crown upon the king's head, and this is my reward! but he hastens me to a better crown than his own; nor can you deprive me of that eternal indemnity which you may require yourselves."*

Villany of Monk.

Argyll is condemned—

On returning to the Tolbooth he found his lady waiting for him, to whom he said, as he entered, "They have given me till Monday to be with you, my dear, therefore let us improve it." She embraced him, and weeping bitterly, exclaimed in her anguish, "The Lord will require it—the Lord will require it!"—"Forbear, forbear," said the marquis to his weeping friends; "truly I pity them, they know not what they are doing. They may shut me in where they please, but they cannot shut out God from me. I am as content to be here as I was in the Tower; was as content there as I was when at liberty; and hope to be as content on the scaffold as any of them all."

—his calm behaviour—

He spent the Sabbath in religious exercises with several ministers who were permitted to attend him, and prepared for death with a calmness and courage not expected from his constitutional timidity. Referring to this, he desired those about him to observe that the Lord had heard his prayers, and delivered him from all his fears. At his own request his lady took leave of him on the Sabbath evening, after which he spent some hours in pleasant sleep. On the morning of Monday (May 27th), the day of his execution, he wrote a letter to the king asserting his innocence, and recommending his widow and family to his majesty's protection. He dined with his friends at noon; and, as he was leaving the jail to go to the scaffold, he said, "I could die like a Roman, but I choose rather to die like a Christian." He called in passing at Mr. Guthrie's room, to bid him farewell. That venerable clergyman came near the marquis, and when he took him by the hand he said, "My Lord, God has been with you. He is with you, and will be with you. And such is my love to your lordship, that were I not under sentence, I could die this day for you;" and "then they embraced one another," says Wodrow, "and parted, shortly to meet in a better place."† Accompanied by a number of his friends clad in mourning, he walked to the Cross, the place of execution, and ascended the scaffold with the greatest composure. He spoke at some length in vindication of his innocence; his conduct, he declared, had never been influenced by any motives of self-aggrandisement or disloyalty. He declared that he forgave all his enemies, and would condemn none. "God," said he, "hath laid engagements on

* Burnet, vol. i. p. 178; Wodrow, vol. i. p. 54. This fact, mentioned by Burnet, has been denied by Rose in his remarks on Fox's History; but, to say nothing of the independent testimony of Wodrow, the incontrovertible evidence of Sir George Mackenzie, recently brought to light, establishes the truth of the statement beyond a doubt. "The Marquis of Argyll," he says, "was convicted of treason upon letters written by him to General Monk; these letters being only subscribed by him, and not autograph, and the subscription having been proved by a comparison of letters;" a kind of proof open to very serious objections, "seeing," he adds, "it is but presumption, and men's hands are ofttimes easily imitated, and one man's write will differ from itself at several occasions."—See *Laws and Customs of Scotland*, p. 521.

* Wodrow, *ut supra*. According to Sir George Mackenzie (Hist., p. 46) the marquis said he remembered that he had first put the crown upon the king's head, and added, he hoped God would bestow on his majesty a crown of glory for he ever wished him well.

† Analecta, vol. ii. p. 138.

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Scotland. We are tied by covenants to religion and reformation. Those who were then unborn are yet engaged, and it passeth the power of all the magistrates under heaven to absolve from the oath of God. These times are likely either to be very sinning or suffering times, and let Christians make their choice. There is a sad dilemma in the business—sin or suffer; and, surely, he that will choose the better part will choose to suffer; others that will choose to sin will not escape suffering; they shall suffer, but perhaps not as I do, but worse." After spending some time in devotion he distributed some tokens of remembrance to the friends who attended him. On approaching the maiden Mr. Hutchison said, "My lord, now hold your grip sicker"*—meaning that he should hold fast his confidence in Christ. "Mr. Hutchison, you know what I said," was the calm reply of the marquis; "I am not afraid to be surprised by fear." After preparing for the block, by laying aside his doublet, he said to those near him, "Gentlemen, I desire you, and all that hear me, again to take notice and remember that now, when I am entering into eternity, and to appear before my Judge, as I desire salvation and expect eternal happiness from Him, I am free from any accession, by knowledge, contriving, counsel, or anyways, of his late majesty's death; and I pray the Lord to preserve the present king, and to pour out his best blessings upon his person and government, and the Lord give him good and faithful counsellors. He then knelt down, and, having given the signal by lifting up his hand, the descent of the maiden severed his head from his body.†

—his execution.

The illegality and injustice of Argyll's sentence excited deep indignation throughout the country, and awakened the sympathy even of those who had been most strongly opposed to him. His judicial murder was justly imputed to the bitter hatred of the king and court, and the insatiable rapacity of Middleton, who expected to obtain a grant of his extensive possessions—an expectation which was happily disappointed, for his patrimonial estates and a part of the titles were restored to Lorn, his son, through the intercession of Lauderdale, whose wife's niece he had married. The character of the marquis was not free from defects, but he was a true patriot, a staunch presbyterian, and a statesman of great sagacity, experience, and consummate address. His counsels mainly guided the presbyterian party in their resistance to the scheme of Charles I. and of Laud; and to his prudence and energy are in a great measure to be attributed the overthrow of episcopacy in Scotland, and the part which that country took in the great civil war. He steadily adhered to his principles, both religious and political, through good report, and through bad report; and in consequence rendered himself obnoxious to Cromwell and to Monk, and was excluded during the protectorate from all public employment or trust. His resistance to the republican party, and his services in the recall of Charles to Scotland, deserved a better return from that ungrateful and unprincipled monarch, and the wretched herd to whom he entrusted the government of the country. But Charles could not forgive the restrictions to which he was subjected during his residence in Scotland; and his rapacious commissioner had cast a greedy eye on Argyll's vast estates, and, therefore, persecuted to the death the great statesman, that he might obtain possession of his spoils. By his own clan and friends Argyll was almost adored, and his memory is still held in high veneration by the Scottish presbyterians, who believe with honest Howie of Lochgoin, that "he had piety for a Christian, sense for a councillor, courage for a martyr, and a soul for a king. If ever any was, he might be said to be a true Scotchman."*

The next victim was the Rev. James Guthrie, minister of Stirling. He was descended of an old and respectable family, and was one of the ablest and most courageous of the Scottish clergy. He had always been a constant and zealous supporter of monarchy, and an inflexible opponent of Cromwell; but he was one of the leaders of the remonstrants, and was especially obnoxious to the court party, in consequence of his having been selected, in 1650, to pronounce the sentence of excommunication against Middleton, now the royal commissioner. He was accused of framing or promoting the western remonstrance, of being the author of a pamphlet entitled, "The Causes of the Lord's Wrath," and of declining the authority of the king in ecclesiastical affairs. His defence was unanswerable, and clearly proved that none of the charges brought against him could by the law of the land be deemed treasonable or seditious. "I have founded my speeches, writings, and actings in these matters," said he, at the close of an eloquent and triumphant vindication, "on the Word of God, and on the doctrine, Confession of Faith, and laws of this church and kingdom, upon the national covenant of Scotland, and the solemn league and covenant betwixt the three kingdoms. If these foundations fall, I must fall with them; but if these sustain and stand in judgment, as I hope they will, I cannot acknowledge myself, neither, I hope, will his majesty's commissioner, and the honourable court of parliament, judge me guilty either of sedition or treason."

Trial of the Rev. James Guthrie—

The trial lasted from the 20th of February till the 11th of April. At the close of the protracted proceedings the aged and infirm, but intrepid minister concluded his pleading by a powerful appeal, which produced a deep impression on the minds of not a few who withdrew from the court, declaring, in the language of Scripture, "We will have nothing to do with the blood of this just man." Addressing the chancellor, he said, "My lord, I shall, in the last place, humbly beg that, having

* Hold your grasp secure.

† Scott's Worthies; Wodrow, vol. i. pp. 51, 157; Burnet, vol. i. p. 179; M'Crie's Sketches, vol. ii. pp. 72—75.

* Scott's Worthies, Art.: Marquis of Argyll.

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ARCHIBALD, FIRST MARQUIS OF ARGYLL.

OBIIT 1661.

From the Original in the Collection of the Duke of Argyll

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brought such pregnant and clear evidence from the Word of God, so much divine reason, human law, and so much of the common practice of the Kirk and kingdom in my own defence, and being already cast out of my ministry, driven from my dwelling, and deprived of my maintenance, myself and my family thrown upon the charity of others, and having now suffered eight months' imprisonment, that your lordship would put no further burden upon me. But, in the words of the prophet, 'Behold! I am in your hands, do to me what seemeth good to you.' I know for certain that the Lord hath commanded to speak all these things, and that if you put me to death you shall bring innocent blood upon yourself, and upon the inhabitants of this city."

He was condemned to be hanged at the Cross of Edinburgh, as a traitor, on the 1st of June, 1661, his head to be placed on the Netherbow, his estate to be confiscated, and his children declared incapable in all time coming to enjoy any office, dignities, possessions, lands, or goods within the kingdom. This atrocious sentence he received with the utmost composure, merely saying, "My lord, never let this sentence affect you more than it does me, and let never my blood be required of the king's family." On his way to the scaffold he requested that the cords which pinioned his arms might be slackened so far as to allow him to support his tottering frame on a staff, while walking from the Tolbooth to the place of execution. On the scaffold "he spoke an hour," says Burnet, who saw him suffer, "with the composedness of one who was delivering a sermon rather than his last words." Just before he was turned over, lifting the napkin from his face, he cried, "The covenant—the covenant shall yet be Scotland's reviving!" "His last words, which he uttered with a cheerful countenance and elevated voice, were those of the Prophet Habakkuk—'Art thou not from everlasting, O Lord, my God, my holy one? I shall not die, but live.' After he was taken down his head was severed from his body with an axe. It was observed that there was a vast effusion of blood that flowed from his body, which was presently put into a coffin and carried to the old kirk aisle, where it was dressed by a number of ladies of good quality. Some of them took their napkins and dipped them in the blood, and when Sir Archibald Primrose, the registrar, challenged one of them for so doing, saying, 'It was a piece of the superstition and idolatry of the Romish Church to preserve the relics of the saints.' It was answered, they intended not to abuse it into superstition and idolatry, but to hold up the bloody napkin to heaven in their addresses, that the Lord might remember the innocent blood that was spilt."*

—his execution.

With Guthrie was hanged a Captain Govan, who had deserted to Cromwell while Charles was in Scotland. "The man," says Burnet, "was inconsiderable till they made him more considered by putting him to death, on such an account, at so great a distance of time."

Gillespie, Rutherford, and Warriston.

Patrick Gillespie, principal of Glasgow College, the only minister in Scotland who had publicly prayed for the protector, was also marked out for destruction; but, through the interest of Lord Sinclair, he was only sequestrated from his living. The famous Samuel Rutherford was saved by death, after a lingering illness, from the fate of Argyll and Guthrie. His enemies, with impotent malice, though he was known to be dying, summoned him to appear before the council on a charge of high-treason, and expelled him from his office of regent and professor of divinity in the University of St. Andrew's.* Archibald Johnston, Lord Warriston, who had escaped to the Continent, was attainted. Swinton, who had been a judge under Cromwell, having turned quaker and frankly condemned his own conduct, was pardoned, but deprived of his estate, which was bestowed on Lauderdale.

Council respecting the Scottish Church.

After the adjournment of the parliament the commissioner proceeded to London, where a council was held for the purpose of settling the ecclesiastical affairs of Scotland. Middleton, Glencairn, and Rothes, declared that the nation in general was disgusted with the intolerance and tyranny of the presbyterian clergy, and that the restoration of episcopacy would be universally acceptable to the people, and would greatly strengthen the monarchy. These views were strenuously supported by Clarendon, who entertained an inveterate dislike to the presbyterian system, and was apprehensive that if legally established in Scotland it would regain its ascendancy in England and Ireland. The restoration of prelacy was, therefore, resolved on, in spite of the solemn promise of the king to maintain the existing form of church government, and the warning which the fate of Charles I. held out against such an attempt to overturn the national faith. The presbyterians were now fully aware of their danger, and had deputed James Sharp, minister of Crail, to lay their case before the king, and to endeavour to secure the preservation and liberties of the presbyterian church. Sharp was a person of considerable ability and learning, of plausible manners, and of singular dexterity in the management of men. He had acquired the complete confidence of his party, and was regarded by them as "a very worthy, pious,

* Wodrow, book i. sect 4; Analecta, vol. ii. p. 108; Burnet, vol. i. p. 181; M'Crie's Sketches, vol. ii. pp. 75—78. Some of the modern defenders of Scottish episcopacy have attempted to justify the judicial murder of Guthrie, which even Sir George Mackenzie—the "bloody Mackenzie"—tacitly admits to be incapable of vindication. He mentions Guthrie's powerful talents with respect, and says, "Really, it was to be regretted that a more tractable and quiet person had not the keeping of his great parts and courage, for he was both the secretary and champion of his party." (Hist. p. 51.) Charles himself said, when he heard that Patrick Gillespie was pardoned, "If I had known you would have spared Mr. Gillespie, I would have spared Mr. Guthrie." Sharp accuses Gillespie of having offered, of his own accord, to go all lengths to effect the restoration of prelacy, in order to conciliate the king and procure his pardon.

* Walker's Remains, p. 171; Reid's Memoirs of the Divines of the Westminster Assembly.

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wise, and diligent young man." His correspondence during his residence in London shows that for some time he zealously exerted himself to promote the views of his friends, and to support the presbyterian system, and even procured from the king a letter to the presbytery of Edinburgh, expressing in the strongest terms his majesty's determination to "preserve and protect the government of the Church of Scotland, as settled by law, without violation."* But after it became evident that the king and his councillors were determined to restore prelacy in Scotland, he was secretly gained over by some of the English high-church statesmen, and induced to concur in their schemes for the re-establishment of episcopacy, and to betray the church which had intrusted its cause to his advocacy. So artfully did he conceal his perfidy that, on his return to Scotland, his brethren of the Edinburgh presbytery unanimously presented him with a vote of thanks for his faithful and diligent discharge of the duties of his mission, and no suspicion was entertained of his designs till they were ripe for execution.

Perfidy of James Sharp.

The treachery of Sharp is utterly indefensible; but there can be little doubt that no efforts he could have made would have altered the resolution of Charles and his courtiers to overrun the ecclesiastical polity of Scotland, and to establish the episcopal form on its ruins. The success of the design to destroy the liberties of the Church was greatly promoted by the unfortunate dissensions which still raged between the protesters and the resolutioners, and prevented them from uniting in any common measure for their protection. Most of the eminent men who had guided the councils of the Church through the troublesome times of the great civil war were now dead or in exile, or sinking under the weight of years and infirmities. Many, too, were terror-stricken by the execution of Argyll and Guthrie—many were worn out with the long-continued intestine strife and contention, and anxious for peace on almost any terms; while not a few, especially among the nobility, had become impatient of the strict superintendence exercised by the clergy, and were eager to throw off their yoke. Owing partly to these causes, partly to the stratagems of the court, and the terrors of imprisonment, confiscation, and death, with which the royal edicts were enforced, the presbyterian church was overthrown without a struggle, almost without remonstrance. In spite of his solemn oath to maintain the presbyterian system, the king, in August, 1661, sent a letter to the privy council, in which, after alluding to his promise that he would maintain the government of the Church settled by law, and pleading the miserable subterfuge that the parliament had now rescinded the acts respecting that government passed during the civil war, he says, "we therefore, from our respect to the glory of God, the good and interest of the protestant religion, from our pious care and princely zeal for the order, unity, peace, and stability of the Church, and its better harmony with the government of the churches of England, have, after mature deliberation, declared to those of our council here our firm resolution to interpose our royal authority for the restoring of that Church to its right government by bishops, as it was before the late troubles." The Earl of Tweeddale was the only member of council who hesitated to express his acquiescence in this despotic mandate, and ventured to hint the propriety of advising with the synods. To repress at once this spirit of resistance, Middleton procured an order for the imprisonment of Tweeddale, on the ground that he had opposed the execution of Guthrie, and had pleaded that death was too severe a punishment for the offences laid to his charge. This arbitrary act had the desired effect of securing unanimity in the council, and a ready compliance with the royal mandate. A proclamation was immediately issued announcing the restoration of the bishops, prohibiting meetings of synods and assemblies, and forbidding all discoursing or preaching against the change, on pain of imprisonment. A second followed, enjoining the burghs, under the severest penalties, to elect none as magistrates who held presbyterian, or liberal principles; and such was the universal servility, that this illegal and arbitrary interference with the freedom of election was submitted to without remonstrance.

Causes which led to the overthrow of presbyterianism.

Perjury of Charles.

Tyrannical behaviour of Middleton.

Restoration of prelacy.

As episcopacy was now the established religion of Scotland, it became necessary to appoint suffragan bishops to take charge of ecclesiastical affairs. As an appropriate reward for his services, Sharp was appointed primate and archbishop of St. Andrew's;* and Fairfoul, Hamilton, and Leighton, were nominated

Consecration of the new bishops.

* Some of the episcopalian defenders of the king allege that his conduct in re-establishing prelacy was not inconsistent with this pledge, because the parliaments by which presbytery had been established were not legal, and therefore episcopacy was at this time the religion "settled by law"—a contemptible subterfuge, every way worthy of the king and his apologists. (See Stephen's Life and Times of Archbishop Sharp, p. 135.)

* Sharp was authorised by the king to offer preferment to a number of the leading presbyterian ministers, and particularly to Mr. Robert Douglas, minister of Edinburgh, a person of remarkable wisdom and prudence, who had formerly been a chaplain in the army of Gustavus Adolphus. The author of a contemporary life of Sharp states that, in declining the offer, Douglas said, "I have dipped far in oaths and the concerns of the late troubles, and now being turned aged, and infirm, I want strength to sustain the weight of the office, and the difficulties which I should be obliged to encounter. But, if you can comply who are young, and lay not under the same engagements, I neither can nor will blame you." (True and Impartial Account, &c., pp. 54, 55.) Kirkton, however (History, pp. 134, 135), gives another and very different version of this interview. According to this writer, Sharp affected to have no desire for the archbishopric, and pressed the acceptance of the office upon Mr. Douglas. He told the venerable minister that the king was determined to introduce episcopacy, that his majesty was very desirous that Mr. Douglas should accept the primacy, and that he had better comply with the offer, lest a worse should be appointed. Mr. Douglas answered he would have nothing to do with it. Sharp insisted and

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to the sees of Glasgow, Galloway, and Dunblane. Sydserf, Bishop of Galloway, who was now promoted to the see of Orkney, was the only one of the old Scottish prelates who survived at the restoration; and as a single prelate was insufficient to confer ordination, the four ministers chosen for the prelatical office were required to repair to London, that they might receive consecration from the hands of the English bishops—episcopal ordination "being," as Kirkton remarks, "a flower not to be found in a Scottish garden." The prelates elect were compelled also to acknowledge the nullity of their presbyterian ordination, which two of them—Sharp and Leighton—had received, and to submit to the degradation of being ordained first deacons, and then presbyters, before being consecrated bishops. The other two, Fairfoul and Hamilton, were already in priest's orders, having been ordained before the extirpation of prelacy, in the preceding reign. As the validity of presbyterian orders was acknowledged by the English bishops in the case of Spottiswood and his associates, who were appointed to the prelatical office in 1610, Sharp objected at first to submit to this insult; but Sheldon, Bishop of London, peremptorily insisted that either they must renounce their presbyterian ordination, or go without their episcopal ordination. "So," says Kirkton, "they were content rather to deny themselves to be presbyters, than not to be received bishops." On which Sheldon observed that "it seemed to be the Scots fashion to scruple at everything, and to swallow everything."* The ceremony of ordination was performed in Westminster Abbey on the 15th of December, 1661, with great splendour; and the newly consecrated bishops returned home in state, and entered the capital in a kind of triumphal procession, with crowds of the needy nobles in their train. They were received by the magistrates in their robes, entertained by the chief officers of state in a series of magnificent banquets, and treated with every mark of external respect, calculated to impress the people with a lofty notion of the dignity and power of the restored hierarchy.

Presbyterian orders treated as invalid.

The choice, however, of the king and his advisers was far from fortunate, and the characters of the men who were thus unexpectedly elevated to the highest offices in the Church were by no means fitted to gain the confidence and esteem of the nation. The recent conduct of Sharp rendered him peculiarly obnoxious to the Scottish people, and the part which he speedily took in the persecution of the covenanters, deepened into bitter hatred the distrust and dislike with which he was originally regarded. Fairfoul, who was made Archbishop of Glasgow, was, according to Burnet, "a facetious man, insinuating and crafty; but he was a better physician than a divine. His life was scarce free from scandal, and he was eminent in nothing that belonged to his own function. He had not only sworn the covenant, but had persuaded others to do it. And when one objected to him, that it went against his conscience, he answered there were some very good medicines that could not be chewed, but were to be swallowed down." Hamilton, who was made Bishop of Galloway, was originally episcopal minister of Cambusnethan. On the abolition of prelacy he retained his office, conformed to the presbyterian system, and distinguished himself by his zeal in the cause of the covenant. Leighton, who was appointed to the see of Dunblane, was remarkable for the sanctity of his character, the amiability of his disposition, and the moderation of his opinions. He had little sympathy with his associates, and on their triumphal entry into the capital, he quitted them in disgust before reaching the city, and entered it as privately as possible. He had great misgivings as to the course followed in the restoration of prelacy; and often said to Burnet, "That in the whole progress of that affair there appeared such cross characters of an angry Providence, that how fully soever he was satisfied in his own mind as to episcopacy itself, yet it seemed that God was against them, and that they were not likely to be the men to build up his Church; so that the struggling about it seemed to him like a fighting against God. He who had the greatest hand in it [Sharp] proceeded with so much dissimulation, and the rest of the order were so mean and selfish, and the Earl of Middleton, with the other secular men that conducted it, were so openly impious and vicious, that it did cast a reproach on everything relating to religion to see it managed by such instruments."*

Characters of the new bishops.

On the day after the arrival of the bishops, May 8th, 1662, the second session of the parliament commenced; and an act was passed annulling the authority of presbyteries, and of provincial and general assemblies, and restoring the bishops to their ancient privileges and prerogatives, untrammelled by any restraint, except the advice of such of the clergy as they might choose to consult. The covenants were declared unlawful, null and void; and whatever might tend to excite dissatisfaction with his majesty's supremacy in ecclesiastical affairs, or with the episcopal government, was to be punished as seditious. An act was at the same time passed requiring every person who assumed an office of trust, to declare that he considered it unlawful for subjects, under any pretext whatever, to enter into covenants, or to take up arms against their sovereign; that he disowned, as seditious, all that had been done by petition or remonstrance during the late troubles;

Second session of parliament.

Ratification of episcopacy.

urged him. Mr. Douglas repeated his refusal, on which Sharp arose and took his leave. Douglas accompanied him to the door; "James," said he, "I perceive you are clear; I see you will engage—you will be bishop of St. Andrew's. Take it," and, laying his hand on Sharp's shoulder, he added, "and the curse of God with it." "The subject," says Sir Walter Scott, "might suit a painter."

* Kirkton's History, p. 137; Wodrow's Analecta, vol. i. p. 133.

* History of his Own Times, vol. i. p. 201.

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and that he regarded the oaths taken in connection with the covenants as unlawful oaths, which were not binding on any of the subjects of the realm. The right of patronage was restored. The ministers who had been appointed since its abolition were deprived of their benefices, unless they should procure, within four months, a presentation from the patrons, and collation from the bishop of the diocese.

Character of the new system.

The hierarchy thus forcibly thrust upon Scotland differed widely from the form of church government introduced by James. Under the latter the bishops enjoyed pre-eminence, and a negative voice, but not a magisterial authority in the presbyteries and synods, and the constitution of the ecclesiastical courts was not annulled. But now the prelates were invested with absolute authority over their clergy, who had no voice whatever in the legislation of the Church; the presbyterian courts were closed, and the ministers were ordered to attend the diocesan meetings in the different districts assigned to the bishops, and thus to acknowledge their authority, on pain of being held contemners of the royal will.*

Act of amnesty.

The unsettled state of ecclesiastical affairs had hitherto afforded a pretext for the delay of the act of amnesty and oblivion in Scotland; but as that obstacle was now removed, this measure could no longer be postponed. Lauderdale urged that, as an unconditional amnesty had been granted to all in England, except the regicides, the Scottish nation, which had merited so well of the king, and had suffered so much in his cause, was entitled to the same indulgence and grace. But Middleton represented that the royalists who had been impoverished by their adherence to the crown, should be recompensed for their losses out of the estates of those who had taken part in the rebellion, or preserved their property by submitting to the usurper. Middleton's interested representations were very acceptable to the king and his unprincipled courtiers, and the proposal was at once adopted; but with the limitation that the fines imposed should not exceed one year's rent, and that no offences should be punished which had been committed previous to the former act of indemnity passed at Stirling. These restrictions, however, were entirely disregarded. The committee appointed to determine who should be fined, and the amount of their fines, were sworn to secrecy, and acted with a total disregard of truth and equity. An arbitrary list of offenders was made out, as malice or avarice dictated, without any evidence, or even inquiry, respecting their guilt. No proof of innocence was admitted. A bribe to the commissioner, or some of his favourites, was a surer protection than the most unblemished innocence or untainted loyalty. The most obnoxious offenders compounded in secret. A list of nine hundred persons was presented to parliament, whose fines amounted to eighty-five thousand pounds, some of whom were dead, some had been abroad during the civil wars, some were mere infants. It was to no purpose, however, that exceptions were taken to the list; the only reply was, that those who did not pay the sum demanded, would be excluded from the act of indemnity, and those who chose to renounce the benefit of this act, and to stand upon their innocence, might do so at their peril—an alternative which no one had the hardihood to embrace. The fall of Middleton, however, prevented him and his friends from obtaining that share of the fines which they had expected, and the sums extorted from Scotland by this shameful process were ultimately reserved for the crown.

Fines imposed as the price of indemnity.

* Burnet, vol. i. p. 203.

Infamous persecution of Lorn.

The avarice and revenge of Middleton were alike insatiable, and were neither restrained by honour nor prudence. He had succeeded by the most nefarious practices in bringing the Marquis of Argyll to the scaffold; but, through the influence of Lauderdale, his estates had been wrested from the grasp of the commissioner, and conferred upon Lord Lorn, his son. He had a bond, however, for four hundred thousand marks on the estates of Huntley, which was disallowed by the parliament, and these estates were restored free. Lorn, irritated at this act of injustice and the continued persecution of his family, in a confidential letter to his friend, Lord Duffus, had complained of the calumnies which had been employed to prepossess the king against him; but he said that he had now discovered and defeated his enemies, and that he expected to gain the person (the Earl of Clarendon) on whom the chief of them depended. This letter was intercepted by Middleton, and produced before the parliament, at whose request Lorn was sent down to Scotland for trial upon the infamous law against leasing-making, which rendered it a capital crime to sow dissension between the king and his subjects. The parliament found him guilty, and pronounced sentence of death on him; but his life was saved by the king, who, in anticipation of the issue of the trial, had given stringent orders that no sentence should be executed without his express instructions.* An act, unexampled for its tyranny and cruelty, was immediately passed, to prohibit all intercession in behalf of the children of those who had been attainted by parliament, and thus to prevent their restoration to their hereditary titles and estates. No penalty was annexed to this act, as it was a maxim among the court lawyers that, to specify the punishment, imposed a limitation on the crown, whereas, if the penalty were omitted, the violation of the law might be visited, at the pleasure of the king, with any punishment less than death.† At the instigation of Middleton, an act was carried for rendering twelve persons incapable

Act forbidding intercession for the children of persons attainted.

* Burnet, p. 149.

† Acts of Parliament of Scotland, vol. vii. p. 41; Wodrow, vol. i. pp. 235—238.

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of all trust or office. The persons thus punished without accusation, or trial, were to be named by ballot; the lists to be scrutinised by a secret committee, and not divulged till they were sanctioned by the king. The commissioner, who expected in this way to get rid of his rivals, the Earls of Lauderdale and Crawford, procured the insertion of their names in the list of the persons presented. But in spite of the most vigilant precautions to prevent the discovery of this intrigue, Lord Lorn transmitted the intelligence by a private channel to Lauderdale, who represented the matter in such a light to the king, before the arrival of the commissioner from the parliament, that the report was laid aside, and Middleton's own position considerably endangered.

Act for incapacitating twelve persons, to be named by ballot.

The diocesan synods held throughout the kingdom were very ill-attended, except in the north.* In the other districts of the country, especially in the west, the clergy continued to occupy their pulpits, and to discharge the remaining duties of their office; but they had formed the resolution not to attend the diocesan meetings, nor to acknowledge, by any act of canonical obedience, the authority of the prelates. Middleton, however, by the advice of Clarendon, determined to enforce the laws recently enacted for the support of episcopacy, and for that purpose now made a tour through the western counties, accompanied by certain members of the privy council. The scenes of debauchery and profaneness which took place during this progress were of the most revolting kind, and excited intense disgust. At Glasgow, Fairfoul, the archbishop, complained to the commissioner that, notwithstanding the act of parliament, not one of the young ministers had acknowledged his authority, and suggested that measures should be adopted to enforce their submission. An act of council was therefore framed, at a meeting where only two of the members were sober,† declaring that all those ministers who had been admitted since 1649, when patronage was abolished, and had not complied with the act of parliament enjoining them to obtain a presentation from the patron, and induction from the bishop of the diocese, should be deprived of their livings and expelled from their parishes, and, if necessary, that they should be displaced by military force: in other words, all presbyterian ministers who might scruple at once to turn episcopalians, were at one stroke to be ejected from their livings and reduced to beggary. Lockhart, of Lee, alone protested against this rash and impolitic step, as calculated to increase, rather than to allay, the unpopularity of the prelates. But Middleton and his associates, with the characteristic incredulity of men of their class, as to the existence in others of any higher motives than those by which they themselves are actuated, disregarded the warning, and treated with scorn the notion that any, except a few zealots, would sacrifice their livings for the sake of their principles. The archbishop maintained that there would not be two in all his diocese who would refuse to comply.

Progress of Middleton through the west.

Act of council against the vicars and clergy—

To the great surprise of the commissioner, and the unspeakable mortification of the bishops, nearly four hundred ministers at once resigned their charges, rather than do violence to their consciences by yielding a sinful compliance with this tyrannical enactment; and thus the Church, to use the peculiar, but expressive language of the times, fled into the wilderness. The spectacle of more than a third of the churches simultaneously closed,—while the ministers were expelled from their homes in the depths of winter, deprived of the stipends due for the preceding year, and with their families left destitute of support,—excited the deepest indignation and grief in the minds of the people, and produced an insurmountable aversion to the ecclesiastical system, which this cruel and impolitic measure was intended to strengthen. "The honest people," says Kirkton, "encouraged their ministers to enter upon the course of suffering; and many in Scotland rejoiced to see their ministers give that proof of their sincerity—for there were some who affirmed that not twenty ministers in Scotland would lose their stipends for refusing to sit with a bishop."

—they resign their charges.

The crafty policy of Sharp was to have expelled the presbyterian ministers in detail, and to have gradually filled their places with men after his own heart; but their simultaneous resignation of their charges deranged this scheme, and greatly embarrassed the council, who little expected such a result. In order to retrieve the consequences of their rashness and folly, they summoned the archbishops to the capital to assist them with their advice; and, on the 23rd of December, issued a proclamation confirming the Glasgow Act, but allowing the ministers who had resigned their livings to retain possession of them, provided that they obtained a presentation from the patron, and collation from the bishop, before the 1st of February, 1663. It was declared that those who refused to comply with the act should "thenceforth be esteemed and holden as persons disaffected to his majesty's government; and recusants were ordered to remove from the dioceses of Glasgow, Argyll and Galloway, and to transport themselves and their families to the district beyond the Tay."

As the ministers, however, firmly adhered to their resolution, to suffer the loss of all things rather than to sin, it became necessary to supply the vacant churches with pastors—a task which was by no means easily accomplished. New ministers

* The synod of Aberdeen alone of all the synods and presbyteries of Scotland, petitioned in favour of episcopacy.

† "Duke Hamilton told me," says Burnet, "they were all so drunk that day that they were not capable of considering anything that was laid before them, and would hear of nothing but executing the law, without any relenting or delay."—Vol. i. p. 223; Kirkton, p. 149.

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were sought for all over the kingdom; and, as Hume is forced to admit, no one was so ignorant or vicious as to be rejected. The greater part of the new incumbents were brought from the northern counties, where submission to despotic measures, both in Church and State, has always been much more prompt and implicit than in the other districts of the country. These curates, as they were termed, were "a set of young lads," says Kirkton, "unstudied and unbred, who had all the properties of Jeroboam's priests, miserable in the world, and unable to subsist, which made them so much long for a stipend. So they went to their churches with the same intention as a shepherd contracts for herding a flock of sheep."* "They were the worst preachers I ever heard," says Bishop Burnet; "they were ignorant to a reproach, and many of them were openly vicious. They were a disgrace to their orders and the sacred function; and were indeed the dregs and refuse of the northern parts. Those of them who arose above contempt or scandal, were men of such ardent tempers that they were as much hated as the others were despised."† These were not the men to repair the breach that had been made in the walls of the Church, or to reconcile the people to the loss of their former teachers, who, on the admission of their enemies, were "men remarkable for the severity of their manners and their fervour in preaching."

Character of those appointed to the vacant churches—

—their reception by the people.

The curates were everywhere regarded as intruders. "In some places," says Wodrow, "they were welcomed with tears in abundance, and entreaties to be gone; in others, with reasonings and arguments which confounded them; and some entertained them with threats, affronts and indignities, too many here to be repeated. The tongue of the kirk bell in some places was stolen away, that the parishioners might have an excuse for not coming to church. The doors of the church in other cases were barricaded, and they were made to enter by the window literally. The baser of the gentry easily engaged them to join in their drinking cabals, which, with all iniquity, did now fearfully abound, and sadly exposed them; and in some places the people, fretted with the dismal change, gathered together and violently opposed their settlement, and received them with showers of stones." So strong was the feeling against the intruders, that he adds, "profane fellows thought there was no surer way of atoning for the excesses of the last night, than by insulting a curate the next morning."‡ These annoyances, Kirkton tells us, were "ordinarily the actions of the profane and ignorant, not approved by the sober and judicious presbyterians."

The administration of Middleton had now become at once contemptible and odious; and the quarrel between him and Lauderdale had grown to such a height that it was impossible they could any longer co-operate in carrying on the government. On proceeding to London to answer the charges brought against him, the commissioner found powerful defenders in Clarendon, Sheldon, Bishop of London, and Monk; but the influence of Lauderdale, aided by his own indiscretion, completed his downfall, and he was deprived of all his offices and reduced to poverty. As some alleviation of his disgrace, he was sent out as governor of Tangier, where he soon after died, in consequence of an injury received by falling down a stair in a fit of intoxication. His downfall was hailed with the liveliest satisfaction; but the national joy was of short duration, for his successors proved worse than himself. Rothes, the president of the council, was appointed commissioner, and soon afterwards was also made treasurer, in the room of Lord Crawford, who was deprived of his office through a base plot of Sharp,* abetted by Lord Clarendon. The direction of Scottish affairs, however, was principally entrusted to Lauderdale, who continued Secretary of State. This nobleman, whose memory is still held in merited abhorrence by the Scottish people, was originally a zealous covenanter, and one of the most active leaders on the popular side throughout the recent troubles. When the designs of the republican party became apparent, however, he went over to the king's side, and exerted himself strenuously to bring about an agreement between Charles I. and the presbyterians. He was one of the principal promoters of the engagement, and of the treaty with Charles II., which led to the ill-advised and disastrous restoration of that prince to the Scottish throne. He was taken prisoner at the battle of Worcester, and confined in the Tower of London and other places for nine years. During his long confinement his mind had been carefully improved by study, and he acquired extensive learning, both theological and classical. He possessed a remarkable memory, great shrewdness and energy, and a copious, though unpolished, elocution. His personal appearance was extremely unprepossessing. "He was very big," says Burnet, "his hair red, hanging oddly about him. His tongue was too big for his mouth, which made him bedew all that he talked to, and his whole manner was rough and boisterous." He was furious and ungovernable in his passions, vindictive, cold-

Downfall of Middleton.

Character of Lauderdale.

* Kirkton's History, p. 160.

† History, vol. i. p. 229. ‡ Wodrow, vol. i. p. 332.

* Sharp prevailed upon the king to ask Crawford, who was a staunch presbyterian, to renounce the covenant, and take the declaration enacted by the parliament in 1662. To the astonishment of Charles, the earl refused, saying that he had suffered nine years' imprisonment, forfaulture, and the ruin of his fortune in his majesty's service; but he could not, even to please his sovereign, do violence to his conscience. He was, in consequence, immediately deprived of his office. Lauderdale urged him to take the test and keep his place, alleging that he might "do mickle good to the uncontormists, the presbyterians, by so doing." But Crawford peremptorily refused, declaring that he was taught not to do evil that good may come of it. "The envious and unthankful prelate," says Row, commenting on Sharp's conduct, "Crawford being the man that first preferred him—first giving him a presentation to be one of the regents of St. Leonard's College, thereafter a presentation to the Kirk of Crail."

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hearted, and selfish; mean and cringing to his superiors, haughty and tyrannical to his inferiors; obstinate in error, and irreclaimable by advice, which served only to confirm his determination to adhere to his own opinion. Although he was the chief instrument of Charles and his brother in forcing episcopacy on the Scottish nation, and in carrying out that design inflicted the most cruel tortures on the covenanters, his own sentiments continued unchanged, and he retained, to the day of his death, his preference for the presbyterian system. Such was the man to whom the chief management of Scottish affairs was now committed.

Servility of the parliament.

The parliament re-assembled on the 18th of June, and at the commencement of its proceedings surrendered the last remnant of the privileges which had been gained during the struggle with Charles I., and revived the former mode of appointing the lords of the articles. The prelates selected eight peers, who in turn appointed eight prelates; these sixteen then made choice of an equal number of barons and burgesses, to whom were added the officers of state. As no business of any kind could be brought before the Estates without the consent of these lords of articles, the independence of the parliament was completely destroyed. The most stringent measures were adopted against the presbyterian ministers and their adherents. All the ministers who refused to attend the diocesan meetings were to be ejected; and if they ventured to preach after their ejection, they were to be punished as seditious. A subsequent enactment, called "The Scots' Mile Act," commanded the ejected ministers and their families to remove from their parishes within twenty days, and not to reside within twenty miles of the same, nor within six miles of Edinburgh, or of any cathedral church, nor within three miles of any royal burgh. Every nobleman or heritor who should wilfully absent himself from his parish church was to forfeit a fourth part of his year's rent; tenants and burgesses, a fourth part of their movables, together with the freedom of their burghs, and were to be subjected to such corporal punishment as the privy council might think proper to inflict. The abjuration of the covenants was re-enacted under the same heavy penalties. It was likewise enacted that a general assembly, or national synod, should be constituted, consisting of the archbishops and bishops, deans, archdeacons, and perpetual moderators, with one minister from each presbytery and two from each of the universities. To crown the servility and debasement of this parliament, all the regulations respecting foreign trade and the imposition of duties and restraints were declared to be an inherent prerogative of the crown; and an offer was made to the king to raise twenty thousand foot and two thousand horse, to serve in any place in Scotland, England, or Ireland. And thus the religion, liberty, and commerce of the kingdom were basely subjected to the uncontrolled sway of the sovereign.*

Severe laws against the presbyterians.

Apprehension and cruel treatment of Johnston of Warriston.

An additional stigma was cast upon this meeting of the Estates by the execution of Sir Archibald Johnston, Lord Warriston, one of the principal leaders of the covenanters during the civil war, and a person of great sagacity and eloquence, who had incurred the vindictive hatred of the king by the freedom with which he had censured his profligacy during his residence in Scotland. His zeal in the cause of the covenant, and his acceptance of the office of clerk-register under Cromwell, who advanced him to the bench, and afterwards made him one of his peers, had rendered him peculiarly obnoxious to the royalists; and being well aware that nothing would satisfy them but his blood, he fled to the Continent, where he lived some time in concealment at Hamburgh. Having gone to Rouen, in Normandy, however, the vengeance of the English government tracked him out, and a worthless creature, usually called "Crooked Murray," discovered the old man at his prayers. Previous to this time he had been shamefully treated, during an illness at Hamburgh, by Dr. Bates, successively physician to Cromwell and to Charles II. This base person who, after the restoration, permitted his friends to boast that he had accelerated Cromwell's death by his prescriptions, "intending to kill Warriston, did prescribe unto him poison for physic, and then caused to draw from this melancholy patient sixty ounces of blood, whereby, he was brought near unto the gates of death, and made in a manner no man, having lost his memory, so that he could not remember what he had done or said a quarter of an hour before, in which condition he continued till his dying day."† On landing in Scotland, he was conducted on foot and bareheaded, from Leith to the Tolbooth of Edinburgh. When brought before the council, the old man, utterly broken down in body and mind, wept and implored mercy, "a scene which," says Sir George Mackenzie, "moved all the spectators with a deep melancholy; and the chancellor, reflecting upon the man's great parts, former esteem, and the great share he had in all the late revolutions, could not deny some tears to the frailty of silly mankind." But Sharp and some of the more inveterate of the party raised an inhuman laugh at the tears, and incoherent defence of the poor superannuated prisoner. Some of the members of council wished to delay the sentence; but Lauderdale, who was well aware of the king's feelings, interposed, and silenced the plea for mercy. On the morning of

* Acts of the Scottish Parliament, vol. vii. p. 461.

† Preface to the Apologetical Relation, published in 1665. Kirkton, who attended Warriston on the scaffold, confirms this statement. (History, p. 170; see also Lamont's Diary, p. 206.) Burnet says "he was so disordered in body and mind, that it was a reproach to a government to proceed against him." (History, i. p. 297.) The encouragement which the assassin, Riardo, received from the English court, in his attempts against the republican exiles of Berne, is well known. (Ludlow's Memoirs, p. 395.)

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his execution, Warriston awoke calm and composed after a sound sleep; his recollection returned, and he delivered his last speech on the scaffold with great composure, using a paper to assist his shattered memory. On ascending the ladder, assisted by some of his friends, he said with great fervour, "I beseech you all, who are the people of God, not to scare at sufferings for the sake of Christ, or stumble at anything of this kind falling out in these days, but be encouraged to suffer for Him; for I assure you, in the name of the Lord, he will bear your charges." When they were adjusting the rope around his neck, he added, "the Lord hath graciously comforted me;" with his hands uplifted to heaven, and the words "Pray, pray! praise, praise!" on his lips, he was turned over, and expired without a struggle.

—his execution—

With the exception of their great leader, Argyll, none of the covenanters have been so grossly calumniated as Warriston, and even in the present day the eulogists of Sharp and Claverhouse have misrepresented his actions and motives, and scoffed at his sufferings with brutal ribaldry. But a writer who had no sympathy with the religious opinions and objects of the covenanters, after a sneer at Warriston's "lengthened devotions and zeal for the covenant," is yet constrained to admit that "he was a man of more than common understanding or genius; of an active, violent, and disinterested spirit; of a quick and vivid invention; of an extensive and tenacious memory; incapable of repose; indefatigable in application; ever fertile in expedients; endowed with a vehement, prompt, and impressive elocution; and at a time when the nobility themselves were statesmen, his political talents raised him from an obscure advocate to a level with the prime nobility in affairs of State." *

—his character.

Meanwhile the great body of the people in the west and south, deprived of the instruction of their own pastors, refused to attend upon the ministrations of the curates, so that the parish churches were almost deserted. The ejected ministers, denied permission to enter their pulpits, opened their houses to those who chose to attend their family devotions; and the people were attracted to these services in such numbers that the houses were unable to contain them. It became necessary, therefore, to hold the service out of doors with those who were gathered around; and, as the crowds increased, they at length repaired to the fields, where great numbers assembled from the neighbouring parishes, eager to hear the Gospel from the lips of those faithful men who had willingly suffered the loss of all things for Christ. This was the origin of those conventicles and field preachings, so famous in Scottish history. These meetings at first were peaceable; the people attended unarmed, and at the close of the services quietly dispersed, and returned to their homes. But matters did not long continue in this comparatively peaceful state. The bishops, provoked at this general desertion of the instructions of the curates, procured the "act for separation and disobedience to ecclesiastic authority," popularly called "The Bishop's Drag-net," inflicting the penalties of sedition on the ministers who ventured to preach without their sanction, and fines on those who absented themselves from their parish churches. The levying of their fines was committed to the soldiers, troops of whom were quartered in those districts where the nonconforming spirit was strongest. These "booted apostles," as they were termed, were entrusted with the task of compelling the people regularly to attend the parish church; and the course they adopted for this purpose was very simple and summary. A roll of their parishioners was usually kept by the curates, and called over after sermon; the names of those absent were marked and reported to the commanding officer of the nearest company, by whom the fine that had been incurred was levied. "The process was very short: no witnesses or proof were required. The soldier summarily pronounced and executed his own sentence, and that with the greater cheerfulness as the money generally speaking went into his own pocket. The military behaved just as if they had been in an enemy's country. If a tenant or head of a family was unwilling or unable to pay, the soldiers were quartered on him till they had destroyed ten times the value of the fine, and when poor families were no longer able to sustain them, their goods were distrained and sold for a trifle;" and thus whole families were reduced to beggary. A few of the old presbyterian clergy were not comprehended under the Glasgow Act, and were still allowed to preach in their own parishes; but their hearers did not escape the annoyances to which their brethren elsewhere were exposed. It became a common practice for parties of soldiers to carouse in some neighbouring ale-house till the service was concluded, and then to station themselves at the church-door as the congregation dispersed, and to question them one by one whether they belonged to that parish. All who were found to be strangers were robbed, by way of fine, of whatever money they had about them. If they had no money, the men's coats and the women's plaids were taken from them and carried off by the rapacious soldiers.

Origin of conventicles and field meetings.

Exactions and quarterings of the soldiers.

The measures hitherto employed by the reckless and unprincipled men who were at the head of affairs in Scotland, to extirpate the presbyterian faith, had completely failed. Their only result had been to drive into the ranks of the extreme covenanters many peace-loving moderate men, who were wearied of strife and dissension, and longed for an opportunity of quietly performing their pastoral duties. The bishops resolved to try the effect of more stringent measures in crushing the spirit

The High Court of Commission—

* Laing's History of Scotland, vol. ii. p. 36; Burnet, vol. i. pp. 37, 297.

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of resistance to their despotic mandates. In 1664 a Court of High Commission was appointed by the king, at the solicitation of Sharp, consisting of nine prelates and thirty-five laymen, for the purpose of executing with increased severity the laws against nonconformists. This notorious tribunal, to which the civil and military officers were all subordinate, was invested with almost absolute powers. A bishop with four assistants composed a quorum, and neither time nor place was prescribed for their meetings. They were empowered to call before them at their pleasure "all popish traffickers, intercommuners with and resetters of Jesuits and seminary priests; all who said and heard mass;* all obstinate contemners of the discipline of the Church; all keepers of conventicles; all the ejected ministers who continued to remain in their parishes, or to exercise the functions of their office; all who preached in private houses or elsewhere without licence from the bishop of the diocese; all who kept meetings or fasts without licence; all who preached, spoke, or wrote against the existing government of the Church or kingdom; all who neglected to attend divine worship in their respective parish churches;" all, in a word, who ventured in any way to show their dissatisfaction with the recent enactments against the presbyterian faith and the liberties of the people.† They were empowered to fine or imprison transgressors at their pleasure. All magistrates and soldiers were to execute their orders, and from their sentence there was no appeal. The proceedings of this commission were of the most summary character, and were conducted without accusation, evidence, or defence. Many persons of rank were heavily fined, or even imprisoned, for permitting or attending conventicles; ministers were imprisoned and banished; women were publicly whipped; boys were scourged and branded, and then sold as slaves to the plantations; and the giving of charity to any of the ejected ministers was punished as sedition. The churches remained empty, but the jails were crowded. Great numbers of the people, unable any longer to endure this grinding tyranny, sought refuge among their countrymen in the north of Ireland; and at length so infamous did this commission become that laymen could not be found willing to act on it, and at the end of two years it was dissolved. The people in the south and western districts were reduced to the greatest misery by these outrages and exactions, but their sufferings served only to increase their hatred to episcopacy, and their determination not to countenance in any way the ministrations of the curates.

—its arbitrary and illegal proceedings.

Sufferings of the people.

The presbyterians had hitherto submitted patiently to the exactions of their military plunderers, but the oppression which maketh even wise men mad, now bore its natural fruit. One of the most active agents of the commission in harassing the presbyterians in the western districts was Sir James Turner,* an English soldier of fortune, a man of a furious temper and dissolute life, who had at one time served in the army of the covenanters against the king, but had now become the unscrupulous and willing tool of the council in carrying out their odious and oppressive measures against his former associates. He had used his authority in the most merciless manner, and had reduced hundreds of families to beggary by his military quarterings and exactions of fines. In the course of three visits to Nithsdale and Galloway, he had plundered twenty-three parishes of nearly one hundred thousand pounds Scots' money—an enormous sum, considering the poverty of the people. His cruelties at length became so intolerable that the peasantry were goaded without premeditation into a partial and ill-advised insurrection, which was followed by the most disastrous consequences. In November, 1666, a party of the legalised banditti, commanded by Turner, seized on a poor old man in the village of Dalry, in Galloway, who could not pay his fine, and were threatening to strip him naked and roast him on a redhot gridiron. Four fugitive covenanters, who were passing through the village at the time, interfered and entreated them to desist. This the brutal troopers contemptuously refused to do, and a scuffle ensued, in which one of the soldiers was wounded and their prisoner rescued. Dreading the consequences of this act, the covenanters resolved to continue in arms, and, with the assistance of some of the peasantry, they attacked and disarmed a small party of soldiers who were stationed in the neighbourhood, one of whom was killed in the attempt.

Cruelties of Sir James Turner.

Insurrection in Galloway.

The feeling of the country was now roused, and the insurgents, having been joined by about fifty horse and two hundred foot, including the Lairds of Barscob and Corsack and a few other country gentlemen, marched to Dumfries, surprised Sir James Turner in his bed, and took him prisoner. A proposal was made to put him to death; but they spared his life on discovering that his orders were much more severe than his conduct had been. The privy council were panic-struck at the news of this rising, and immediately dispatched General Dalzell to the west, at the head of a body of troops, and issued a proclamation enjoining the insurgents to lay down

Behaviour of the insurgents.

* This denunciation of Roman Catholics was inserted merely as a blind, and was never enforced.

† Burnet, vol. i. pp. 306, 307; Wodrow, vol. i. pp. 192—197.

* "Sir James Turner," says Bishop Burnet, "was naturally fierce, but was mad when he was drunk, and that was very often. I knew him well afterwards when he came to himself, being out of employment. He was a learned man, but had been always in armies, and knew no other rule but to obey orders. He told me he had no regard to any laws, but acted as he was commanded in a military way." Sir James's "Memoirs of his own Life and Time" fully confirm the truth of this description. He gives a very curious and important, but disingenuous, account of his proceedings against the presbyterians, which, however, completely establishes the charges brought against him and his employers.

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their arms and submit within twenty-four hours. But as no offer of indemnity was made the injunction was disregarded, and the covenanters advanced towards Lanark, their numbers augmenting as they proceeded, though very few men of influence joined them, as a considerable number of the gentry who were favourable to their cause had previously been committed to prison, under the pretext that this was necessary to preserve the peace of the country during the war with Holland. Their numbers had now increased to about three thousand horse and foot, but ill armed and undisciplined. The command was taken by Colonel Wallace of Auchens,* a brave and experienced officer, who had served with distinction in the parliamentary army during the civil war. At Lanark they renewed the covenant, and published a manifesto, in which they professed submission to the king, stated the causes of their taking up arms, and expressed their desire for the re-establishment of presbytery and the restoration of their former ministers. From Lanark the devoted band, deceived by the expectation that they would be joined by great numbers of the inhabitants of the Lothians, marched amidst a storm of wind and rain towards Edinburgh, with Dalzell following closely on their steps. On reaching Colinton, about three or four miles from the capital, they learned that the city was in arms against them, and turned aside to the Pentland Hills, with the view of returning to the west by the way of Biggar. They were now reduced to about nine hundred men, and, weary with their long marches, hungry, and wet, "they looked," says Kirkton, "rather like dying men than soldiers going to conquer." Their courage, however, was not abated, though they must have seen clearly that their case was hopeless. "They were not unwilling to die," they said, "for the cause of religion and liberty; yea, they would esteem a testimony for the Lord and their country a sufficient reward for all their labour and loss." They sent a letter to Dalzell containing a statement of their grievances, but no answer was returned; and on the 28th of November they took up a well-chosen position at a spot called Rullion Green, about six miles from Edinburgh. Here they were attacked by the royal troops in overwhelming numbers, and though they fought with desperate courage, and repelled three assaults of the enemy, they were at last totally routed. About fifty of their number were killed, including two eminent Irish ministers, John Crookshanks and Andrew M'Cormack, and a hundred and thirty were taken prisoners. The escape of the fugitives was favoured by the darkness of the night and the lenity of Dalzell's horsemen, most of whom were gentlemen, and pitied the sufferings of their fellow-countrymen. About thirty, however, were captured, and a number more were barbarously murdered by the neighbouring rustics.*

Battle of Rullion Green.

The hapless prisoners were treated with great cruelty by the prelates and council, who were determined to inflict summary vengeance on them for the alarm which their rising had occasioned. They pleaded in vain that they had surrendered upon promise of quarter: it was alleged that though pardoned as soldiers they were not acquitted as subjects; and they were, therefore, sent to trial and condemned to suffer the doom of traitors. About twenty were executed in Edinburgh, two on one gibbet; seven at Ayr; and a number before their own doors in different parts of the country. Numbers more were banished to the plantations; and fifty persons who had escaped were outlawed, and their property confiscated. The heads of those who suffered in the capital were placed on the city gates, and their right arms were affixed to the prison at Lanark, where they had subscribed the covenant. They all with their dying breath disclaimed any rebellious purpose against the government, and declared that they had taken up arms solely against the insupportable tyranny of the prelates. They were offered their lives if they would subscribe a declaration acknowledging the bishops and renouncing the covenant; but in the hour of trial they all proved faithful to their principles, and bore with such fortitude the tortures inflicted on them as astonished their persecutors, and made them objects of universal sympathy and admiration.

Cruel treatment of the Prisoners.

All the prisoners declared, with one voice, that their insurrection originated not in any organised conspiracy, but solely from the oppressive proceedings of the commission and their military agents; but the privy council were anxious to extort from them a confession that there had been a wide-spread conspiracy for the overthrow of the government, and for this purpose a species of torture call the boots was employed. This instrument of cruelty consisted of an oblong square box, firmly hooped with iron, open at both ends, and having loose plates inside. When the leg of the unhappy wretch about to be examined was enclosed in this case, wedges were inserted between the loose plates and the solid frame of the box, and were driven down with a hammer, which caused intolerable pain, mangling the limb, and even forcing out the marrow from the bone. Two of the prisoners subjected to this diabolical torture were Neilson of Corsack, and Hugh M'Kail. The former was a country gentleman distinguished for his piety and the gentleness of his disposition, who had been goaded into rebellion by the most shameful ill-treatment. Solely for his refusal to conform to episcopacy, and to attend the ministry of a curate, contemptible alike for his

Torture of the boots.

Neilson of Corsack.

* Auchens is situated in Ayrshire, near Dundonald Castle. It is now the property of the Earl of Eglinton. It was at this place that Dr. Johnson met the celebrated Susanna, Dowager Countess of Eglinton, in 1773. (See Boswell's Johnson, vol. v. chap. iv.)

* Kirkton, p. 231, *et seq.*; Wodrow, vol. i., book iii., chap. i.; Burnet, vol. i. p. 341; Colonel Wallace's Narrative; M'Crie's Memoirs of Veitch and Bryson.

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dissolute habits and mean abilities, he had been fined and imprisoned, expelled from his home, his wife and children driven out as houseless wanderers among the mountains, his stock of provisions consumed, his cattle carried off by the soldiers quartered on him by Sir James Turner, and his tenants plundered and ruined by these ruthless marauders. Yet it was he who saved the life of that persecutor when some of the insurgents who had suffered from his oppression wished to put him to death; and to the credit of Sir James it ought to be stated that he attempted, but without effect, to obtain mercy for his preserver. Corsack was so cruelly tortured by the boots that his shrieks were sufficient to move a heart of stone; but as he persisted in declaring that the rising was unpremeditated, and was caused solely by the barbarities of the soldiers, the unfeeling and brutal Rothes, who presided at the examination, frequently called out to the executioner, to "give him the other touch."*

Trial and execution of Hugh M'Kail.

The fate of M'Kail, who was subjected to the same diabolical torture, excited peculiar sympathy. He had been licensed as a preacher in 1661, when he was only twenty years of age, and was remarkable for piety, learning, and eloquence. The Latin verses which he composed in prison show that he possessed a liking for letters, and a knowledge of classical literature. Having given mortal offence to the ruling powers by a sermon, in which he declared that "the Church of Scotland had been persecuted by a Pharaoh on the throne, a Haman in the State, and a Judas in the Church," he found it necessary to retire to the Continent on the passing of the Act of Conformity. Returning to Scotland in 1665, he lived for some time in obscurity; but, being in Galloway at the time of the rising, he joined the insurgents. He was not present, however, at the battle of Rullion Green, having been obliged by fatigue and ill health to quit the unfortunate band during their march to Edinburgh. Two days afterwards he was captured by some dragoons at a place called Braids Craigs. He was twice examined before the privy council respecting the cause of the insurrection, and having, like Neilson, declared that it arose entirely from the exactions and cruelties of the military, it was resolved to put him to the question. He bore it with great firmness, and after ten strokes of the mallet solemnly protested, in the sight of God, that he could say no more though all the joints in his body were in as great torture as his poor leg. At the eleventh stroke the bone was splintered, and the poor sufferer swooned under the torment.† His behaviour in the interval before his execution was not only composed but cheerful. His appearance on the scaffold (December 22) "excited such a lamentation," says Kirkton, "as was never known in Scotland; not one dry cheek upon all the street, or in all the numberless windows in the market-place." He ascended the ladder telling his fellow-sufferers not to be afraid, for every step was a degree nearer heaven. "The napkin being put over his face, he prayed a little within himself, after which he put up the cloth, saying he had one more word to speak, in order to show them the comfort he had in his death. And thus he said, 'I hope you have perceived no alteration or discouragement in my countenance and carriage, and as it may be your wonder, so I profess it is a wonder to myself; but I will tell you the reason of it. Besides the justness of my cause, this is my comfort, what was said of Lazarus when he died, that the angels did carry his soul to Abraham's bosom; so that, as there is a great solemnity here, of a confluence of people, a scaffold, a gallows, and people looking out of windows, so there is a greater and more solemn preparation of angels to carry my soul to Christ's bosom.'" He then concluded with that noble burst of eloquence which has been so often admired and quoted. "And now I leave off to speak any more to creatures, and begin my intercourse with God, which shall never be broken off. Farewell, father and mother, friends and relations; farewell, the world and all its delights; farewell, meat and drink; farewell, sun, moon, and stars! Welcome, God and Father; welcome, sweet Jesus Christ, the mediator of the new covenant; welcome, blessed Spirit of Grace, the God of all consolation; welcome, glory; welcome, eternal life, and welcome, death!"* Such was the impression which this address produced on the multitude of spectators, that on subsequent occasions recourse was had to the device of causing the trumpets to be blown, and the drums to be beaten, in order to drown the last words of the sufferers.

Charge against Sharp and Burnet.

The effect of these savage cruelties was so injurious to the government, that at length an order was sent by the king to the privy council commanding them to stay the executions, and to inflict on the prisoners banishment instead of death; and it is affirmed that his majesty's letter was withheld from the council by the two archbishops, Sharp and Burnet, until all who had been condemned were executed. The fact that such a letter was written has been pertinaciously denied by the apologists of Sharp, but is now clearly established by the records of the privy council, which expressly mention "his majesty's letter giving orders for sending such of the said prisoners as were guilty to the plantations."† This memorable document, however, is nowhere given in these records. During the six months in which the privy council were engaged in the investigation of the Pentland rising, there were no fewer than eleven letters written to them by the king, and fourteen royal proclamations issued. The

* Kirkton, p. 252.

† M'Kail was evidently the prototype of Macbriar, in "Old Mortality," and the torture scene is portrayed with great power in the 36th chapter of that work; but the author has very unfairly sought to lessen the horror and indignation of the reader, by representing Macbriar as deeply implicated in the proposal to murder Henry Morton.

* Kirkton, p. 255; Wodrow, vol. i. p. 255.

† Privy Council Records of 11th July, 1667.

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whole of these documents are inserted at full length, but the letter commanding the executions to be stayed is nowhere to be found. It is not easy, therefore, to evade the conclusion that the absence of this all-important document from the record can only be accounted for by a consciousness, on the part of the two prelates, that "its date would expose the abuse of trust, and outrage on humanity, of which they had been guilty."

Atrocious proceedings of General Dalzell.

As if public vengeance were not yet satiated, the horrors of martial law were now added to the atrocities of judicial punishment. A body of troops, under Generals Dalzell and Drummond, were sent to scour the shires of Ayr, Dumfries, and Galloway, and to complete the ruin of the presbyterian party. General Tom Dalzell, as he was usually termed, has earned an unenviable notoriety in the history of this period. He was a soldier of some reputation, but of ferocious character and eccentric habits. He had borne arms under the Czar of Muscovy, in whose service his natural brutality had been greatly aggravated, and he had become inured to torture, pillage, and blood. He had returned home after the Restoration, and was appointed commander-in-chief of the royal forces in Scotland. His beard, which he had never shaved since the execution of Charles I., hung down white and bushy almost to his girdle; and his whole appearance and dress were so singular that when he repaired to London, which he generally did once or twice every year, to kiss the king's hand, he was usually followed by a great crowd of boys.* He detested the covenanters "with a perfect hatred," and his innate severity, hardened by a long course of barbarous service, led him to inflict the most shocking cruelties on the defenceless peasantry without distinction of sex or age.† He fixed his head-quarters for some time at Kilmarnock, where he confined so many prisoners in a low, damp, narrow dungeon that they were unable either to sit or lie, and were not allowed even the most necessary accommodation to preserve cleanliness or decency. A countryman, who was accidentally at Lanark when the insurgents passed through that town, was brought before Dalzell, and because he would not, or rather could not, give information as to the persons he had seen there, he was condemned to be executed on the spot. The poor man earnestly begged one night's reprieve to prepare for eternity, but the brutal commander caused him to be instantly shot, stripped naked, and left lying on the ground. In a fit of intoxication, he caused a son to be hanged, because he refused to discover where his father was concealed. On another occasion he caused a woman, who was supposed to be accessory to the escape of a fugitive covenanter, to be cast into a hole filled with toads and reptiles, where she miserably died. His subordinates strove to rival the brutalities of their commander. One of them, Sir William Bannatyne, caused a woman, who was accessory to her husband's escape, to be tortured by fixing lighted matches between her fingers for several hours, till she lost one of her hands, and died in a few days from the effects of this barbarous treatment.*

The soldiers were permitted to indulge, without check, in every kind of military excess; rapes, robberies, and murders, were committed with impunity; fines were imposed with increased severity; and the needy and unprincipled gentry united with the soldiers in gathering the rich harvest of plunder.† So fierce did the persecution become that many of the covenanters in the western and southern districts abandoned their homes, and sought refuge in caves and coal-pits, while the more timid and temporising conformed to the episcopal system. "All the people," says Burnet, "were struck with such terror that they came regularly to church; and the clergy were so delighted with it that they used to speak of that time as the poets do of the golden age. They never interceded for any compassion to their people, nor did they take care to live more regularly, or to labour more carefully. They looked on the soldiery as their patrons; they were ever in their company, complying with them in their excesses, and (if they were not much wronged) they rather led them into them than checked them for them."‡

Conduct of the curates.

It was an old and sound maxim of the Scottish tribunals, adopted from the Roman law, that no person could be convicted and accused in his absence. So strictly was the letter of this law adhered to, that when persons were accused of treason after death, their bones were presented at the bar;§ and when decrees of forfeiture were pronounced in parliament against the absent, no sentence was passed till the accused had an oppor-

Condemnation of those accused in their absence.

* See Captain Creichton's Memoirs, by Swift.

† It is proper, however, to mention one instance, which shows that Dalzell, in spite of his savage brutality, was not altogether unsusceptible to humane impressions. Captain Paton of Meadowhead, who at Pentland had fought sword in hand with Dalzell, was taken prisoner after the battle of Bothwell Bridge, and carried to Edinburgh. A soldier having upbraided him with being a rebel, he mildly replied, "I have done more for the king than perhaps you have done," referring to the battle of Worcester, where he had fought for Charles. Dalzell, overhearing the conversation, said, "Yes, John, that is true," and, turning to the soldier, struck him with his cane, and told him he would teach him other manners than to abuse such a prisoner. He then expressed his sorrow for Paton's situation, and said he would have set him at liberty if he had met him on the way, and promised that he would yet write to the king for his life. Paton thanked him, but added, "You will not be heard." It is said that he obtained a reprieve for Paton, but he was not able to save his life. Fountainhall says Paton was willing to take the test, but a quorum of the privy council could not be then got to reprieve him. "No doubt," as the editor of Fountainhall remarks, "a quorum could have been easily collected for the purpose of hanging the prisoner." See Scott's Worthies, p. 667; and M'Crie's Miscellaneous Works, pp. 307, 308.

* Naphtali; Wodrow, vol. i. p. 264, *et seq.*

† Sir William Bannatyne, when asked on one occasion by a farmer for what he was fined, frankly replied, "Because you have gear [riches, property], and I must have a part of it."

‡ Burnet, vol. i. p. 349.

§ See *supra*.

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tunity of being heard in their own defence.* It was now resolved, however, to alter this salutary rule, for the purpose of reaching the more opulent of the covenanters, who had withdrawn from the storm, and whose estates, therefore, could not be legally confiscated. The servile judges of the court of session, having been previously tampered with by the officers of state, gave the sanction of their authority to this flagrant violation of law and equity, and declared that the court of justiciary might pronounce sentence of death and forfeiture in the absence of the accused.† So feeble, it has been justly remarked, are the restraints of law, however positive the enactment, in the hands of a venal or corrupt bench. Accordingly, twenty-two gentlemen, accused of being connected with the Pentland rising, were arraigned in their absence, and condemned to be executed whenever apprehended; and their estates were conferred on Dalzell and Drummond, and the officers of state. The next parliament confirmed these infamous proceedings of the justiciary court, and enlarged its powers.

Adoption of milder measures.

A change in the administration took place in 1667, and brought with it a temporary respite to the harassed covenanters. The dismissal of Clarendon, who had been the abettor of the worst measures that had disgraced the Scottish government, deprived the prelates of a staunch and powerful supporter; and an attempt which they made to strengthen their influence by continuing the standing army, and rigorously enforcing that act, hastened their downfall. Rothes, whose indolence and licentiousness fitted him, according to his own account, better than any nobleman in Scotland to be his majesty's representative, had for some time been declining in credit; and the appearance of a Dutch fleet in the Forth, while the army was in the west and the commissioner himself in the north, was dextrously laid hold of by Lauderdale to accelerate his dismissal. He was accordingly deprived of all his offices, except the chancellorship, which was continued to him for life. Sir Robert Murray, who was distinguished for his love of literature and science, as well as for his moderation and integrity, was appointed justice-clerk. The management of the treasury was also committed to him, along with two other commissioners, Tweeddale and Kincardine. The standing army was ordered to be reduced, greatly to the dissatisfaction of the prelates, and of the officers who had shared with the council the plunder of the unfortunate presbyterians.‡ Sharp was disgraced, and ordered to retire to his diocese. Turner and Bannatyne were brought to trial for their extortions and cruelties, and dismissed his majesty's service; and the latter was in addition fined two hundred pounds sterling, and banished the kingdom.* An indemnity also was offered to all concerned in the Pentland insurrection, except those who had been outlawed, on condition of their subscribing a bond to keep the peace; those who refused to do so were to be banished the realm. In spite of this favourable change of affairs, however, the presbyterians still continued to be harassed by numerous petty persecutions; and those who held or frequented conventicles were severely fined if discovered.

Dismissal of Rothes.

An indemnity offered.

The apostasy and perfidy of Sharp had brought him into universal odium, and the severity of the measures which he had originated or recommended had excited the deepest hatred of the party whom he had persecuted with such vindictive malignity. It is not surprising that one of the sect, a fanatical preacher named James Mitchell, should have resolved to take personal vengeance on the prime mover of all their oppressions. Mitchell had been involved in the insurrection at Pentland, and, having been excepted from the indemnity, had taken refuge for some time in Flanders. He returned secretly to Scotland in the beginning of 1668, and being continually harassed by his fears of being taken, he adopted the desperate resolution to avenge his own wrongs, and those of the nation, on the head of the archbishop, whom he regarded as his personal enemy. He, therefore, with the greatest coolness and deliberation, one afternoon in July, 1668, discharged a pistol loaded with three balls at Sharp as he was sitting in his coach in the High Street of Edinburgh. He missed the archbishop, but one of the bullets severely wounded Honeyman, Bishop of Orkney, who was in the act of entering the carriage at the moment. A cry was raised that a man was killed; but when the populace were informed that it was only a bishop, the assassin was allowed to walk deliberately away without interruption;—a striking proof of the detestation in which Sharp and his brethren were held. Mitchell coolly walked to his lodgings, changed his dress, and, returning to the street, mingled with the crowd; and, in spite of the utmost exertions of the council, was not discovered till six years after. Burnet, who "thought it decent to go and congratulate" the archbishop on his narrow escape, says, "He was much touched with it, and put on a show of devotion upon it. He said, with a very serious look, 'My times are wholly in thy hands, O thou God of my life!' This," adds the bishop, "was the single expression savouring of piety that ever fell from him in all the conversation between him and me."†

Attempt on the life of Sharp.

This foolhardy and criminal attempt was entirely Mitchell's own act, and was undertaken without advice or concert with any other person; but it was

* "In all times coming the haill accusation, reasoning, writts, witnesses, and either probation and instruction whatsoever of the crime (of treason) shall be alleged, reasoned, and deduced to the assise *in presence of the party accused in face of judgement, and na otherwise.*"—11th Parl. James vi. chap. xci.

† Sir George Mackenzie's Laws and Customs in Matters Criminal, p. 59; Wodrow, vol. i. p. 286.

‡ Burnet, vol. i. pp. 350—355; Wodrow, vol. i. p. 275.

* Kirkton, p. 270, *et seq.*; Wodrow, vol. i. p. 287.

† Burnet, vol. i. p. 400.

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at first followed by increased severities against the presbyterians, who, without the slightest evidence, were charged with having been privy to the design. It seems, however, to have convinced Sharp himself of the necessity of adopting milder measures; and from this time he offered less opposition to the proposal, which was adopted in the following year, to grant an indulgence to a certain number of the ejected ministers. On the 7th of June, 1669, a royal letter was issued, through the influence of Tweeddale, authorising the council to permit those ousted ministers who had conducted themselves peaceably to return to their former charges, if vacant, and to preach and administer ordinances there as before; or if their old parishes were occupied, to allow patrons to present them to other vacant churches. Of such reinstated clergymen, all who should receive collation from the bishop, and attend the meetings of the church courts, were to be entitled to the full stipend; those who should refuse to acknowledge the bishop's authority were to be entitled only to the manse and glebe, with an allowance out of a fund made up of all the vacant stipends. But they were strictly enjoined not to allow any of the inhabitants of the neighbouring parishes to attend upon their ministry, without the consent of their own pastors. The rest of the indulged ministers, whose former parishes were not vacant, had small salaries of about twenty pounds a year allotted them, till they should otherwise be provided for.*

Restoration of some of the ejected ministers to their churches.

Only forty-three of the ejected ministers, not without hesitation, availed themselves of the indulgence; and their ministrations were attended by a considerable number of the wealthier presbyterians, who readily availed themselves of the permission thus granted them, to worship God according to the forms which they approved; but the great body of the people loudly denounced the indulgence as implying an acknowledgment of the royal supremacy, and of the Erastian powers claimed by the privy council over the Church, and as imposing unlawful restrictions on ministerial liberty. The clergy who accepted the indulgence were accused of time-serving and Erastianism, and received the appellation of "the king's curates," as the episcopal clergy were commonly denominated "the bishop's curates." The opponents of the indulgence were not only superior in numbers, but in energy of character, and in their hold upon the sympathies of the people; and resolutely preferred hardships and dangers, to comfort and ease purchased by what they regarded as a compromise of principle.

The indulgence denounced by the great body of the presbyterians—

The royal letter which contained the indulgence declared, that as all pretexts for conventicles were now taken away, the laws against those who frequented these meetings would henceforth be enforced with all severity; and the acceptance of the indulgence by a portion of the ejected clergy subjected those who conscientiously refused the boon to still more severe persecutions than before. The penalties of fine and imprisonment were rigorously inflicted in numerous instances both against the recusant clergymen and people, but without effect: conventicles and field-meetings became more frequent and numerous than ever.

The indulgence was nearly as much disliked by the bishops as by the more decided presbyterians. As it permitted presbyterian ministers to hold benefices in the Church without acknowledging episcopal authority, it was regarded by the prelates as an encroachment on their privileges, and fraught with danger to their power. Special alarm was felt by the episcopal clergy in the west, where the presbyterians were very numerous; and the synod of Glasgow drew up a strong remonstrance against it, on the ground of its illegality and the fatal effects which it was likely to produce in the Church. On hearing of this remonstrance the council became alarmed, and commanded Archbishop Burnet to give up the papers, which they condemned as illegal, unwarrantable, and dangerous. Burnet was called before the council, and enjoined to confine himself to Glasgow, and shortly after he was compelled to resign his office, which was conferred on Leighton.

—disliked also by the bishops.

The attempt to conciliate the presbyterians was not yet laid aside; and in 1670, finding that in spite of all the stringent measures they had adopted against nonconformity the parish churches were still deserted, the council, by the advice of Leighton, resolved to send a deputation of the ablest of the episcopal clergymen to itinerate in the western districts, and endeavour to persuade the people to return to the bosom of the Established Church. The chief member of the deputation, who were popularly termed the "Bishops' Evangelists," was the celebrated Gilbert Burnet, afterwards Bishop of Salisbury. "The poor of the country," he says, "came generally to hear us, though not in great crowds;" but he admits that this attempt to convert the presbyterians proved a complete failure. "We were indeed amazed," he adds, "to see a poor commonalty so capable to argue upon points of government, and on the bounds to be set to the power of princes in matters of religion: upon all these topics they had texts of Scripture at hand, and were ready with their answers to anything that was said to them. This measure of knowledge was spread even among the meanest of them, their cottagers, and their servants."*

The bishops' evangelists.

The failure of this effort to conciliate the staunch covenanters of the west did not prevent the pious and amiable Leighton from making another attempt to reconcile the presbyterians to the episcopal system. Up to this period, no material innovation had been made in the rites and ceremonies of the Church. In some churches portions of the liturgy were read, but the prayers were still

* Kirkton, pp. 258, 289.

* Hist. vol. i. p. 451.

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in most cases extempore; the sacraments were administered without kneeling or the sign of the cross; the surplice was not worn by the ministers; and the offensive customs introduced by James VI. were not generally revived. The main objection to the existing system was connected with the government of the Church; and Leighton proposed to obviate this by his famous "Accommodation," the object of which was to combine presbytery with a moderate episcopacy. The meetings of presbytery were to be kept up; the bishop was to act merely as president or perpetual moderator, and was not to be allowed a vote in the proceedings. All matters were to be decided by the votes of the majority; the bishops were not to ordain without the consent of the presbytery; the presbyterian ministers were to be allowed to declare at their first sitting that they submitted to the presidency of the bishop, for the sake of peace, with a reservation of their opinions respecting the lawfulness of such an arrangement. Once in three years provincial synods were to be held, in which complaints against the prelates might be received, and censure administered. This well-meant scheme of comprehension bore the impress of the character of its benevolent author, but it gave satisfaction to neither party. The presbyterians regarded it as a snare to entrap them into subjection to the prelates, and an acknowledgment of the main principles of episcopacy;* and they believed that the result of their acceding to the proposed accommodation would be, not the amalgamation of the two systems, but the total extinction of presbytery as soon as the present generation had passed away. The prelates, on the other hand, were quite as unwilling to throw open the doors of the Established Church as the presbyterians were to enter within its pale. The primate and his brethren regarded the scheme as a plot to subvert episcopacy, and to establish presbytery on an Erastian foundation. After several fruitless conferences, therefore, "the treaty was broken off, to the amazement of all sober and dispassionate people, and to the great joy of Sharp and the rest of the bishops." †

Leighton's scheme of accommodation—

—its failure.

After a lapse of eight years a new parliament was assembled at Edinburgh, October 16th, 1669, and Lauderdale was sent down as commissioner. The Estates displayed their usual servility, and passed without scruple two acts fraught with the most dangerous consequences to the civil and ecclesiastical liberties of the nation. By the first it was declared that the external government and regulation of the Church was an inherent right of the crown, and that whatever directions his majesty should send to his privy council respecting ecclesiastical matters, meetings, and persons, should have the force of law. The other act regarded the militia, which had already been embodied and armed by the council, in consequence of the offer of an army by the late parliament. The conduct of the council was approved of. It was ordered that twenty-two thousand men should be constantly armed and regularly disciplined, and that on receiving orders from the council they should march into any part of the king's dominions whenever the royal authority or honour might require them; and Lauderdale boasted, and not without reason, of the services he had rendered the king by procuring these enactments. His majesty's absolute supremacy over the Church was now established; and he might, by his royal edict, establish popery or any other system of religion he thought proper. A numerous and well-disciplined force, also, was ready at his call to march into England in support of his arbitrary designs against the ecclesiastical and civil liberties of his kingdom. These laws were highly agreeable to the king, and so greatly increased Lauderdale's credit at court, that he now became virtually sole minister for Scotland. On his return to London he was cordially welcomed by the king; his services were rewarded by his admission to a share in the English government; and he became a member of that infamous cabinet known by the name of the Cabal, which was at that time plotting the overthrow both of the independence and liberties of the kingdom.

Meeting of parliament.

Acts respecting the royal supremacy, and the militia.

An attempt was at this time made by Tweeddale to bring about a union of the two kingdoms. The project was utterly inconsistent with Lauderdale's policy, but, in order to serve his own selfish ends, he pretended to give it encouragement, and commissioners for a treaty of union were accordingly appointed by his majesty. Various conferences on the subject were held in London, but the English commissioners insisted that only a limited number of the Scottish members should be admitted into the united parliament, proportioned to the wealth and population of the country; while the Scottish commissioners refused to accede to a union unless the Scottish Estates were preserved entire, and the two parliaments incorporated into one. The project, therefore, fell to the ground.

Abortive proposal for the union of the two kingdoms.

During the recess of parliament the council issued a severe proclamation against conventicles, and instructed the military to disperse the meetings, and to apprehend the ministers and principal persons present. When the Estates reassembled (July 28th, 1670) several most oppressive and sanguinary acts were passed against all who refused to conform to the Established Church. Ruinous fines were imposed upon those who attended presbyterian meetings, even in houses; and husbands were rendered responsible for their wives, fathers for their children, masters for their servants, and magistrates for the burghs in which such meetings were held. Field conventicles subjected the minis-

Severe acts against conventicles.

* Wodrow, vol. ii. p. 177.
† Burnet, vol. i. p. 514.

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ters to the penalty of death and confiscation of goods; the hearers to double fines, and the penalties of sedition; and house-meetings were to be regarded and punished as field conventicles, if any persons were assembled without at the doors or windows. A reward of five hundred marks Scotch was offered to those who should seize the offenders, or an indemnity for their slaughter. It was also enacted that whoever refused to give information on oath against delinquents should be punished by imprisonment, arbitrary fines, and banishmen to the plantations; and the privy council was enjoined to enforce the act with the utmost rigour against all who declined to turn informers against their friends. The Roman Catholics were expressly exempted from the penalties inflicted upon protestants who dissented from the episcopalian church. The young Earl of Cassillis was the only member of this servile parliament who had the courage to vote against these infamous enactments. It is said that Charles himself was dissatisfied with the statute which denounced the penalty of death upon the preachers who frequented conventicles, but he took no steps to procure its repeal.

The sanguinary edicts of the parliament and council against conventicles entirely failed to suppress these meetings. The more they were forbidden and punished, the more they multiplied and grew; and they were now attended by many who, according to the customs of the times, bore arms for the purpose of repelling force by force in case they should be attacked. In course of time the communion also was celebrated in the open fields, and was attended by vast multitudes of sufferers, to whom such seasons were indeed "times of refreshing from the presence of the Lord." The following beautiful description of a covenanters' communion, held in 1677 at East Nisbet, in the Merse of Berwickshire, from the pen of the Rev. John Blackadder, who was present on the occasion, gives a very striking picture of the character and feelings of the men whom their enemies have delighted to portray as violent and vulgar fanatics:—

A covenanters' communion.

"It was rumoured that the Earl of Home intended to assault the meeting with his men and militia, and that parties of the regulars were coming to assist him. He had profanely threatened to make their horses drink the communion wine, and trample the sacred elements under foot. Most of the gentry there, and even the commonalty, were ill-set. Upon this we drew hastily together about seven or eight score of horse, on the Saturday, equipped with such furniture as they had. Pickets of twelve or sixteen men were appointed to reconnoitre and ride towards the suspected parts. Single horsemen were dispatched to greater distances, to view the country and give warning in case of attack. The remainder of the horse were drawn round to be a defence at such distance as they might hear sermon, and be ready to act if need be. Every means was taken to compose the multitude from needless alarm, and prevent, in a harmless defensive way, any affront that might be offered to so solemn and sacred a work. Though many, of their own accord, had provided for their safety—and this was the more necessary when they had to stay three days together, sojourning by 'the lions' dens and the mountains of leopards' —yet none had come armed with hostile intentions.

"We entered on the administration of the holy ordinance, committing it and ourselves to the invisible protection of the Lord of Hosts, in whose name we were met together. Our trust was in the arm of Jehovah, which was better than weapons of war, or the strength of hills. The place where we convened was every way commodious, and seemed to have been formed on purpose. It was a green and pleasant haugh, fast by the water-side [the Whitadder]. On either hand there was a spacious brae, in form of a half round, covered with delightful pasture and rising with a gentle slope to a goodly height. Above us was the clear blue sky, for it was a sweet and calm Sabbath morning, promising to be indeed one of the days of the Son of man. There was a solemnity in the place befitting the occasion, and elevating the whole soul to a pure and holy frame. The communion tables were spread on the green by the water, and around them the people had arranged themselves in decent order. But the far greater multitude sat on the brae face, which was crowded from top to bottom—full as pleasant a sight as ever was seen of that sort. Each day, at the congregation's dismissing, the ministers with their guards, and as many of the people as could, retired to their quarters in their several country towns, where they might be provided with necessaries. The horsemen drew up in a body till the people left the place, and then marched in goodly array behind at a little distance, until all were safely lodged in their quarters. * * * * From Saturday morning, when the work began, until Monday afternoon we suffered not the least affront or molestation from enemies, which appeared wonderful. At first there was some apprehension, but the people sat undisturbed, and the whole was closed in as orderly a way as it had been in the time of Scotland's brightest noon. And truly the spectacle of so many grave, composed, and devout faces must have struck the adversaries with awe, and been more formidable than any outward ability of fierce looks and warlike array. We desired not the countenance of earthly kings; there was a spiritual and divine Majesty on the work, and sensible evidence that the great Master of assemblies was present in the midst. It was indeed the doing of the Lord, who covered us a table in the wilderness in presence of our foes; and reared a pillar of glory between us and the enemy, like the fiery cloud of old that separated between the camp of Israel and the Egyptians—encouraging to the one, but dark and terrible to the other. Though our vows were not offered within the courts of God's house, they wanted not sincerity of heart,

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which is better than the reverence of sanctuaries. Amidst the lonely mountains we remembered the words of our Lord, that true worship was not peculiar to Jerusalem or Samaria; that the beauty of holiness consisted not in consecrated buildings or material temples. We remembered the ark of the Israelites, which had sojourned for years in the desert, with no dwelling-place but the tabernacle of the plain. We thought of Abraham and the ancient patriarchs who laid their victims on the rocks for an altar, and burnt sweet incense under the shade of the green tree.

"The tables were served by some gentlemen and persons of the gravest deportment. None were admitted without tokens,* as usual, which were distributed on the Saturday, but only to such as were known to some of the ministers, or persons of trust, to be free of public scandals. All the regular forms were gone through. The communicants entered at one end, and retired at the other, a way being kept clear to take their seats again on the hill-side. Mr. Welsh preached the action sermon,† and served the first two tables, as he was ordinarily put to do on such occasions. The other four ministers, Mr. Blackadder, Mr. Dickson, Mr. Riddell, and Mr. Rae, exhorted the rest in their turn; the table service was closed by Mr. Welsh‡ with solemn thanksgiving; and solemn it was, and sweet, and edifying to see the gravity and composure of all present, as well as of all parts of the service. The communion was peaceably concluded, all the people heartily offering up their gratitude, and singing with a joyful voice to the Rock of their salvation. It was pleasant, as the night fell, to hear their melody swelling in full unison along the hill, the whole congregation joining with one accord, and praising God with the voice of psalms.

"There were two long tables, and one short across the head, with seats on each side. About a hundred sat at every table. There were sixteen tables in all, so that about three thousand two hundred communicated that day."§

Evil influence of Lady Lauderdale.

The government of Lauderdale, though very acceptable to the court, was exceedingly distasteful, not only to the covenanters, but to many of the nobility and gentry who had no sympathy with the presbyterian faith. His character, indeed, had now undergone a marked change for the worse, partly no doubt from the deteriorating effect of the flagrant corruption and debauchery which prevailed at court, but partly also from the influence of Lady Dysart,* whom he afterwards married, only six weeks after the death of his wife. This notorious personage was a woman of great beauty, wit, spirit, and accomplishments; but extravagant in her expenditure, venal and rapacious, and possessed of a violent temper and a restless ambition. She soon acquired a complete ascendancy over Lauderdale; and by her combined violence and rapacity contributed greatly to degrade his character and government in public estimation. She insinuated into his dark and irritable mind suspicions of his colleagues; induced him to quarrel successively with his best friends; and thus removed every check upon his depraved and furious passions. To supply her profusion and satisfy her ravenous greed of money, the most important offices were put up for sale; and the privy council and the courts of justice were filled with her husband's creatures.

Monopoly of offices of state by Lauderdale's creatures—

He himself was high commissioner, president of the council, secretary of state, one of the commissioners of the treasury, governor of the Castle of Edinburgh, agent at court for the royal burghs, and one of the four extraordinary lords of session. His brother, Lord Hatton, was treasurer-depute, master of the Mint, and one of the lords of session. Atholl was privy seal, justice-general, captain of the king's guard, and one of the extraordinary lords of session; so was Kincardine, who was also one of the commissioners of the treasury, and vice-admiral of Scotland. The revenues of the crown were engrossed by Lauderdale and his friends, and, though augmented by an assessment of seventy-two thousand pounds, were insufficient to support his profusion. His salary was sixteen thousand pounds sterling, and the donations which he received amounted to twenty-six thousand pounds. A most lucrative source of income was the penalties imposed upon those who were found guilty of attending conventicles. The fines exacted from the nonconformists within particular districts were frequently farmed out, or assigned to Lauderdale's dependents. Atholl, the justice-general, received for his own share, in one week, the sum of nineteen hundred pounds sterling. Upwards of thirty thousand pounds sterling were extorted from ten gentlemen, in the county of Renfrew, in the course of three years. One of these, Sir George Maxwell, for three years' absence from the parish church, attendance at a conventicle during that time, and for three baptisms in his family, had incurred penalties amounting to nearly nine thousand pounds sterling. One gentleman whose wife had attended a field-meeting, and another, who was a youth from school, compounded for fifteen hundred pounds. The estates of those who withdrew from the country to escape persecution

—their rapacity.

* Small pieces of metal given to those who were judged fit to be admitted to the communion, in order to guard against the admission of improper persons.

† The sermon which precedes the communion.

‡ The ejected minister of Irongray, and great grandson of the illustrious reformer John Knox.

§ Crichton's Memoirs of Blackadder, pp. 197—206; M'Crie's Sketches, vol. ii. pp. 142—147. It may be proper to state that the five ministers who officiated at this communion all belonged to the moderate party among the presbyterians, and yet four of the number were afterwards imprisoned on the Bass Rock merely for preaching at conventicles; and Mr. Blackadder, the writer of the above description, died there of a disease contracted in that damp and unwholesome prison.

* Lady Dysart was the eldest daughter of William Murray, who was page and whipping-boy to Charles I., and in that capacity had to bear the chastisement which his young master merited from his tutor.

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were plundered and wasted, and not a few were completely ruined.

Corruption of the courts.

In every department of the government the most shameless corruption was openly practised. The judges were either ignorant or unprincipled. Merchants, country gentlemen, and collectors of revenues, were elevated to the bench; and bribery, favouritism, and partiality prevailed to an extent hitherto unequalled even in Scotland. In spite of repeated statutes forbidding the practice under heavy penalties, protections from arrestments for debt were openly sold for five pounds a-piece. The justiciary court was infected with the same abuses as the civil courts, and was, if possible, more subservient to the crown. The nobility, proud and needy, and most of them immersed in debt, had sunk into the condition of mean and obsequious dependents of Lauderdale; while the greater part of the gentry, in whom the spirit of piety and independence still lingered, were excluded by the obnoxious tests from all offices of trust or influence.

Depressed state of trade.

The trade and commerce of the country, too, were in the same deplorable condition. The most oppressive monopolies were created for the benefit of Lauderdale and his creatures. A prohibitive duty was imposed on foreign salt; the monopoly of the home trade was conferred on Lord Kincardine, and this necessary article immediately rose to five times its original price, while the quality was deteriorated and the supply deficient. The importation of brandy was prohibited; and Lord Elphinston, the son-in-law of Hatton, obtained a large revenue by granting licenses to importers. The monopoly of tobacco was in the same way conferred on Sir John Nicholson. Sir Andrew Ramsay, the provost of Edinburgh, in consideration of a handsome present made to Lauderdale, received a gift of the duties on ale and wines consumed within the city. And others of the duke's relatives, dependents, and even servants, were enriched by similar donations. The silver coinage issued by the Mint, of which Hatton was governor, was both adulterated and reduced in weight; and a light and spurious copper coinage was sent forth by the same authority, to the great injury of trade.

Monopolies.

Meanwhile the same arbitrary policy was pursued in England, though more covertly, under the auspices of the notorious Cabal ministry, of which Lauderdale was a member. By a secret treaty made with the French king, Charles, become the pensioner of France, bound himself to make public profession of the Roman Catholic religion, and to assist Louis in his designs against Holland, and in his claims to the Spanish monarchy; while Louis, on the other hand, promised to assist in suppressing any insurrection that might break out in England. The measures of Lauderdale, therefore, were peculiarly acceptable to the king and his ministers at this juncture. They fondly hoped that Scotland would be a convenient instrument in promoting their arbitrary and unpatriotic schemes, and that the army which the Scottish parliament had placed at the king's service would support his nefarious attacks upon the religion and liberty of England. This expectation was fortunately disappointed. The want of funds to carry on the war with Holland compelled the king to convoke the English parliament. The domestic and foreign policy of the Cabal was instantly assailed by the House of Commons, and the dismissal of Buckingham and Lauderdale from his majesty's councils was demanded with such vehemence, that Charles was compelled to yield. The Cabal was dissolved, and its policy abandoned for a time; but Lauderdale preserved his place in the royal favour, and still continued to be minister for Scotland, with which the English parliament could not interfere.*

The Cabal ministry—

—its overthrow.

On his return to Scotland, Lauderdale found, to his great surprise, that his arbitrary and rapacious conduct had excited a strong opposition even in the servile parliament of that country. As soon as the Estates assembled, the king's letter was read recommending great severity in the execution of the laws against the nonconformists, and requesting an additional subsidy for the prosecution of the Dutch war. It was proposed that a committee should be appointed to return an answer in the usual submissive form, when, to the astonishment and chagrin of the commissioner, the Duke of Hamilton † demanded that the grievances of the nation should first be inquired into. His proposal was instantly supported by a large number of members, who rose in succession and complained of the monopolies of brandy, salt, and tobacco; of the administration of justice, and the adulteration of the coin. A warm debate ensued, which Lauderdale endeavoured by haughty menaces to stop. But Sir Patrick Hume indignantly demanded whether or not this was a free parliament; and the ministerial supporters, daunted by this firm procedure, adjourned for a week.

Opposition to Lauderdale's administration—

At the next meeting Lauderdale endeavoured to conciliate the opposition by abolishing the monopolies. Hamilton and his friends, however, declared they could not be satisfied with this concession unless the author of these odious measures and his minions were removed from office, and punished; and they insisted on the necessity of providing security against such abuses in future, of placing upright judges on the bench, and reforming the Mint; but, strange to say, they did not venture to mention the persecution of the presbyterians—the

—his attempt to conciliate his enemies.

* Scotland's Grievances under the Duke of Lauderdale; Wodrow, vol. i., Appendix; M'Kenzie, p. 242, *et seq.*; Burnet, vol. ii. p. 84.

† This nobleman was a younger son of the powerful family of Douglas, who had married the daughter of James, first Duke of Hamilton, beheaded for his adherence to Charles I., and obtained along with her the vast estates of the family, and was created Duke of Hamilton for life.

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worst of the grievances under which the nation laboured. Lauderdale, finding that in the present temper of the Estates there was no hope of managing them, adjourned the parliament for two months. The malcontent nobles hastened to court to lay their grievances before the king. As the English parliament had renewed their demand that the duke should be removed from all his offices, Charles was forced to use conciliatory language; and he dismissed Hamilton and his associates with the strongest assurances that the redress of their grievances should be left to the parliament. Relying on his majesty's word, they hastened down amidst a tremendous snow-storm, to concert with their friends in Scotland their mode of procedure for the coming session. On their arrival the parliament met, but was immediately adjourned by the king's command. It was shortly afterwards dissolved, and no other meeting of the Estates was ever called during Lauderdale's administration.

Duplicity of the king.

Dissolution of the parliament.

Indignant at this breach of faith, Hamilton and his friend again proceeded to court, but all their attempts to obtain redress were fruitless. They were insidiously required to state their complaints in writing, which would have rendered them liable to the penalties of leasing-making; and as they could not confide in the king's assurance that their memorial would not be brought against them as a crime, their grievances were communicated only by an anonymous letter, which was of course disregarded. Their complaints, however, were published in pamphlets, and led to a renewal of the demand on the part of the English parliament for Lauderdale's removal from office. A committee was also appointed to inquire into the act authorising the Scottish army to march wheresoever the privy council of Scotland should appoint; and the design of the Cabal to call in the aid of the Scottish forces to support their nefarious designs against the Protestant religion, and the liberties of England was fully brought to light. But Lauderdale was a minister after the king's own heart, and this attack upon his policy served only to fix him more firmly in the confidence of his sovereign. He was confirmed in his offices, and all his opponents, except Hamilton, were expelled from the council.

Attack on Lauderdale by the English House of Commons—

A private lawsuit between two noblemen, the Earls of Dunfermline and Callender, afforded him an opportunity of triumphing over the bar, as completely as he had done over the opposition of the nobles. Dunfermline, an uncle of Lauderdale, attempted, by an appeal to the courts of law, to strip Callender, who had married Hamilton's cousin, of half his estate. Lauderdale espoused the cause of his relative with his habitual violence, and determined before his departure for London to influence the decision of the court in his favour by his vote and presence on the occasion as an extraordinary lord of session. The case was hurried on and decided in spite of a recent statute which expressly provided that every cause should be heard according to the date of its enrolment. By advice of Callender's counsel, an appeal to parliament was immediately lodged. This attempt, though not without precedent, was keenly resented both by Lauderdale and the judges. The appellant's counsel, Lockhart and Cunningham, two of the most eminent lawyers of the day, were required to swear to the advice they had given, and on their refusal to comply with this arbitrary mandate, and to disavow the right of appeal, they were expelled from the bar along with fifty advocates who adhered to them, and were banished by the king's orders twelve miles from the capital. After a year's exile they were permitted to return on submitting themselves to the king's mercy, and making an evasive acknowledgment that the decisions of the court of session were not suspended by an appeal to parliament.*

—his tampering with the courts of law—1674.

Expulsion and banishment of the lawyers.

During their exclusion from their professional duties, the refractory advocates took measures to secure their interests with the burghs, that they might be chosen to represent them in parliament. But when the convention of burghs met in Edinburgh, they received a royal mandate enjoining them to revive an obsolete regulation against the return of commissioners not engaged in trade as their representatives. The reply of the convention respectfully adhering to the existing mode of election was condemned as seditious, and the provosts of Glasgow, Aberdeen, and Jedburgh, were imprisoned and fined. Twelve of the chief magistrates of the capital were declared incapable of all public office, though their only crime had been their want of subserviency to Ramsay, then provost, a bankrupt trader, and a creature of Lauderdale's, who for a bribe had appointed him a lord of session. Twelve noblemen or gentlemen, opponents of the commissioner, were ejected from their houses, which were converted into garrisons for the suppression of conventicles; and Sir Patrick Hume, for protesting again this illegal procedure, was imprisoned and declared incapable of any public trust. Lord Cardross was fined in a thousand pounds, because some peasants had rescued his chaplain from a troop of soldiers who had illegally seized him, and had broken into his lordship's house by night and insulted his lady. A still more shameful act of oppression was perpetrated by Sharp and the privy council, in the case of Baillie of Jerviswood. Carstairs, a spy of the primate's, had inveigled Kirkton, a clergyman, and the author of the "Church History," into his lodgings, and endeavoured, under pretext of a warrant from the council, to extort money for his release. When Baillie, Kirkton's brother-in-law, discovered his detention, he burst

Interference with the rights of the burghs.

Renewed persecution of the presbyterians.

* Mackenzie, p. 217; Laing, vol. ii. p. 70.

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open the door of the house, and released him. To punish Baillie for his interference, Sharp antedated a warrant for Kirkton's arrest, and having obtained the signatures of nine councillors to it, delivered it to Carstairs. Supported by this forged document, this infamous person procured the conviction of Baillie for obstructing him in the discharge of his duty; and that gentleman was amerced in five hundred pounds and imprisoned for a year. The Duke of Hamilton, the Earls of Morton, Dumfries, Kincardine, Lords Cochrane and Primrose, were removed from the council for their opposition to this scandalous sentence.*

Warrant forged by Sharp and nine members of council.

During the attack upon Lauderdale's administration the persecution of the covenanters was somewhat relaxed, but as soon as all opposition was surmounted, the commissioner, stimulated by the loud complaints of the prelates, the jealousy of the sovereign, and his own savage temper, resumed his oppressive measures with greater severity than ever. Many of the attendants on conventicles refused to appear before the privy council, knowing that they were certain to be imprisoned; recourse was, therefore, had to an obsolete mode of oppression termed "letters of intercommuning," by which the absent were outlawed, and all who held intercourse with them were rendered liable to the same punishment. Even their nearest relatives were forbidden to "furnish them with meat, drink, house, harbour, victuals, or any other thing useful or comfortable to them; or to have intelligence with them by word, writ, or message, or any other manner of way." At least seventeen thousand persons, of both sexes, including gentlemen, clergymen, and even ladies of rank, were by this iniquitous act deprived of the protection of the law, and excluded from the benefits of society. Multitudes were shut up in the fortress on the Bass Rock, and left there neglected and forgotten for years, to pine in want and wretchedness. Some were even sold as recruits for the French service.†

Letters of intercommuning issued.

The primate was generally regarded as the author, or instigator, of the most cruel and oppressive measures against the covenanters; and an event which occurred at this time showed that (as a bitter enemy of the presbyterians is forced to admit) Lauderdale "was as much destitute of truth and honour as of lenity of justice," and the remark may with equal truth be applied to Sharp.

Six years after the attempt which Mitchell made upon his life in the High Street of Edinburgh, the primate happened to notice a man who was observing him narrowly, and dreading lest another attempt at assassination should be made, caused him to be arrested and examined. Two loaded pistols were found upon his person; and, as Sharp imagined he recognised the features of the assassin who had formerly attempted his life, Mitchell was concluded to have been the author of that attempt. There was no proof against him, however; and Sharp, anxious to ascertain the extent of his danger, offered to procure the prisoner's pardon if he should confess his guilt and make a full disclosure of his accomplices, and the extent of the conspiracy against the archbishop. Mitchell, however, knew with whom he had to deal, and refused to make any acknowledgment of guilt unless he had official assurance of pardon. He was produced before the council, but they failed to extract a confession from him. At length the lord-chancellor took him apart, and declared, "upon his great oath and reputation," that he would save Mitchell's life if he would confess the fact. The result of the negotiation is thus stated in the minutes of council dated 12th March, 1674. After mentioning Mitchell's refusal to confess, it goes on to say, "But all having retired, apart with one of the said committee, he did then confess, upon his knees, he was the person—upon assurance given him by one of the committee as to his lyfe, who had warrand from the lord-commissioner and council to give the same—and did thereafter freely confess before all the lords that were on the said committee, that he shott the said pistoll at the said archbishop, and did subscrybe his confession in presence of the said committee, which is also subscrybed by them."* Mitchell's defence of his conduct affords a very instructive proof that the shocking misgovernment of the country had a powerful tendency to produce a complete disorganisation of society, and the subversion of all right notions respecting social and moral obligations. Sharp, he argued, was labouring with all his might to destroy the covenant, while he, on his part, was waging a war of extermination against prelacy; they were, therefore, declared enemies to each other; and, there being no capitulation between them, they were entitled, like hostile soldiers, to use every opportunity to slay each other. Sir William Sharp, the primate's brother, and his servants, had seized Mitchell without any warrant, and this illegal proceeding he regarded as a perfectly natural and justifiable act of hostility, and just the counterpart of his own attack upon the archbishop. Sir William, he says, "desired I would excuse him, seeing what he had done was on his brother's account, which excuse I easily admitted seeing that he thought himself obliged to do what he did to me without law or order, in the behalf of his brother—much more," he adds, with the curious moral obliquity which his reasoning throughout displays, "was I obliged to do what I did, in the behalf of many brethren whose oppression was so great, and whose blood he caused to be shed with such abundance."

Arrest of James Mitchell—

—his confession on promise of pardon—

The council believed that there was a widely ramified conspiracy against the primate, and expected, through Mitchell's confession, to obtain a discovery

* Burnet, vol. ii. pp. 111, 118, 156.

† Ibid., vol. ii. p. 167; Wodrow, vol i. pp. 427, 432, 441.

* Burnet, vol. i. p. 176; Burton's Criminal Trials, vol. ii. p. 226.

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of the entire plot; when, therefore, they found that only one person, then dead, had been privy to the design, their rage and disappointment knew no bounds. They next produced the prisoner before the justiciary court, and required him to renew his confession, intending, it is said, to punish him by imprisonment, or mutilation of his right hand. But on being placed at the bar, one of the judges, who hated Sharp, in passing to the bench whispered to the prisoner, "Confess nothing unless you are sure of your limbs as well as of your life." Alarmed at this hint, Mitchell refused to repeat, or judicially subscribe, his confession, knowing that without this it could not be brought forward as legal evidence against him. The council, taking offence at this refusal, declared that since Mitchell had retracted his confession they likewise recalled their promise of pardon—"the meaning of which," says Burnet, "was this, that if any other evidence was brought against him the promise should not cover him; but it was still understood that this promise secured him from any ill effect by his own confession."*

—promise of pardon revoked—

Whatever was the ultimate intention of the council, Mitchell was sent to prison, and remained there two years loaded with irons. In 1676 he was again brought before the council, under pretence that he had been concerned in the Pentland insurrection; but he still resolutely adhered to his refusal to become his own accuser. The president, pointing to the instruments of torture, said, "Ye see what is on the table before ye. I shall see if that can cause ye do it." But Mitchell's resolution continued unshaken. The executioner was then called in, and having bound the prisoner in an arm-chair, asked which of his legs he should put in the boot. He was told that he might take his choice. "Since the judges have not determined," said the indomitable prisoner, stretching forth his right leg, "take the best of the two; I willingly bestow it in the cause for which I suffer." The executioner then enclosed the leg and knee within the boot, or case, and placing a wedge between the knee and the edge of the machine, took a mallet in his hand, and, at a signal from the president of the council, brought it down upon the wedge, and forcing it between the knee and the boot, occasioned the most exquisite pain. After every stroke the tortured wretch was asked if he had any more to say, but his unvarying reply was, "No more, my lord." At the ninth stroke he fainted through agony. "He is gone, he is gone!" exclaimed the executioner. On recovering from his swoon, the prisoner was carried off to prison in the chair in which he had suffered, and was afterwards sent to the Bass, where he lay two years longer in confinement.

—he is put to the question.

To obtain from Mitchell any confession of a conspiracy having now become hopeless, he was at length brought to trial in January, 1678, at the instigation of Sharp, for the offence committed ten years previously. The only means of obtaining a conviction against him was by the production of his confession before the privy council; but as the promise of safety with which that confession was accompanied was inserted along with it in the minutes of the privy council, the original document could not be produced; and a garbled extract, attested by Rothes, the chancellor, and other members of the council, was brought forward and read. Rothes, Hatton, Lauderdale, and Sharp were then successively adduced as witnesses in support of the prosecution; and each on being cross-examined solemnly denied on oath that any assurance of safety had been given to the prisoner. Mitchell's counsel, George Lockhart, an eloquent and skilful lawyer, produced and read a copy of the act of council containing the promise of pardon, which had been given to him privately by the justice-general, Primrose; and urged that the original record should be laid before the court. But the demand was overruled at the instance of Lauderdale, who declared in his usual imperious strain, that the books of council contained the secrets of the king, which no court should be permitted to examine.* The prisoner was accordingly condemned to be executed, and sentence of death was pronounced upon him, by the very judge who had furnished his counsel with the copy of the act of council containing the promise of pardon.

Perjury of Rothes, Hatton, Lauderdale, and Sharp.

As soon as the court rose, the four lords went into the council chamber, and examined the books of council where the evidence of their perjury was recorded. The fact could not be denied; but each, as is usual in cases of detected villany, endeavoured to shift the blame from himself. An attempt was made to screen the council at the expense of the clerk, who wrote the minutes; but he luckily discovered that the act of council was drawn up by Nesbit, the late lord-advocate,† from whom the council proposed to levy a heavy fine. But he in turn brought forward nine privy councillors, who offered to swear that an assurance of life had been confirmed to Mitchell by the council before it was engrossed in its records, and also produced a letter written by Hatton, in which the promise of life was distinctly mentioned ‡ In these circumstances Lauderdale

* Burnet, vol. i. p. 177; M'Crie's Sketches, vol. ii. p. 152. Mitchell in his own account of his treatment describes "the lords justiciaries obscuring themselves by putting their hands upon their faces, and leaning upon their hands upon the table." "Surely," as Mr. Burton remarks, "anything more humiliating to the position of a bench of British judges than that they shrank from the eye of the accused, could scarcely be recorded."

* Primrose had recently been removed from the office of clerk-register, a lucrative place, which was nominally given to another, but the profits were seized by the rapacious Duchess of Lauderdale. He was made justice-general to stop his mouth. Probably his dissatisfaction with this change induced him to send privately a copy of the act of council to Lockhart, though he wanted the honesty and courage to attest the fact in open court.

† Nesbit was removed from office because he was rich and had refused a sum of money to the Duchess of Lauderdale.

‡ After the downfall of Lauderdale, William Noble of Dunnottar, a member of the parliament which met in 1681.

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was inclined to grant the prisoner a respite; but the unrelenting primate insisted upon the execution of the sentence as the only way of securing his own life against a repetition of similar attempts.

Mitchell's execution.

"Then," said Lauderdale, with his usual coarseness and profanity, "let Mitchell glorify God in the Grass-market;" and he was executed accordingly.* This unhappy man was undoubtedly a dangerous fanatic, whose crime, if it had been legally proved against him, merited condign punishment; but his fault is almost lost sight of in the complicated perjury, cruelty, and treachery displayed by the members of the government who brought him to the scaffold, and which rendered them the objects of universal horror and execration.†

At this period Lauderdale was called up to London, and there is strong reason to believe that one object of his visit was to concert means for affording the king a pretext to keep on foot a powerful army to bring England into subjection; and the infamous expedient adopted was to excite a revolt among the Scottish presbyterians.‡ With this view, on Lauderdale's return to Scotland, the gentlemen throughout the western counties, where conventicles were most numerous, were required to enter into bonds that their families, domestics, tenants, and all persons residing on their estates should not withdraw from their parish churches, or attend conventicles, or succour field preachers, or persons intercommuned, under the same penalties which the delinquents themselves incurred. On the refusal of the greater part of the gentry to enter into bonds which they regarded as both illegal and impracticable, Lauderdale declared the western districts in a state of revolt; and by the express command of the king, English forces were directed to march to the Borders, a body of Irish troops to the opposite coast, and eight thousand wild Highlanders were brought down from the mountains to live at free quarters in the western counties, with full licence to plunder the defenceless inhabitants at their pleasure. These lawless savages, besides their usual weapons, were armed with spades, shovels, and mattocks, and with daggers made to fasten to the muzzles of their guns, iron fetters for binding their prisoners, and thumb-locks to compel them to answer any question proposed to them, and to discover their hidden money or goods. "The obnoxious counties," says an historian very friendly to the Stewarts, "were the most populous, and most industrious in Scotland. The Highlanders were the people the most disorderly, and the least civilised. It is easy to imagine the havock and destruction which ensued. A multitude not accustomed to discipline, averse to the restraint of laws, trained up in rapine and violence, were let loose amidst those whom they were taught to regard as enemies to their prince and to their religion. Nothing escaped their ravenous hands: by menaces, by violence, and sometimes by tortures, men were obliged to discover their concealed wealth. Neither age, nor sex, nor innocence afforded protection."* Their depredations extended even to pots, pans, gridirons, shoes, and every other portable article of household furniture or bodily clothing. Travellers were even stopped on the highway, and stripped of their clothes by these licensed banditti.† The labours of the field were suspended, as the farm horses were seized to transport their plunder to their highland fastnesses; and the most fertile districts in Scotland were converted into a wilderness. "Better, however," said Lauderdale, when he was informed of these ravages, "that the west bore nothing but windle-straws and sand laverocks,‡ than that it should bear rebels to the king."

Bonds demanded from the gentry, and refused.

Irruption of the Highland host.

A committee of the council accompanied the Highland host to enforce the bonds; but the gentry of the west still persisted in their refusal. The failure of his oppressive measures irritated the savage temper of Lauderdale almost to madness and at a meeting of the council he bared his arms above the elbows, and swore by Jehovah that he would compel subscription to these bonds. Those who still refused were not only ignominiously deprived of their saddle-horses and arms, but were subjected to a novel mode of legal persecution.

Writs of law-burrows issued.

brought a charge of perjury against Hatton before the lords of the articles, and produced Hatton's own letter in support of the charge. At the same time, Lord Bargeny accused him of suborning witnesses to give false evidence against his life. But both charges were suppressed by the Duke of York.

* Burnet, vol. ii. p. 80; Wodrow, vol. i. pp. 375—377, and 510—513; Burton's Criminal Trials, vol. ii. pp. 220—231; MS. Narrative of the Trial in the Library of the Writers to the Signet, Edinburgh. Sir George Mackenzie, the new lord-advocate, was Mitchell's counsel in the former trial, and, therefore, could not have been ignorant of the promise to preserve the prisoner's life; yet, in attempting to vindicate the conduct of the government, he has had the baseness to affirm that "the registers of council were produced, but nothing of a promise was made to appear by either." (Sir G. Mackenzie's Works, vol. ii. p. 343.) Whereas the records of the trial prove that the books of council were not produced; and these books, which are still in existence, do contain a promise of life to Mitchell, and furnish an incontestable proof of the perjury and treachery of the four members of the privy council, as well as of the unblushing profligacy of their apologist.

† Lord Fountainhall, whose leanings were strongly against the covenanters, says, "The execution of Mitchell made a wonderful noise in the country, who generally believed the law was stretched to get his neck stretched; and satires and bitter verses immediately flew abroad like hornets, in great swarms, speaking much acrimony and an almost universal discontent. He was but a simple melancholy man, and owns the fact in the papers he left behind him as an impulse of the Spirit of God, and justifies it from Phinehas killing Cosbi and Zimri; and from that law in Deuteronomy commanding to kill false prophets that seduced the people from the true God. *This is a dangerous principle, and asserted by no sober presbyterian.* On the scaffold they beat drums when he began to touch the chancellor. The secret council would have given him one reprieval if *the archbishop would have consented.*" — FOUNTAINHALL'S *Historical Notices of Scottish Affairs.*

‡ Wodrow, vol. i. p. 454: Dalrymple's Memoirs, vol. i. pp. 165, 183, 189.

* Hume's History, chap. lxvi.

† Wodrow, vol. i. pp. 467—496.

‡ Dog'e-grass and sand-larks.

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By the Scottish law any person who should make oath before a magistrate that he is apprehensive of violence from another, may obtain what is termed a writ of *law-burrows*, by which the individual from whom danger is apprehended is compelled to give security for his good behaviour. Lauderdale adopted the absurd expedient of causing his majesty to take out a general writ of law-burrows against his whole Scottish subjects, which at once betrayed the jealousy of the government, and rendered it ridiculous. Accordingly a bond of the peace was framed by which the subscribers became bound, under heavy penalties, neither to frequent conventicles themselves, nor to allow their families and tenants to be present at such unlawful assemblies, nor in any way to infringe the public peace. Thus an expedient of the law intended to protect the subject from personal danger was, by the most contemptible chicanery, converted into an engine of public oppression.* The landlords who subscribed the bonds were required to dismiss such tenants as they suspected of being favourable to conventicles, and no landlord was permitted to receive them on his estate, or to allow them an habitation, unless they brought a certificate of conformity from the parish minister. To prevent the unhappy sufferers from carrying their complaints to the foot of the throne, or escaping from a country in which the government had rendered existence all but intolerable, all noblemen and gentlemen were prohibited, under severe penalties, from leaving Scotland without express permission from the council.

Detestable policy of the government.

The evident intention of these measures was to goad the people into insurrection; and on a false report that a rising had taken place, Lauderdale and his friends were unable to conceal their satisfaction. "On Valentine's day," says Burnet, "instead of drawing mistresses, they drew estates, and great joy appeared in their looks upon a false alarm that was brought them of an insurrection."† But the people seem to have been impressed with the opinion that the government had this object in view; and they bore with unexampled patience both the harassing enactments of the council, and the brutal excesses of the Highlanders, and suffered the spoiling of their goods, imprisonment, and torture without affording their oppressors any ground to accuse them of sedition or rebellion. In spite of the stringent prohibition of the council, fourteen peers and fifty gentlemen, including Atholl and Perth, two of the committee of council employed in the west, with the Duke of Hamilton at their head, repaired to London to lay their grievances before the king. They were refused an audience because they came without leave of the council; but, after a keen debate in the English House of Commons, they were ultimately heard in the presence of the cabinet. The proceedings of Lauderdale, however, were fully vindicated by Danby and the Duke of York; and at the close of the discussion Charles is reported to have said, "I perceive that Lauderdale has been guilty of many bad things against the people of Scotland, but I cannot find that he has acted anything contrary to my interest"—a sentiment every way worthy of such a sovereign. Next day he wrote a letter to the privy council expressing his cordial approbation of all their measures.

Complaint made to the king—

—its reception.

Lauderdale took advantage of the absence of his opponents to summon a convention of Estates at Edinburgh. The elections were managed by the government, and the nobles who remained at home were gained over by bribery,—thus the opposition so formidable in the former parliament was completely quelled in the present abject and servile assembly. In addition to the monthly assessments of six thousand pounds introduced by Cromwell, a sum of thirty thousand pounds a year was granted for five years to support additional troops for the suppression of conventicles; and a letter was sent to the king bestowing unqualified approbation upon Lauderdale's administration. The imposition of the assessment for the support of the army excited great dissatisfaction among the presbyterians, not a few of whom refused to pay the tax—some because it was intended to enslave the country, others because it was levied for the purpose of suppressing the Gospel.

Meeting of the Estates—

—their servility.

Meanwhile, so effectually had the Highland caterans performed their allotted task in ravaging and devastating the western shires, that their outrages had excited universal execration, and even their employers became at length alarmed at the consequences of their scheme. After enjoying three months' free quarters and license, devouring the country like a cloud of locusts, the mountaineers were, therefore, sent back to their native hills loaded with the spoils of the west.* But their place was supplied by a body of five thousand regular troops, who were distributed in garrisons over the obnoxious districts, and harassed them by their incessant exactions. This merciless and protracted system of oppression at length began to awaken a spirit of revenge among the peasantry, and a soldier who had been guilty of some more than usually brutal outrage was occasionally beaten, or even slain. But these few and isolated examples of retaliation were all thrown into the shade by the cruel vengeance inflicted upon the arch-persecutor Sharp. This unhappy man, one of the prime movers of the recent oppression and misgovernment of the country, and the merciless persecutor

Recall of the Highland host.

General hatred of Sharp.

* Wodrow, vol. i., Appendix, p. 182; Sir George Mackenzie's Works, vol. ii. p. 315.

† Burnet, vol. ii. p. 184.

* Kirkton, p. 390. Those who passed through Glasgow were stopped at the bridge, which was blockaded by the students of the University, and compelled to disgorge their prey before they were allowed to return to their native hills, as bare as they had come from them.

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of his former associates, had long been the object of deep hatred on the part of the great body of the people. He was regarded not merely as a selfish, haughty, tyrannical prelate—a Judas—a treacherous and perjured apostate, but as a person of superhuman wickedness, an agent of the devil, who frequently appeared to him in a bodily shape.* A worthless fellow named Carmichael had been employed by the primate as one of his chief agents to prosecute the nonconformists in Fife, and by the cruel tortures which he had inflicted upon the wives, children, and servants of the intercommuned, that they might be compelled to reveal where their relations were concealed, had rendered himself so obnoxious to the covenanters that nine of their number, chiefly belonging to the class of small proprietors, resolved to inflict exemplary punishment upon him for his barbarities. Accordingly, on the 3rd of May, 1679, this exasperated band, headed by David Hackston, of Rathillet, and his brother-in-law, John Balfour of Burley, waylaid Carmichael near the town of Cupar; but, having been forewarned of his danger, he contrived to escape. Disappointed in their search for the instrument of so much suffering, they were about to separate, when a farmer's wife sent a boy to tell them that the archbishop himself was approaching, on his return from Edinburgh to St. Andrew's. In their excited and fanatical state of mind they instantly interpreted this incident as a divine call to "execute that justice which the law denied them," against the persecutor of God's people. "It was immediately suggested," says one of them, "that albeit we had missed the man we sought for, yet God had by a wonderful providence delivered the great and capital enemy of his Church into our hands, and that it was a visible call to us from heaven not to let him escape." They accordingly pursued and overtook the primate upon Magus Moor, about three miles from St. Andrew's, and, having cut the traces, and disarmed and dismounted his attendants, they ordered him to come out of the coach. On his refusal they fired into the carriage, his daughter, who was seated by his side all the while, piteously imploring mercy. One of the assassins named Russell opened the coach-door, and ordered Sharp to come out. "I take God to witness," he added, "that it is not out of any hatred to your person, nor for any prejudice you have done or could have done me, that I intend now to take your life, but because you have been, and still continue to be, an avowed opposer of the Gospel and kingdom of Christ, and a murderer of his saints, whose blood you have shed like water."† At length, after being wounded by a sword thrust, the old man left the coach, and, creeping on his knees towards one of the band whom he recognised, said, "You are a gentleman—you will protect me!" But the person addressed turned away, saying, "I will not lay a hand upon you."* One of the assassins, probably Hackston, relenting, cried to the rest, "Spare those grey hairs!" Sharp himself poured out entreaties for life, promised them an indemnity, offered them money, and even engaged to lay down his office if they would but spare him. But he was in the hands of men who were steeled against his supplications by a passion stronger even than revenge. They reminded him of his promise to Mitchell, upbraided him as an enemy to God and his people, and then pierced him with innumerable wounds.† His daughter, who threw herself between her father and his murderers, and made the most frantic efforts to save his life, also received several wounds in the struggle. After rifling the coach of the arms and papers which it contained, the assassins rode off unmolested, leaving the lifeless and mangled body of their victim on the moor.

—his murder at Magus Moor—

The perpetrators of this cruel and bloody deed were actuated solely by their own fanaticism or revenge; but, as might have been expected, their act was nevertheless imputed to the whole presbyterian party, and was made the pretext for inflicting the most shocking cruelties on the covenanters. Some, indeed, of the more violent and desperate of the party exulted over the deed,

—disapproved of by the great body of the covenanters.

* Wodrow's Analecta, vol. i. pp. 104, 105.

† See Russell's account of the murder of Archbishop Sharp, appended to Kirkton's History, p. 7; a very remarkable and instructive document.

* Wodrow, vol. iii. p. 44. Russell states that it was to John Balfour, the primate said, "I will come to you, for I know you are a gentleman, and will save my life; but I am gone already, and what needs more!" Wodrow says Hackston was the person to whom these words were addressed. Hackston had refused to assume the office of leader, or to take part in the murder, on the ground that he had a private quarrel with the archbishop.

† Wodrow says that the archbishop could not be prevailed on to pray; but in the account of the murder published by the privy council, it is affirmed that the primate said, "'I hope ye will give me some time to pour out my soul to God, and I shall pray for you;' and presently, falling on his knees, he said, 'Lord, forgive them, for I do. Lord Jesus, receive my spirit.'" (Stephen's Life and Times of Archbishop Sharp, p. 600.) In the evidence given before the justiciary court there are furnished some graphic sketches of the murderers. Hackston is described as "a tall, slender man, black-haired and black-visaged, who had a brownish-grey horse, and a velvet cap; and for arms, a carbine, holster-pistol, and a broadsword." John Balfour of Burley was "a laigh [short], broad man, round ruddy face, dark brown hair." His relation, George Balfour of Gilston was "a broad, brownish, sett man; black, curling hair; lean faced, who had a white horse, and was armed with two side-pistols and a sword." Another of the party, Andrew Gillan, weaver in Balmerinoch, was described as "a little, broad, black man; broad, curling, bushy beard, who rode upon a white horse, and had three side-pistols on his right side, and ane sword." The two "Henrysons," on the other hand, were "young, slender men—both young, fair men; the youngest, fairest and tallest, and the eldest slenderest." Sir Walter Scott has given a masterly portrait of Burley in "Old Mortality," but it is inaccurate in various important particulars. He imputes to Burley, as the prime motive of his actions, a deep spirit of religious fanaticism, whereas he was a blunt country gentleman and a resolute soldier, who made no pretensions to religion, and seems to have espoused the side of the covenanters on account of the civil, rather than the ecclesiastical, rights involved in the quarrel. "He was by some reckoned none of the most religious," says Howie of Lochgoin; and he was refused admission to the sacrament by the presbyterians in Holland. (See Review of the Tales of my Landlord, in Dr. M'Crie's Miscellaneous Writings, p. 326.)

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and regarded the assassins as the ministers of heaven appointed to execute vengeance on the enemy of God's people;* but by far the most numerous and respectable portion of the body unequivocally condemned the murder, although they might probably be at the same time of opinion that the relentless persecutor of the sect, whom he had deserted and betrayed, merited some such judgment as had overtaken him. We must not lose sight of the fact, however, that much of the guilt of this deed must be attributed to those statesmen whose atrocious policy had loosened the bands of society, and contributed not a little to confound in the minds of the great mass of the community the distinction between right and wrong.

Fruitless efforts to apprehend the murderers.

A proclamation was immediately issued by the privy council denouncing the murder of Sharp as a deed, "which will spread horror and amazement in all the hearts of such as believe that there is a God or a Christian religion—a cruelty exceeding the barbarity of pagans and heathens;" and appointing special days and places at which all the inhabitants of the county of Fife are to assemble to be examined by the sheriff; and declaring that those who failed to appear "shall be reputed as accessory to the said crime." This was followed up by another and equally fruitless effort to discover and apprehend those who might be implicated in the deed. On a day appointed, all the males, of sixteen years old and upwards, were to be assembled in each presbytery; all the nonconformists were to be marked off by the clergy, who were to be present for the purpose, and each one of these was to be compelled to show how he was occupied on the day of the murder: "that such as cannot prove a good account of themselves be apprehended and their goods seized and secured till the issue of their trial: that such as shall be absent the said day be holden as probably guilty of the horrid act."† But such was the abhorrence in which both the government and the memory of Sharp were held, that, in spite of these stringent measures, though the murder was committed at mid-day, and was witnessed by several people; though the assassins were known, and there was a party of soldiers so near that they might have seen the horsemen pursuing the coach, or have heard the shots which they fired, yet only one of those engaged in the deed was ultimately seized, and he was merely a passive spectator. Their escape in such circumstances was, not unnaturally in that age, attributed to the special interposition of providence shielding those who had executed God's righteous judgment upon the oppressor of his Church.‡

Oppressive conduct of the council.

The death of the primate furnished the privy council with a new test, which for some years proved a grievous source of annoyance to the covenanters. It was not enough that a person suspected of nonconformity had no apparent or possible connection with the deed, or even that he should express his abhorrence of it, he was strictly interrogated regarding the principles in which it was supposed to originate, and pressed by question after question respecting abstract and complex doctrines, until it was scarcely possible for a man of any spirit to avoid saying something offensive. A refusal to answer was at once taken as an evidence of guilt, to be followed by imprisonment for trial, or, in many instances, by military execution on the spot. Measures were now taken for disarming the people. Attendance on a field conventicle was declared high-treason; and the officers in the west were invested with unlimited authority, and received strict orders to find out and disperse all such meetings at the point of the sword. On the other hand, the covenanters assembled in greater numbers, and in arms, for their own protection; and it became evident that a collision between them and the military was not far off.

Meanwhile Hackston and Balfour and their accomplices had escaped to the west, and secretly joined a body "of the chased and tossed men" in that part of the country. On the 29th of May, the anniversary of the Restoration, they assembled to the number of about eighty horse, entered the burgh of Rutherglen, near Glasgow, extinguished the bonfires kindled in honour of the day, publicly burned all the acts of the Scottish parliament in favour of prelacy, and affixed to the Cross a protest against all the proceedings of the government since the Restoration. The council took alarm at this bold and honest, but by no means prudent, step, and dispatched a body of troops to the west with full power to put to death all who were found in arms. The commander of these dragoons was the infamous John Graham of Claverhouse, a soldier of skill and courage, but cruel, rapacious, and profane, even beyond the cruel instruments hitherto employed by the privy council in the persecution of the hapless presbyterians. On his march to disperse a great field-meeting near Loudoun Hill, on the borders of Ayrshire, Claverhouse came suddenly upon the town of Hamilton, where he seized John King, chaplain to Lord Cardross, with fourteen others, bound them two and two, and drove them before him towards the scene of the conventicle.

John Graham of Claverhouse.

Meanwhile the covenanters had assembled on Sabbath morning, the 1st of June, 1679, at a place called Drumclog, in the parish of Avondale, about a mile east from Loudoun Hill, and on learning the approach of Claverhouse and his dragoons, they resolved to await his attack. The country around is a dreary expanse of bare moorland, occasionally swelling into huge lumpish hills of dark heath, interspersed with quagmires and morasses, and intersected by deep gullies—the channels of mountain torrents, the wild craggy eminence called Loudoun Hill rising abruptly out of the immense waste. Such a tract afforded ample choice of excellent defensive positions; and when the royal

* See Hind let Loose, p. 153.
† State Trials, vol. x. p. 824.
‡ Burton's Criminal Trials, vol. ii. pp. 235—245.

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troops, riding direct from Strathaven, crossed an eminence called Calder Hill, they found the covenanters posted to great advantage on a gently sloping declivity, covered in front by a morass and a deep ditch or natural gully. The foot, about two hundred in number, occupied the centre; and on each flank were drawn up about forty horsemen, consisting chiefly of petty landholders or farmers of the better class, with two or three old soldiers like Colonel Cleland at their head. They were untrained and but indifferently armed and mounted; but their courage and enthusiasm, and the strength of their position, supplied the want of arms and military discipline.

Battle of Drumclog.

The conflict was commenced by Claverhouse, who attempted to cross the marsh, and to come to close quarters with the covenanters, but was repulsed with considerable loss. The attempt was repeatedly renewed, but without success. Flanking parties were then detached to the right and left; but, after crossing the ditch, they were furiously assailed and cut to pieces by Balfour and Colonel Cleland. At this moment the covenanters were joined by the brave John Nisbet of Hardhill, whose house was in the vicinity of the battle-field, and perceiving that the crisis of the struggle had come, he cried out, "Jump the ditch and charge the enemy!" Balfour and he immediately crossed the morass with the cavalry, and Cleland with a portion of the infantry, and attacked the dragoons with such impetuosity that they were thrown into irretrievable confusion, and took to flight, leaving forty of their number dead on the field. Claverhouse himself had his horse shot under him, and narrowly escaped.* When the fugitives reached the village of Strathaven, the inhabitants attempted to cut off their retreat; but were repulsed with the loss of about a dozen killed and wounded. The victors have been accused of putting to death in cold blood the wounded and prisoners,† but the fact has been carefully concealed that the word given out by Claverhouse before the engagement was, "No quarter," and that he ordered the soldiers, who guarded King and his associates, to shoot them in the event of the troops being worsted. In the confusion of the flight, however, the prisoners fortunately made their escape. The dragoons who fell into the hands of the victors were dismissed unarmed, much to the displeasure of Hamilton, who acknowledges that he killed one with his own hand, and insisted that the other prisoners should be dealt with as they intended to have dealt with the covenanters.‡

Flight of Claverhouse to Edinburgh.

Claverhouse fled with all speed to Glasgow, and was pursued thither by the victorious covenanters, who made an attack upon the city; but were easily repulsed, leaving a number of wounded men in the streets, who were shamefully maltreated by the troopers. Claverhouse, however, soon after evacuated the city and withdrew his troops to Edinburgh, leaving the covenanters masters of the west country. Encouraged by their success, great numbers now flocked to their camp near Hamilton, and in a short time their ranks had swelled to upwards of six thousand men, among whom were eighteen of the intercommuned clergy and a number of the west country gentry. The command was assumed by Robert Hamilton of Preston,* a brave and zealous man, but narrow-minded, overbearing, and intolerant in the highest degree, and destitute both of the talents and military experience which such a position required. The forces under his command were chiefly raw and undisciplined countrymen; but their courage and enthusiasm rendered them formidable, and if they had been judiciously managed they might have offered a determined resistance to the royal army, and have obtained favourable terms for themselves and their friends. Unhappily, however, a spirit of dissension broke out among their leaders, and instead of combining against the common enemy they wasted their time in bitter disputes respecting the persons who should be admitted into their ranks. The bone of contention was the indulgence. None of the ministers present had accepted this boon, they all regarded it as sinful; but the moderate party, including sixteen of the ministers, headed by Mr. Welsh of Irongray, who had been intercommuned for preaching in the fields for many years, resisted the proposal to condemn the conduct of those who had accepted the indulgence, and to exclude them from their ranks.

Discussions among the insurgents.

Violence and folly of the extreme party.

The extreme party, headed by two of the ministers, Messrs. Cargill and Douglas, together with Hamilton and a considerable number of the lay leaders of the army, insisted that the acceptance of the indulgence should be expressly condemned in the proclamation they were about to issue, and that none should be admitted into their ranks who refused to join in this condemnation. In these insane disputes they wasted several precious weeks, which ought to have been spent in active preparations to meet the enemy. Mainly through the influence of Hamilton and his fellow officers the violent and extravagant views of the extreme party obtained the ascendancy, and in consequence a considerable number of the more moderate quitted their ranks in disgust.

* "With a pitchfork they made such an opening in my roan horse's belly that his guts hung out half an ell, and yet he carried me off a mile."—*Letter of Claverhouse to the Earl of Linlithgow*, in the Dundee Papers, published by the Bannatyne Club.

† See "Old Mortality," chap. xvii. Sir Walter has quoted at length the complaint of Robert Hamilton, that his men spared the lives of their prisoners contrary to his orders; but he makes no mention of the injunctions issued by Claverhouse, which his blood-thirsty troopers never failed to execute to the letter.

‡ See Howie's Faithful Contendings, p. 201; Wilson's True and Impartial Account of the Persecuted Presbyterians in Scotland, p. 8.

* He was brother of Sir William Hamilton of Preston, to whose title and estates he would have succeeded if he had not refused to acknowledge the right of William and Mary (uncovenanted sovereigns) to the throne.

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Meanwhile the intelligence of the rising had excited alarm in London, and the Duke of Monmouth, the king's natural son, was sent down to assume the command of the army in Scotland, and endeavour to restore order. At the head of a well-disciplined army of ten thousand men, with a complete train of field-artillery, and accompanied by Lords Livingston, Claverhouse, and Dalzell, he marched in quest of the insurgents, and on Saturday, the 21st of June, reached the village of Bothwell, on the banks of the Clyde, opposite their encampment. Early on the morning of the 22nd, a deputation, consisting of Ferguson of Caitloch, a gentleman of landed fortune, and David Hume, a clergyman, waited on Monmouth, and laid before him a "Remonstrance" and supplication, stating the grievances under which the covenanters laboured, and demanding the free exercise of their religion, a free General Assembly, and a free parliament. The duke received them with courtesy, but refused to treat unless they first laid down their arms, and submitted to the mercy of the king. He allowed them half an hour to decide on his offer. But the camp of the insurgents was still, even at this critical moment, the scene of vehement controversy. Some of them were engaged in a fierce dispute respecting the old theme—"the black indulgence;" others were clamorously insisting that the present officers should be dismissed, and new ones appointed in their room, who had not temporised in any way with the corruptions of the times, and the answer of Monmouth served only to aggravate the fierceness of their debates. The scene of confusion and clamour which the disorderly mass exhibited was at once humiliating and instructive, and portended but too clearly the ruin which was about to overtake their cause. Still the position which they occupied was strong and well chosen, and might have been made good by a small body of resolute men against a very superior force. In front was a deep and rapid river, which at this spot was crossed by a high, steep, and narrow bridge, having, according to the old fashion, a gateway in the centre.* The left bank, on which the insurgents were posted, was lined with thickets of alder and hazel, and two or three houses, affording excellent cover for the defenders. A strong party, under Hackston and Hall of Haughead, was posted at the bridge, while Balfour and Captain Nisbet with their foot and horse defended the bank of the river. The assault was conducted by Lord Livingston at the head of the English foot-guards, who strove to force the gates of the bridge, which the covenanters had barricaded with stones and logs of timber. But Hackston maintained his post with courage and constancy, and column after column of the enemy was driven back with great loss by the well-sustained fire of the insurgents; while the troops under Burley and Nisbet repulsed and threw into disorder a detachment of the royal army which attempted to ford the river above the bridge. The defence was obstinate and protracted, and seemed not unlikely to be in the end successful. But at this critical moment the ammunition of the defenders of the bridge began to fail. Message after message imploring supplies and reinforcements was dispatched to the main body of the covenanters, who remained inactive on the open field in the rear, but not the slightest attention was paid, either to commands or entreaties, by the wrangling and disorderly mob, who, in the words of Bishop Burnet, seemed "to have neither the grace to submit, the courage to fight, nor the sense to run away." It is said that a solitary barrel at last arrived, which on being opened was found to be filled with raisins instead of powder. The English guards at length made good their footing on the bridge, burst open the portal gate, and threw the beams and stones by which it was barricaded into the river. Hackston and his resolute band of followers, their ammunition completely expended, and every support denied them, were overpowered by numbers, and compelled to abandon the important post which they had so nobly defended. The way being thus cleared, the royal army slowly, and with their cannon in front, defiled along the narrow bridge, and formed in line of battle on the southern bank. No attempt was made by the covenanters to interrupt this slow, as well as dangerous, movement; but at the very first discharge of the duke's cannon their untrained horse wheeled and rode off, breaking and trampling down the ranks of the infantry in their flight. Their whole army was instantly put to the rout. Monmouth generously exerted himself to stop the effusion of blood;* but Claverhouse, burning with revenge for his defeat at Drumclog, made great slaughter among the unresisting fugitives. About four hundred fell in the battle and the pursuit. About twelve hundred of the infantry who remained in a body a little apart from the rest threw down their arms, and surrendered at discretion. An attempt was made by Burley to rally the fugitives in the streets of Hamilton; but while urging them to stand to their weapons, his sword-arm was broken by a musket-ball, and fell powerless at his side. "May the hand be withered that shot that shot!" exclaimed the indomitable homicide; "I can fight no longer."† Not contented with killing the fugi-

The battle of Bothwell Bridge.

Defeat of the covenanters.

Merciless slaughter of the fugitives.

* The gateway and gate have long been removed, as well as the house of the keeper; and in 1826 the bridge was widened, 22 feet being added to the original 12; the road was straightened and made level, and the appearance of the spot greatly changed.

* Dalzell, who soon superseded Monmouth as commander-in-chief, is said to have upbraided the duke publicly with his lenity, and to have wished that his commission had come before the battle; and then, as he expressed himself, "These rogues should never more have troubled the king or country." Charles himself is reported to have said to Monmouth that if he had been there, the government should not have been troubled with prisoners. (See Burnet, vol. ii. p. 269; Cunningham, vol. i. p. 44; Laing, vol. ii. p. 101.)

† Burley found a refuge in Holland, and died at sea on his voyage to Scotland shortly before the Revolution.

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tives, the ruthless dragoons scattered themselves over the neighbourhood, and put to death in the fields and public roads all whom they suspected of being presbyterians, though many of them had never been near the field of battle.*

Upon his return to London, Monmouth succeeded in obtaining an act of indemnity for the insurgents; but as the framing of the act was committed to Lauderdale, he contrived to insert so many limitations that its object was in a great measure defeated. The two ministers, King and Kidd, whom the covenanters had rescued at Drumclog, were recaptured and brought to trial: and though they proved that they had taken no part in the rising, and were not present at Bothwell Bridge, that they had been forcibly detained among the insurgents, had refused to preach for them, and had urged them to lay down their arms and return to their obedience,—they were, nevertheless, cruelly tortured with the boots, and then condemned and executed at Edinburgh.† Five of the common prisoners were put to death on Magus Moor, and their bodies hung in chains on the spot where the primate was killed, though none of them were implicated in his murder. The rest of the prisoners, amounting to about twelve hundred, were marched to Edinburgh tied two and two, and confined in the Greyfriars Church-yard. Here they remained closely watched by sentinels for five months, sleeping among the graves during the night, with no covering to shelter them from the weather, and often treated with great brutality by their guards. A few of them contrived to make their escape; some died in prison; a portion, on acknowledging the rising to be rebellion, and the archbishop's death murder, and signing a bond never again to take up arms against his majesty, were at last released; the remainder, amounting to two hundred and fifty-seven, were condemned to be banished, and sold as slaves in the island of Barbadoes. The ship in which they were embarked was wrecked on the coast of Orkney, and the captain, a papist named Patterson, who had treated them with great cruelty during the voyage, after securing his crew, ordered the hatches to be shut upon the unhappy prisoners, who but for this might easily have been saved. About two hundred of them were drowned, the remainder made their escape through a hole in the deck, which one of the sailors, in spite of the captain's orders, opened with an axe. But their sentence of banishment was mercilessly carried out, and they were sold as slaves to the plantations in Jamaica and New Jersey.

Treatment of the prisoners.

The persecution of the unhappy covenanters now waxed hotter than ever. No means of oppression were left untried by the vile crew to whose tender mercies the country was abandoned, and the most shocking cruelties were perpetrated often on innocent persons by the soldiers who scoured the country in search of the fugitives from Bothwell Bridge. Many of the wanderers were driven by the severity of this persecution to take refuge in remote wildernesses, on the summits of lonely mountains, in sunless glens and dark morasses, in "dens and caves of the earth, being destitute, afflicted, tormented, of whom the world was not worthy." Men and women of unblemished character, and guilty of no offence but that of adherence to truth, and obedience to conscience, were hunted down like wild beasts. "They suffered," says Defoe, "extremities that tongue cannot describe, and which heart can hardly conceive of, from the dismal circumstances of hunger, nakedness, and the severity of the climate; lying in damp caves, and in hollow clefts of the naked rocks, without shelter, covering, fire, or food; none durst harbour, entertain, relieve, or speak to them upon pain of death. Many for venturing to receive them were forced to fly to them, and several put to death for no other offence. Fathers were persecuted for supplying their children, and children for nourishing their parents; husbands for harbouring their wives, and wives for cherishing their own husbands. The ties and obligations of the laws of nature were no defence; but it was made death to perform natural duties, and many suffered death for acts of piety and charity, in cases where human nature could not bear the thoughts of suffering it. To such an extreme was the rage of these persecutors carried."*

Increased persecution of the covenanters—

The systematic and cruel persecution to which they were subjected, and the scenes by which they were daily surrounded, excited in the minds of some the fiercest enthusiasm, and made them a prey to the darkest superstitions.† Others were so exasperated and maddened by the brutal treatment of the government and its emissaries, that they now made an open renunciation of their allegiance. The great majority of the suffering presbyterians were staunch supporters of monarchy, and had no sympathy with republican or democratic principles. They took up arms simply for the defence of the protestant religion and presby-

—effect of this on their minds and tempers—

* Wodrow, vol. ii., book iii., chaps. ii. iii.; Burnet, vol. ii. pp. 267—270; Cloud of Witnesses; Scottish Worthies. Bishop Skinner calls Monmouth the unnatural son of Charles, because he did not exterminate the insurgents.

† Naphtali, pp. 427—437.

* Memoirs of the Church of Scotland.

† Many of these superstitions, as might have been expected, referred to their cruel persecutors and the visible judgments which they alleged to have overtaken them. Sharp was said to be a sorcerer, and to have had intercourse with the devil in a bodily shape; Claverhouse was believed to be proof against leaden bullets; of one of the persecutors it was reported that his bowels gushed out; the tongue of another swelled in his mouth so that he remained speechless till he died; the bodies of some rotted away piecemeal; the wine they were about to drink was turned into congealed blood, &c., &c. See "God's Judgment on Persecutors," *passim*. Towards the close of the persecution a small sect of about thirty persons arose, named Gibbites from their leader, John Gibb, an insane sailor, of Bo'ness. They consisted chiefly of women, and adopted the most extravagant opinions and practices. They protested against all kind of toll, custom, and tribute, and undertook a pilgrimage to the Pentland Hills, where they remained for some days expecting to witness the total destruction of Edinburgh, which their leader had predicted. (See Walker's Biograph. Presbyter., vol. ii. pp. 16—21.)

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terian government, and of their civil rights and liberties, and they did not resort to this extreme measure until every other mode of obtaining redress had been closed against them. But though they had suffered intolerable oppression, "contrary to all law and humanity," at the hand of an arbitrary and tyrannical government, they did not consider themselves warranted to renounce their allegiance to it in civil matters. In their "dying testimonies" they solemnly protested their innocence of the crime of treason or rebellion. "We declare," said the Pentland sufferers, "in the presence of God, before whom we are now ready to appear, that we did not intend to rebel against the king and his just authority, whom we acknowledge for our lawful sovereign. But this is our rejoicing, the testimony of our conscience, that we suffer not as evil-doers, but for righteousness, for the Word of God and testimony of Jesus Christ, and particularly for our renewing the covenants, and in pursuance thereof defending and preserving ourselves by arms against the usurpation and insupportable tyranny of the prelates, and against the most unchristian and inhuman oppression that ever was enjoined and practised by unjust rulers upon free, innocent, and peaceable subjects."* It is impossible to condemn the conduct of the men who resisted such intolerable oppression without, at the the same time, condemning the principles on which our present constitution rests, as well as the conduct of our ancestors, who expelled the Stewarts from the throne. Now, however, a portion of the more extreme presbyterians, goaded almost to madness by the treatment they had received, boldly avowed maxims subversive of the existing government, and declared that Charles, by his perfidious violation of his coronation oath, and his persecution of the faithful adherents of the covenant, had forfeited all right to their allegiance. A party of these men, headed by the celebrated Richard Cameron and Donald Cargill, wandered for some time up and down the country holding armed meetings among the hills. On the 22nd of June, 1680, they affixed to the market cross of Sanquhar a declaration disowning Charles Stewart as their lawful sovereign for his perjury, breach of the covenant, and tyranny, and denying the Duke of York's right to the succession.† The government, provoked at this bold deed, immediately took vigorous measures to hunt down this little band of Cameronians, as they were called after their leader, and for several weeks they were chased through the wilds of Dumfries and Ayr. At length, in July, they were surprised at a lonely desert place, called Airdsmoss, near Muirkirk, by a body of dragoons commanded by a violent persecutor named Bruce of Earlshall. The wanderers, knowing that they had no mercy to expect, resolved to fight, although they were ill armed and greatly inferior in numbers. On the approach of the enemy, Richard Cameron offered up a prayer, in which he three times made use of the memorable words, "Lord, spare the green, and take the ripe." Then, turning to his brother Michael, he said, "Come, let us fight it to the last, for this is the day that I have longed for, and the death that I have prayed for—to die fighting against our Lord's avowed enemies, and this is the day we will get the crown." After a short, but desperate conflict, the covenanters, overpowered by numbers, were all either killed or taken prisoners. Cameron and his brother died fighting with heroic courage, back to back; but Hackston of Rathillet, less fortunate, was severely wounded and taken prisoner. Richard Cameron's head and hands were cut off, and with shocking barbarity were presented to his father in the Tolbooth of Edinburgh, with the taunting inquiry if he knew to whom they belonged; "O yes," said the poor old man, taking them and kissing them, "they are my son's—my own dear son's! Good is the will of the Lord, who cannot wrong me nor mine, but has made goodness and mercy to follow us all our days." The relics of the martyred youth were then fixed on the Netherbow Port, with the hands stretched out in the attitude of prayer. "There," said one of the persecutors, "there's the head and hands that lived praying and preaching, and died praying and fighting."*

—they were not guilty of rebellion.

Views of the extreme party.

Skirmish at Airdsmoss.

Death of Richard Cameron.

Hackston, who was taken prisoner at Airdsmoss after a desperate resistance, was a gentleman and a scholar of great talents and accomplishments, and under happier auspices might have been the benefactor and ornament of his country. He was carried, faint and bleeding, before Dalzell, who threatened to roast him because he was not satisfied with his answers to some questions which he put; and with characteristic brutality refused to allow his wounds to be dressed, and ordered him to be put in irons and chained to the floor of his prison. In a day or two he was conveyed to Edinburgh, and made his entry by the foot of the Canongate sitting on a horse, with his face backward, accompanied by three of his friends on foot and bound to a goad of iron, with Richard Cameron's head carried on a halbert before him. One of the prisoners expired as he entered the city, the others were conveyed to the castle. Hackston had been present at the assassination of Sharp, though he took no part in the deed, and, it is said, even remonstrated against it; he had besides adopted the

Barbarous treatment of Hackston—

* Naphtali, pp. 306—311.

† An unprinted draught of a paper embodying similar views was found on the person of Henry Hall of Haughead, in Teviotdale, when he was apprehended at Queensferry by the governor of Blackness Castle, on information furnished by the curates of Carriden and Bo'ness. Hall was accompanied by Cargill, and was mortally wounded in generously aiding the escape of his friend. The Queensferry Paper, as it was called, was used by the government against all suspected of presbyterianism.

* Biograph. Presbyter., I. p. 205; Wodrow, vol. ii. pp. 133—144; Walker's Life of Cameron, pp. 114—119; M'Crie's Sketches, vol. ii. p. 193.

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views of Cameron and Cargill, and the council gave orders that he should be treated with peculiar severity. When brought to trial he declined the jurisdiction of the court, and disowned the authority of the king, in whose name it was held, because it had set itself in opposition to Jesus Christ. The council, he said, were all murderers, who had "not only tyrannised over the Church of God, but had also grinded the faces of the poor, so that oppression, perjury, and bloodshed were to be found in their skirts." He resolutely persisted in his refusal to plead, but was of course found guilty and condemned to be executed. Although he was so enfeebled by wounds as to be unable to sustain the application of torture, the sentence was carried into effect with the most horrible barbarity. First his arms were cut off; then he was drawn by a pully to the top of the gallows, and suffered to fall down again three times with all his weight on the scaffold; while still alive, his heart was torn out of his body by the executioner, who stuck it on a knife, held it up to the crowd, exclaiming, "This is the heart of a traitor!" and then threw it into a fire prepared for the purpose. His body was then quartered, the head affixed to the Netherbow, and the other members exhibited at St. Andrew's, Burntisland, Leith, and Glasgow. No friend was permitted to attend this unhappy gentleman in his last moments; but he endured with the most heroic courage these revolting cruelties, the bare recital of which makes the blood run cold.*

—his defence on his trial—

—horrible mode of his execution.

Donald Cargill, one of the most revered leaders of the extreme party, had hitherto escaped the eager search of the government, and still continued boldly to avail himself of every opportunity of preaching. About the end of September, 1680, in a conventicle held at Torwood, Stirlingshire, famous as one of the retreats of Wallace, this indomitable minister, after sermon, pronounced with all solemnity the sentence of excommunication against the king, the Duke of York, the Dukes of Monmouth, Lauderdale, and Rothes, General Dalzell, the lord-advocate, and Sir George Mackenzie, enumerating in detail "their apostacies and perjuries," together with the flagrant vices that disgraced their private lives.† This daring act produced a deep and general impression at the time, and both exasperated and alarmed the members of government. Several of the most obdurate and reckless of their number had their hours of revelry disturbed, and the horrors of their death-bed aggravated, by a superstitious dread of this solemn expulsion from the fellowship of the Church. The pursuit after the hunted minister was renewed with increased eagerness; and, after many hairbreadth escapes, he was at length captured by a party of soldiers, and sealed his testimony with his blood, July 27, 1681.*

Cargill excommunicates the king and his courtiers—

—his capture and execution.

Meanwhile the open avowal of the Duke of York that he had embraced the Romish faith had excited great dissatisfaction, and a vigorous effort was made to exclude him from the succession to the throne. So fierce did the opposition to his claims become, that it was necessary to keep him for some time out of sight; and, after a brief period of exile on the Continent, he was sent down to reside in Scotland. He was received with the highest honours by the base sycophants at the head of affairs, and was admitted to act as a privy councillor without being required to take the oath. During his first visit, which lasted only for three months, he interfered but little in public affairs, behaved with great civility towards the gentry and nobility, and by his courtesy and affability endeavoured to conciliate all classes to his interests. He soon returned, however, and assumed the direction of the government. The savage old persecutor, Lauderdale, was now incapacitated for business by infirmity and disease, and his office was conferred upon the Earl of Moray. But this change in the administration produced no alleviation of the sufferings of the presbyterians. Those who were suspected of a leaning to the covenant were now harassed by ensnaring questions put to them under torture by the boots, the thumbikins, or by lighted matches tied between the fingers, and were punished not for their actions only, but for their opinions. Was the rising at Bothwell Bridge rebellion? Was the killing of Archbishop Sharp murder? Is King Charles a rightful sovereign, or a tyrant whom it is lawful to dethrone? These and other similar interrogatories were put to innocent persons of both sexes and of all ages, and if they refused to answer they were at once condemned. Sir George Mackenzie, who is deservedly held in abhorrence by the people of Scotland for his unscrupulous perversion of the law, and the base arts which he employed in the legal oppression and murder of the covenanters,† was in the habit of extorting a verdict of guilty from the juries by threatening to

The Duke of York visits Scotland.

—he assumes the government.

Character and conduct of Mackenzie.

* Wodrow, vol. ii. pp. 141—143; Burnet, vol. ii. pp. 323—325; Cloud of Witnesses, pp. 28—57.

† The sentence pronounced upon the Duke of Lauderdale may be taken as a specimen of this extraordinary act of ecclesiastical authority. "I, being a minister of Jesus Christ, and having authority and power from Him, do, in his name, and in his spirit, excommunicate John Duke of Lauderdale for his dreadful blasphemy, especially that word to the Prelate of St. Andrew's, 'Sit thou at my right hand until I make thine enemies thy footstool;' his atheistical drolling on the Scriptures of God; scoffing at religion and religious persons; his apostacy from the covenant and Reformation; and his persecuting thereof after he had been a professor, pleader, and presser thereof; for his perjury in the business of Mr. James Mitchell," &c., &c. See Torwood Excommunication: being the Lecture and Discourse going before, and the Afternoon Sermon following after; with the Action of Excommunication itself pronounced at Torwood, September, 1680. By that faithful minister and martyr of Jesus Christ, Mr. Donald Cargill, 1741.

* State trials, vol. x. pp. 871—884; Wodrow, vol. ii. pp. 180—189; Crookshank's History of the Church of Scotland, vol. ii. p. 108.

† "Whose favourite art was lying with address;
Whose hollow promise helped the princely hand
To screw confession from the tortured lips. [Base

bring them to trial if they dared to decide contrary to his explanation of the law.

Execution of two young women.

"A most flaming proof of the iniquity of the period," as Wodrow remarks, is furnished by the trial and condemnation of two poor young women, Isabel Alison, of Perth, and Marion Harvey, a maidservant in Borrowstonness. When brought before the council, they were induced by insidious questions, and by threats and promises, to acknowledge that they had heard Mr. Cargill preach, and had conversed with intercommuned persons. Isabel also expressed her approval of the Sanquhar declaration. Her companion declared she knew nothing about it. They were then brought to trial before the justiciary court, the only evidence against them being their own admissions drawn from them by the council. "This," says Wodrow, "was the constant practice at this time,—the one day to bring such as fell into their hands before the council, and there engage them by captious questions into a confession of statutory crimes; and next day, to panel them before the justiciary, where, if they were silent, they were asked if they would quit the testimony given yesterday." On the trial of these two young women, one of the jury had the courage and honesty to declare that there was no fact proved, which so enraged Mackenzie that he broke out into furious threats, and ordered the jury to act according to law, otherwise he knew what to do. A verdict of guilty was accordingly brought in against both prisoners, and they were condemned to be hanged in the Grassmarket, along with five women who had been found guilty of child-murder. They endured their cruel sentence with the greatest composure, rejoicing that they suffered not as evil-doers. "I am not yet twenty," said Marion Harvey, just before being thrown over by the executioner, "and they can charge me with nothing but my judgment."*

Disgraceful mode of trial.

At this period a determined effort was made by the English Whigs and Protestants to avert the danger to the civil and religious liberties of the country which would arise from the accession of a popish prince to the throne; and the House of Commons, in spite of the whole influence of the crown, passed a bill to exclude the Duke of York from the succession; but it was rejected by the House of Lords, and the parliament was soon after dissolved. A new parliament was summoned to meet at Oxford in March, 1681, which it was hoped would prove more tractable than its predecessor; but the bill of exclusion was immediately introduced again, and pushed forward with the greatest vigour; and the king, having in vain offered a compromise, once more dissolved the parliament, which was not permitted to meet again during the remainder of his reign.

Nine years had now elapsed since the Scottish Estates had been convoked. During that period the country had suffered under every kind of misgovernment, and was now reduced to a state of almost total subjection. As no one but an episcopalian was permitted to sit in parliament, or even to vote for a member, the supreme council of the nation had degenerated into the mere slavish tool of the dominant faction, and was convened for the single purpose of recording the decrees of the government. From a Scottish parliament, therefore, the king confidently expected complete submission to his orders; and he and his advisers were of opinion that if the duke's right of succession to the crown of Scotland should be recognised by the legislature of that kingdom, the supporters of his claims in England would be greatly strengthened, and his adversaries proportionately weakened. The Estates were, therefore, summoned to meet on the 28th of July, 1681, and the Duke of York was appointed commissioner to represent his majesty. It soon became evident that the base sycophants of whom this assembly was composed were ready to sacrifice at the mandate of the king all the rights and privileges for which their fathers had struggled. Their first step was to pass a short act ratifying all former laws for the security of the Protestant faith. This, however, was a mere blind to cover their real intentions. They next proceeded to assert the unalterable right of succession to the throne, and the divine right of kings; declared that the royal power was from God alone; that no difference of religion, no statute or law could alter or interrupt the lineal order of succession; and that it was high-treason to propose any alteration or limitation of the right of the presumptive heir to the crown. It is a remarkable proof of the enslaved state of the country at this period, and still more of the degraded condition of the nobles and higher gentry, that the supreme council of a nation which had long been distinguished for its abhorrence of popery and despotism, should venture thus to subvert the whole constitution of the kingdom, and to place its civil and religious liberties at the mercy of a cruel and perfidious bigot.* And it is very instructive to notice that in less than eight years the same assembly, composed of nearly the same men, should in the face of this act have declared that this "lineal heir," whose inalienable rights they thus recognised, had forfeited the crown, and have driven out him and his family to wander as fugitives and vagabonds on the face of the earth.

Meeting of parliament—

—its servility.

Act of succession passed.

The duke had informed the Estates at the commencement of their proceedings that he had been commanded by his majesty to assure them that

Base hypocrite! thy character portrayed
By modern history's too lenient touch,
Truth loves to blazon with her real tints;
To limn of new thy half-forgotten name;
Inscribe with infamy thy time-worn tomb;
And make the memory hated as the man."
GRAHAM'S *Sabbath*.

* Fountainhall. Cloud of Witnesses.

* It was this notorious parliament which deprived Scotland of its forty-shilling franchise, as the smaller freeholders were almost to a man presbyterians.

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he would inviolably maintain the Protestant religion, together with the laws for the protection of the rights and properties of his subjects; and he had solemnly promised that if they passed the act of succession every security which they should require for the reformed faith would be granted.

Enactment of a test of passive obedience—

This promise the duke fulfilled in a very characteristic way, by converting the security for the Protestant religion into a test of passive obedience, which all persons who held offices, civil, ecclesiastical, or military, all members of parliament, and all electors, were required to take under the penalty of confiscation. In this test the royal supremacy over all persons, and in all causes, civil or ecclesiastical, was asserted, the covenant renounced, and passive obedience broadly asserted. The person who took this test promised that he would constantly adhere to the Protestant religion, and disavowed all tenets hostile to it; declared that he held it unlawful to take up arms against the king, or to form associations for the redress of grievances; and bound himself never to consult or determine upon civil or ecclesiastical affairs without his majesty's permission, or to attempt any alteration of the constitution in Church or State. The proposal of such an oath, which no man could take unless he believed resistance, even to the most flagrant tyranny, to be a sin, excited fierce debates even in this slavish and pusillanimous assembly. Lord Belhaven was sent to prison merely for observing that the proposed test afforded no security to their religion against a popish successor. As it was difficult to define with accuracy what was the precise standard of the Protestant religion, which they were to swear they would maintain, Dalrymple, the lord-president, suggested (probably with the design of rendering the act abortive) that they should adopt as the rule of faith the Confession of Faith framed by Knox and the other early reformers, and ratified by the first parliament of James VI. This Confession, which had been superseded by the Westminster Confession, was known to very few; the prelates themselves, as it turned out, had never read it; but, as it was supposed to be favourable to prelacy, it was eagerly supported by the bishops, and adopted without inquiry; and the test thus hastily and heedlessly framed, was approved of by a majority of seven votes.

—its absurdity and contradictions—

It was found on examination to be a mass of contradictions and absurdities. The Confession distinctly asserts that it is the duty of all good subjects to repress the tyranny, and to resist the oppression, of the sovereign, while the other portion of the test broadly inculcates the duty of passive obedience. The person, therefore, who took the oath really swore that he would, and that he would not, take up arms against the king if he became a tyrant and an oppressor; that he would constantly adhere to the Protestant faith, and yet that he would conform to whatever religion the king might appoint; that he would maintain the presbyterian form of worship and discipline as established by Knox, and yet that he would attempt no innovation on the present episcopal system. No honest Protestant or Papist, Presbyterian or Episcopalian, could subscribe such a test. Several even of the courtiers scrupled to take it; a number of the clergy expressed their dissatisfaction with some of its propositions; and the Earl of Queensberry, the justice-general, refused to swear it unless he were allowed to add an explanation.

It was supposed that an oath which contained propositions so contradictory, and, therefore, incapable of being performed, would not be enforced. But the duke, who was himself exempted from its operation, saw the advantages which the test would give him over the presbyterians; and, therefore, with his hereditary obstinacy and peculiar dulness of heart, he determined to enforce it, though at the expense of truth, honesty, and sincerity. In order to remove the scruples of the episcopal clergy, an explanation, suggested by the Bishop of Edinburgh, though totally inconsistent with the test itself, which was to be received in its literal acceptation, was adopted by the council and approved by the king.

—general dissatisfaction caused by it—

But this act, as might have been expected, failed to give satisfaction to any except the obsequious supporters of the court, and about eighty of the most respectable of the clergy refused to subscribe either to the literal sense, or to the explanation of the test, and were in consequence ejected from their livings. They removed to England, where, through the influence of Bishop Burnet, they were provided with benefices.* A few noblemen and gentlemen hesitated to comply, and were in consequence ejected from their offices; but the public men in Scotland at this time were in general utterly regardless of the sanctity of an oath, and an immense majority of those in official situations readily submitted to the test.

The courtiers proposed that as a mark of respect all princes of the blood should be exempted from taking the oath. This exception, which was intended to save the Duke of York from swearing to maintain the Protestant religion, was zealously opposed by the Earl of Argyll, who observed that the great danger to be dreaded from the reformed faith must arise from the perversion of the royal family, and that the proposed exemption would be an encouragement for them to abandon the national Church. His words produced a deep impression upon the obdurate and unforgiving duke, though he was silent at the moment, and Argyll was soon made to feel the consequences of his displeasure.

—Argyll takes it with an explanation—

The earl himself was prepared to resign his office of privy councillor rather than subscribe the test; but at the duke's request he at length complied, subjoining an explanation which he had beforehand communicated to James, and which he believed had received his approbation. "I have considered the

* Wodrow, vol. ii. pp. 198—204; Burnet, vol. ii. pp. 333—336.

test," he said, "and am very desirous of giving obedience as far as I can. I am confident that the parliament never intended to propose contradictory oaths; therefore, I think no man can explain it but for himself. Accordingly, I take it as far as it is consistent with itself and the Protestant religion. And I do declare that I mean not to bind myself in my station, and, in a lawful way, from wishing and endeavouring any alteration which I think to the advantage of Church or State, and not repugnant to the Protestant religion and my loyalty; and this I understand as a part of my oath." This explanation was apparently received by the duke and the council with great satisfaction. No objection was offered, no offence taken by any one; and the earl was invited by James to resume his seat at the council board. Few or none of the Scottish nobles had less reason than Argyll to apprehend any danger from the court. He had from his youth been a zealous supporter of the royal family; had rendered important services to Charles during his residence in Scotland, and had adhered so faithfully to his cause when at its lowest ebb, that the protector had committed him to prison, where he lay till the Restoration. After the execution of his father, the family estates with the ancient earldom were restored to him by the king; for twenty years he had continued to give a moderate though steady support to the government; and though he had on one or two occasions opposed the vile junto which afflicted the country, his conduct, even in opposition, had always been exceedingly mild and temperate, and as he afterwards thought, and probably with truth, criminally moderate. His remarks, however, on the test showed the duke that the government could not rely on the entire support of Argyll in their flagitious designs against the religion and liberties of the country, and, therefore, since he would not go all lengths with the court it was resolved to destroy him. He was accordingly apprehended and brought to trial for treason, leasing-making, and perjury. Two of the judges, Collington and Harcarse, had the honesty and courage to oppose this attempt to perpetrate the grossest injustice under the forms of law. It was supported by other two, Newton and Forret, the infamous instruments of Lauderdale's tyranny, while Queensberry, who presided as justice-general, and had himself taken the oath with an exception, refused to vote. In this dilemma a superannuated judge named Nairn, who had long been laid aside from active duty, was roused from his bed at midnight and carried to the court, for the purpose of deciding the question against the earl. Next day a decision was pronounced by the court that the charge was legally relevant, and that the guilt of treason had been incurred by the prisoner. Argyll on this declined any longer to continue an unavailing defence. A jury of eleven peers and four commoners, seven of whom were privy councillors, with the Marquis of Montrose, the hereditary enemy of the Campbells, as foreman, acquitted him of perjury, but by a unanimous verdict found him guilty of treason and leasing-making; and when the result was made known to the king he sent instructions that the sentence should be pronounced, but the execution of it suspended till further orders. It was afterwards pretended by the Duke of York and his creatures that it was never meant to carry this sentence into effect, and that nothing more was intended by this perversion of justice than to wrest from the earl his extensive jurisdiction in the Highlands. There is every reason to believe that this statement is false; but even if it were true, the infamy with which James and the government covered themselves by this transaction would be very slightly diminished. It is certain that their whole conduct at the time seemed to show that the death of Argyll was firmly resolved on. The duke had twice refused him an audience; and some of the courtiers had been heard to say that it would be easier to satisfy the king when the deed was done than to obtain his previous consent. A strong body of horse and foot were marched into Edinburgh, and apartments were provided for him in the Tolbooth, to which noblemen were usually removed from the castle before execution. On hearing of these preparations, Argyll felt that it would be imprudent to trust any longer to the justice or mercy of such enemies; and on the evening of the 20th of December he made his escape from the castle in the disguise of a page, holding up the train of his step-daughter, Lady Sophia Lindsay; and, in spite of a keen pursuit, was safely conducted by William Veitch, an ejected minister, through unfrequented roads to London.* King Charles, though he had not the honesty to annul the iniquitous proceedings of the court, had the generosity, it is said, not to inquire after the place of Argyll's retreat; and when a note was put into his hand intimating where the earl was to be found he tore it in pieces, saying, "Pooh, pooh! hurt a hunted partridge? Fie, for shame!"† After lurking for a short time in London, Argyll ultimately passed over into Friesland, where his father had bought a small estate as a place of refuge for the family in case of their expulsion from their hereditary possessions. Sentence of attainder was immediately pronounced against him; his estate was confiscated; his arms were reversed and torn; and a large reward was offered for his head.‡

—his apprehension and shameful treatment—

—he is found guilty and sentenced to death—

—his escape from prison.

This shameless prostitution of justice excited deep indignation among men of all parties, both in England and Scotland, and contributed not a little to strengthen the opposition of the English patriots to the duke's succession to the crown. "I know nothing of the Scotch law," said Lord Halifax

* M'Crie's Life of Veitch, pp. 131—144.

† Kippis' Biogr. Britann.

‡ State Trials, vol. x.; Burnet, vol. i. p. 521; Fountainhall's Decision, vol. i. p. 167; Case of the Earl of Argyll, Law's Memorials, pp. 210—217; Wodrow, vol. ii. pp. 204—217.

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to the king, "but this I know, that we should not hang a dog here on the grounds on which my Lord Argyll has been sentenced."* In Scotland the consternation was universal among the presbyterians, and the Earl of Loudoun, Dalrymple, the late president of the court of session, and Fletcher of Saltoun, who had opposed the test, retired to the Continent; while the Duke of Hamilton, and others of the principal nobility, rather than subscribe the oath, suffered their hereditary jurisdictions to revert to the crown.

A number of Scottish patriots retire to the Continent.

As the king had now completely triumphed over the patriotic party in England, and no longer dreaded their clamours, he permitted his brother to return to court. About the time of his leaving Scotland, a letter was addressed to the Archbishop of Canterbury by seven of the Scottish prelates, applauding the measures of the duke, to which they ascribed the peace and tranquillity of the kingdom. They commended his repression of the "wicked fanatics;" attributed to his zeal the stability of their Church; and expressed in strong terms their sincere resolution to serve him. This base and sycophantish document, which they were at pains to publish and circulate, shows how well these prelates deserved the odium which has been heaped upon them, and how completely they disregarded honour, integrity, the conscientious scruples of their own brethren, and common humanity, provided they could promote their own selfish ends, and gain the favour of a mean and bigoted prince, who they well knew was the avowed enemy both of their Church and of the Protestant religion.†

Servile letter of the Scottish prelates.

In the following year (May, 1682) the duke paid a final visit to Scotland, in order to settle the government and carry his family to London. The *Gloucester* frigate, in which he took his passage, struck upon a sand-bank near Yarmouth, and was lost; but the duke escaped in the barge along with the Earls of Middleton and Perth. Churchill, Legge, and others of his favourites, and a number more were saved by the boats of the attending yacht. According to Bishop Burnet, James was chiefly solicitous to save his priests and dogs. But the duke himself states that the sailors on board the ship, though they felt themselves sinking, unmindful of their own danger, gave a loud shout when they saw him safely received on board the yacht.‡

Loss of the Gloucester frigate.

On reaching Scotland James appointed Gordon of Haddo chancellor, with the title of Earl of Aberdeen; Queensberry he made treasurer; and Perth justice-general. Shortly after these changes, Lauderdale, broken down both in body and mind by intemperance and disease, died at Tunbridge. The close of his flagitious career was embittered by the loss of his influence, as well as by the domestic tyranny of his haughty and rapacious wife. "Discontent and age," says Fountainhall, "were the chief ingredients of his death, if his duchess and physicians were free of it; for she abused him most grossly, and had gotten* from him all she could expect, and was glad to be quit of him." The Duke of Rothes, another active persecutor of the covenanters, died about the same time in great agony of mind. Like some others of his unprincipled associates, he earnestly sought on his death-bed the services of the ministers whom he had persecuted during his lifetime, but their prayers were drowned in the groans wrung from him by remorse and terror. The Duke of Hamilton, on leaving the bedside of the poor dying wretch, said, with tears, "We banish these men from us, and yet when dying we call for them: this is melancholy work." Glencairn and Annandale manifested equal anxiety on their death-beds to obtain the assistance of presbyterian ministers, which led the Duke of York to observe that "he believed that Scotchmen, be they what they would in their lifetime, were all presbyterians at their death."†

New ministry.

Death of Lauderdale and of Rothes.

The change in the administration brought no alleviation to the sufferings of the unhappy presbyterians. Every new ministry, indeed, seems to have laboured to recommend itself to the favour of the court by exceeding the violence and cruelty of its predecessors; and now, under the personal superintendence of the heir to the throne, the furnace was "heated one seven times more than it was wont to be heated." Statutes and proclamations fiercer than ever were fulminated against the nonconformists; ruinous fines were levied without abatement; executions became daily more fre-

Renewed persecution of the presbyterians.

* Both Charles and his brother endeavoured afterwards to excuse their conduct in this infamous affair. The former issued a proclamation offering a reward for the apprehension of Argyll, "that if it missed his person it might convince the world at least he was satisfied with the duke's management." The latter pleaded as his reason for rejecting the intercession of Lauderdale in behalf of Argyll, "that he would not be diverted, to make friends for himself, from pursuing the king's interest." "What an affecting picture of brotherly love!" says Lord John Russell. (Life of Lord William Russell, vol. ii. p. 15.)

† Wodrow, vol. ii. pp. 223—229, and Appendix No. 76.

‡ Life of King James VII., p. 710.

* He disinherited his daughter, Lady Tweeddale; but the duchess had so impoverished his family estates that a mere remnant only descended with the title of earl to his brother Hatton.

† Wodrow, vol. i. p. 216. Rothes, though he readily went along with Lauderdale and the council in their oppression of the covenanters, was naturally by no means cruel or hard-hearted. His duchess, Lady Anne Lindsay, "a discreet, wise, virtuous, and good lady," was a zealous friend of the presbyterians, and frequently concealed their ministers in the neighbourhood of Leslie House. The duke, when he sent out his officers to apprehend any of them, frequently gave a significant hint of his intentions to the duchess in these words: "My hawks will be out to-night, my lady, so you had better take care of your blackbirds." Wodrow gives an interesting anecdote confirmatory of the statement made to him by "Mr. John Loudoun, who was sometimes in the family of Rothes, that the duke, though he put on a face of severity and persecution of the presbyterians partly to cover his keeping Bishop Sharp fast to him, and to keep the clergy at his devotion, yet he was no enemy to them in his heart, and showed them all the favour he could."—*Analecta*, vol. iv. p. 42.

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quent; new and more barbarous punishments were devised; and the rules of justice were more flagrantly perverted than ever. The harshness and cruelty of the Duke of York's nature were conspicuously displayed during his Scottish administration. He seemed to take pleasure in witnessing scenes which filled even the servile and hard-hearted courtiers with horror; and when the other members of the privy council rushed from the chamber as soon as the apparatus of torture was produced, so that it was at length found necessary to issue an order that they should keep their seats, the duke surveyed the horrid spectacle, not only with calmness, but with deep interest, and watched the agonies of the tortured wretches with as much complacency as if he had been observing some scientific experiment.* This unfeeling conduct contributed greatly to increase his unpopularity, as well as to deepen the aversion of the people to the Romish faith. This feeling pervaded all classes of the community. The effigy of the pope was publicly burned at the Cross of Edinburgh by the students of the university, some of whom were imprisoned for the offence. In the midst of this excitement, the mansion of the lord-provost happened to be burned to the ground. This accident was ascribed to revenge for the imprisonment of the students, and, though no proof of this was ever discovered, the university was shut up, and the students were banished for a time from the city.†

Cruelty of the Duke of York.

On the downfall of the English patriots, the duke returned to London; but his confidential friends, on whom he had conferred the chief offices of the state, were careful to carry on the government in accordance with his instructions. Dalzell was enjoined to make a more strict inquiry after delinquents who had not compounded for their offences; to exact the penalties with greater severity; and to devise some more effectual means of enforcing attendance upon the ministrations of the curates. Those who heard of any meeting of the covenanters, and neglected to give immediate notice to the nearest officer or magistrate were to be held equally guilty with the prescribed offenders. The military were invested with full justiciary powers to examine, condemn, and execute, or otherwise punish, all suspected persons. Those who refused to declare their innocence upon oath were held guilty. The wife of Douglas of Cavers, a gentleman of an old and powerful family, was fined five hundred pounds, and confined upwards of two years in Stirling Castle, because she would not swear that she had not been present at any conventicle since 1679. Alexander Hume, whose only real offence consisted in his having attended conventicles, was accused of rebellion and found guilty without any evidence, because his "defence was repugnant to the indictment," or, in other words, because it was contrary to the charges brought against him. It is said that a remission of his sentence, which came down from London several days before his execution, was withheld by the Earl of Perth; and that when the wife of the prisoner, on the morning of his death, on her knees besought the intercession of Lady Perth for the sake of her five young and helpless children, she was repulsed in the most insulting manner.*

Execution of Alexander Hume.

The case of Laurie of Blackwood was in some respects even more flagrantly unjust, and excited great clamour throughout the country. He had no connection whatever with the covenanters, but was prosecuted for holding intercourse with certain persons who had been at Bothwell Bridge, and allowing some of his tenants engaged in that rising to reside on his estate. It was in vain he pleaded that these persons had never been prosecuted or intercommuned; that they had been included in the indemnity, and had remained unmolested for two years. The lord-advocate contended that a person who had been engaged in a rebellion must have incurred the suspicion of the whole neighbourhood, and if so, each individual in the neighbourhood must have heard of the grounds of suspicion, and was bound to make known his suspicions to the government. It was presumed, therefore, that Blackwood must have been aware that the persons with whom he conversed were rebels, although they had not been convicted, or even accused. On these grounds he was found guilty and condemned to death. With some difficulty a reprieve was obtained for him, and ultimately his sentence was commuted. But it was determined to make his attainder a precedent for a new offence, which would place more than half the property of the country at the mercy of the privy council.† A proclamation was issued against all who had ever harboured or conversed with rebels, even though "neither forfeited as traitors nor denounced at the time for rebellion;" all who were suspected of having conversed with the disaffected, even by accident, were to be summoned to answer for this new crime; and circuit justiciary courts for their trial were appointed to perambulate the south and west districts of the country, where, at least, twenty thousand persons were by this atrocious policy involved in the penalties of treason. Absolution, however, was granted to those who took the test, so that the people were reduced to the cruel alternative of either perjuring themselves by swearing a contradictory oath, or suffering the penalties of treason. A single case may serve to show the manner in which this atrocious proclamation was carried out. Robert Hamilton of Monkland was brought to trial on the charge of having held intercourse at Bothwell Bridge with the murderers of Archbishop Sharp, and of having received rent

Trial of Laurie of Blackwood.

Proclamation against holding intercourse with rebels.

Case of Hamilton of Monkland.

* Burnet, vol. i. p. 583; Wodrow, vol. ii. p. 169.
† Fountainhall's Chron. Notes, p. 7.

* Wodrow, vol. ii. p. 268; Burnet, vol. ii. p. 340.
† Fountainhall's Decis., vol. i. p. 205; Wodrow, vol. ii. p. 273.

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from a tenant who was engaged in that insurrection, though he afterwards received an indemnity. Hamilton pleaded that his conduct had always been loyal and peaceful; that he had regularly attended his parish church, paid cess, and avoided all connection with the disaffected; that when they assembled near his property he had left his residence to avoid them, but that his son, a child about seven years of age, having wandered after nightfall, and suspecting that some of his servants might have carried him to the vicinity of the rebel encampment, where a crowd of idle spectators had assembled, he had gone thither in search of the boy, and, having found him, left the place in half an hour without holding any intercourse with the rebels. The truth of this plain story was not questioned by Mackenzie, the lord-advocate; but he had the effrontery to declare that the act which Hamilton acknowledged was treasonable, and circumstances could never palliate or alter its nature, and he was not at all obliged to inquire with what intention the prisoner had gone among the rebels. As a matter of course, Hamilton was found guilty, forfeited, and condemned to death. His life was ultimately spared on his offering to take the test; but he was imprisoned for seventeen weeks, and amerced in eight years' rent of his estate, amounting to sixteen thousand pounds.*

Proposals to establish a colony in Carolina.

Alarmed at these tyrannical proceedings, from which no man could deem himself safe, a considerable number of the leading presbyterians resolved to dispose of their estates, and to abandon a country from which civil and religious freedom seemed alike to be banished. About thirty-six noblemen and gentlemen entered into an association for the establishment of a colony in America, and their agents were sent to London in order to treat with the proprietors of Carolina for a settlement in that district. "Any condition," as Hume remarks, "seemed preferable to their living in their native country, which by the prevalence of persecution and violence was become as insecure to them as a den of robbers." At this juncture, however, the leaders of the whig party in England, unhappily for themselves and for the sacred cause of freedom and justice, began to revolve plans of rebellion against the government, and proposed that there should be simultaneous risings in various parts of the country; while at the same time some of the more fierce and desperate of the party formed a separate or under plot, commonly called the Rye-House plot, for the assassination of the king and his brother. The former opened communications with the Scottish malcontents, and requested their co-operation in their concerted scheme of resistance. Various meetings and negotiations were accordingly held, and a correspondence was entered into with Argyll and the Scottish exiles in Holland. It was proposed that Argyll should raise the standard of revolt in the west of Scotland, and that the Earl of Tarras, the brother-in-law of Monmouth, should take arms with his friends and retainers on the Borders, as soon as the projected rising took place in England. But the Scottish malcontents, perceiving that there was a want of unanimity and vigour among their English confederates, and that the country was not prepared to rise in arms against the government, resolved unanimously to defer taking any steps till a more favourable season.

Rye-House plot—

Unfortunately, at the moment when this resolution was adopted, both plots were discovered. The government artfully contrived to confound the two conspiracies together; and, as the tide of feeling in consequence ran strongly against the whigs, the king and his brother availed themselves of the opportunity to exact ample vengeance for their opposition to the measures of the court and the succession of the duke. Lord William Russell and Algernon Sidney, in defiance of law and justice, were beheaded. Sir Thomas Armstrong and various other members of the party shared their fate. Essex perished by his own hand in the Tower. A number were found guilty of conspiracy, misprision of treason and libel, and severely punished. Many fled the country, and the great patriotic party, which so lately bearded the court with impunity, and had nearly succeeded in altering the succession to the throne, seemed at length completely crushed.

—arrest of the Scottish patriots implicated in it.

A number of Scottish gentlemen who were suspected of complicity in the plot were apprehended in London and sent down to Scotland for trial; but they had conducted their proceedings with so much prudence and caution that no direct evidence of their connection with the alleged conspiracy could be obtained. In the hope that some proof of their guilt might be discovered, Gordon of Earlston, who had been intercepted at Newcastle on his way to the Continent with credentials from the Cameronians to the Protestant churches abroad, was ordered to be put to the question after he had been condemned to death; but he either feigned madness, or the sight of the instruments of torture overwhelmed him with such horror that nothing of importance could be extracted from him.*

Trial of Campbell of Cesnock—

Sir Hugh Campbell of Cesnock, an aged and respectable gentleman, was first brought to trial. As there was no proof of his connection with the plot, he was accused of abetting the insurrection at Bothwell Bridge by conversing with some who had left the encampment, and declaring that "he liked not runaways, and that they should get help

* Some of the petty rural tyrants seem to have taken a diabolical pleasure in compelling the people to involve themselves in the guilt of perjury. One of the most notorious of these persecutors, Johnstone of Westerhall, commanded the heads of families in the parish of Moffat to meet next day in the church to take the test, observing, with an oath, "that before to-morrow night they should all be damned as well as he." (See Fountainhall, vol. i. p. 235.)

* Dalrymple's Mem., vol. i. p. 67; Wodrow, vol. ii. p. 311.

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if they would bide by it." His plea that on the day specified he had not quitted his own house, was rejected on the ground that it was contrary to the indictment, and inferred perjury against the crown witnesses. He then offered to prove that these witnesses were suborned by the promise of reward, and that one of them was actuated by malice; but this offer also was rejected; Mackenzie, insisting that the subornation of the witnesses was no valid objection to their testimony, unless it could be proved that the prosecutors in the cause—his majesty or his advocate—were the suborners. The condemnation of the venerable prisoner now appeared inevitable. But when the first witness was produced in court, Cesnock, fixing his eyes upon him, solemnly adjured him, "Look full in my face, and by the perilous oath you have sworn take heed to what you say; for, as I shall answer to God and upon the peril of my own soul, I am here ready to declare I never saw you in the face before." Although previously well tutored, the self-convicted wretch was so struck with this impressive appeal, that he acknowledged he never heard the prisoner utter the words laid to his charge. A loud shout from the delighted spectators so enraged Mackenzie that, losing all self-restraint and sense of decency, he poured forth a torrent of abuse on Cesnock's friends, and on the presbyterian party. Perth, the justice-general, whose brother, Lord Melfort, had received a promise of the expected forfeiture, made repeated attempts to prompt and direct the witness; but the jury, with unwonted independence and courage, interposed and put a stop to this shameless proceeding. The other witness confessed that he had not seen the prisoner for a considerable time either before or after the battle of Bothwell Bridge; and after a violent altercation with the bench, the jury returned a verdict of not guilty. But so degraded had the administration of justice now become, that the witnesses were put in irons till they retracted their evidence; the jury were prosecuted for a riot in court, and only escaped punishment by making an apology; and Cesnock, though acquitted by their verdict, was sent a prisoner to the Bass and his estate forfeited.*

—his acquittal.

The acquittal of Cesnock so enraged the government that they had recourse to a new method of torture, and strained every nerve to obtain evidence respecting the plot. Some of Argyll's letters had been seized, but all attempts to decipher them had hitherto failed. Spence, the earl's secretary, however, who possessed the key, had been apprehended in England; but as the law of that country forbade the employment of torture, he was sent down a prisoner to Scotland, where no such just and humane regulation existed, and the privy council now resolved to put him to the question. He endured the torture of the boot without making any revelation, which so exasperated the council that they delivered him over to the tender mercies of General Dalzell, who caused him to be deprived of sleep for a week, but still without effect. He was then subjected to the thumbikins, a new instrument of torture for compressing the thumb and hand, which Dalzell and Drummond had brought from Russia. The suffering inflicted by this engine was so intolerable that Spence could hold out no longer; and, having learned from his friends that the government was already in possession of all the information that could be obtained from the letters, he agreed to decipher them on condition that his evidence should not be judicially employed. The Rev. William Carstairs, afterwards principal of the university of Edinburgh and confidential adviser of King William, was subjected to the same torture, which he bore for an hour and a half with the greatest fortitude. But on being threatened with a repetition of the question, he gave way, and accepted the terms which had been agreed to by Spence. He confessed, however, nothing more than the government already knew; and the council had no suspicion that he withheld from them secrets of vast importance, which had been intrusted to him by the pensionary Fagel, the discovery of which would have been attended with ruinous consequences to the cause of freedom.*

Spence and Carstairs examined by torture—

—their confessions.

The correspondence of Argyll, however, implicated the Earl of Tarras, commissary Munro, and Murray of Philiphaugh, and evidence was in turn extorted from them which afforded the council a pretext to bring to trial Baillie of Jerviswood. This venerable patriot, who was as distinguished for his loyalty as for his abilities and learning,† his amiable disposition, and his fidelity to his religious principles, was now in the last stage of a mortal disease, brought on by the rigour of a long imprisonment. He had already been produced before the council on a charge of "intercommuning with rebels," in other words, of having conversed with fugitive presbyterians. No evidence, however, appeared against him; but because he refused to swear that he would answer all the questions which should be propounded to him, he was fined in six thousand pounds sterling. He was now dragged from his sick-bed, though so weak that he was unable to stand, and placed at the bar of the

Trial of Baillie of Jerviswood—

* Fountainhall's Decis., vol. i. p. 286; Wodrow, vol. ii. p. 382.

* After the Revolution the instrument with which he had been tortured was presented to Principal Carstairs, and it is still in the possession of his descendants. It is said that King William, being curious to see and try the effect of the engine, inserted his fingers in the thumbikins, and requested Carstairs to give the screw a turn. The courtly principal complied with the request, but somewhat gently. "That is not so very painful," said his majesty; "but you are trifling with me; press more hardly." Carstairs, thus urged, and feeling that his credit for fortitude was at stake, gave the screw another turn, on which William exclaimed, "Hold! hold! Principal; another turn and I would confess anything."

† Burnet terms Baillie "a learned and worthy gentleman;" and the celebrated Dr. Owen said to a friend, "You have truly men of great spirits in Scotland; there is Mr. Baillie of Jerviswood, a person of the greatest abilities I ever almost met with."

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justiciary court on a charge of high-treason. His objections to the indictment were unanswerable; but, as a matter of course, they were all overruled. Still the evidence against him was so defective that, in violation of the solemn promise of the council, as well as of law and justice, the confession extorted from Carstairs was produced in court by Mackenzie as an "adminicle of proof;" and the unprincipled advocate, in a virulent harangue, affirmed in the strongest terms that Baillie had been accessory to the "horrible plot" for assassinating the king and his brother. The venerable prisoner, who had to be supported during the trial by cordials to prevent him from sinking, then rose to address the court wrapped in his nightgown, and fixing his eyes on the lord-advocate, said, "I think it strange," my lord, "that you should accuse me of such abominable actings. Did you not own to me privately in prison that you were satisfied of my innocence? And are you now convinced in your conscience that I am more guilty than before?" The whole audience turned their eyes towards Mackenzie, who, in spite of his hardihood, was overwhelmed with confusion, and muttered out, "Jerviswood, I own what you say, but my thoughts there were as a private man; what I say here is by special direction of the privy council;" and, pointing to the clerk, he added, "He knows my orders."—"Well," said the prisoner on hearing this shameless avowal, "if your lordship have one conscience for yourself and another for the council, I pray God forgive you—I do." Then, turning to Perth, the justice-general, he said, "My lord, I trouble you no further."

—his condemnation.

The jury returned a verdict of guilty at nine o'clock in the morning; and the council, afraid that their malice would be anticipated by a natural death, ordered the prisoner to be executed on the same day at two in the afternoon; his head to be placed on the Netherbow port of Edinburgh, his body to be quartered, and the members to be sent to the towns of Glasgow, Lanark, Jedburgh, and Ayr. When this doom was pronounced, he said, with great calmness, "My lords, the time is short; the sentence is sharp; but I thank my God, who has made me as fit to die as ye are to live." When he had returned to the prison, being asked how he felt himself, he replied, "Never better; and in a few hours I'll be well beyond all conception." Shortly after, he added, "They are going to send me in pieces and quarters through the country. They may hack and hew my body as they please. I know assuredly nothing shall be lost, but all these my members shall be wonderfully gathered and made like Christ's glorious body." His behaviour on the scaffold exhibited "a mixture of Roman greatness and Christian resignation." His sister-in-law, a daughter of the celebrated Warriston, who had attended him in prison and stood beside him during his trial, supported him also in his last moments. He was unable to ascend the ladder without assistance, and, seating himself on one of the steps, he began to say, "My faint zeal for the Protestant religion has brought me to this end,"—when the drums were ordered to beat and drown his words, and he submitted to his sentence, which was executed to the letter, with all its revolting barbarities. A short speech which he had prepared vindicating his character from the aspersions of his enemies was, however, printed and circulated, greatly to the annoyance of the council, who attempted in vain to procure its suppression.*

—and execution.

Sir Patrick Hume.

Baillie's friend, Sir Patrick Hume of Polwarth, who was involved in the same charge, made his escape from prison, and found a place of refuge in the vault of his family burying-ground. Here he remained in concealment during a whole month, and his noble daughter Grisell,† after nightfall, brought a supply of food, and remained with him in this gloomy spot till daybreak. Sir Patrick ultimately escaped to the Continent, and joined the Earl of Argyll and the other Scottish exiles in Holland.

"Killing time."

The period which intervened between the judicial murder of Baillie and the Revolution was usually termed "killing time" by the suffering presbyterians, to mark the peculiar severity of the persecutions to which they were subjected. The indulged ministers, who had hitherto enjoyed a precarious liberty, were now silenced; and those who refused to grant bonds that they would abstain from preaching were imprisoned or banished. The peasantry were required to swear that they never had conversed with, or shown kindness to, any of the intercommuned wanderers, as they were termed, nor ever would.

Increased severity of the persecution.

All the heritors were summoned and required to take the test, gibbets were erected in some places to terrify the people into compliance, and the recusants were at once thrown into prison and brought to trial on the charge of holding intercourse with rebels. Fathers were punished for venturing to receive or converse with their sons, and wives for harbouring their husbands. Ruinous fines were imposed for nonconformity, and now became a large and regular source of public revenue.

Husbands made responsible for the absence of their wives from church.

To render these exactions more galling and oppressive, it was proposed that husbands should be held liable for the absence of their wives from church, as well as for their attendance on conventicles. This arbitrary proposal was resisted by the Earl of Aberdeen, the chancellor, as contrary to law as well as equity; but when the question was referred to the king, at

* Fountainhall's, Decis., vol. i. p. 327; Wodrow, vol. ii. p. 398; Burnet, vol. ii. p. 427.

† She was afterwards married to the eldest son of Baillie, a mutual attachment having been formed in the prison, where they had been accustomed to meet while their fathers were in confinement. See Memoirs of George Baillie of Jerviswood, and of Lady Grisell Baillie, by their daughter, Lady Murray of Stanhope.

‡ Wodrow, vol. ii. pp. 412—466.

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the instigation of his brother, he decided in its favour, and Aberdeen was dismissed from his office, which was bestowed upon Perth. As the wives of the greater part of the presbyterian gentry had for years withdrawn from their parish churches, this iniquitous decision virtually placed their estates at the mercy of the government. Two gentlemen in Renfrewshire were on various pretexts amerced in sums which amounted altogether to six times the value of their entire estates. Sir William Scott of Harden was fined fifteen hundred pounds sterling on account of his lady's absence from church; and Mackenzie, the lord-advocate, who obtained a gift of the fine, exacted the whole sum with interest. The fines imposed, for the same offence, upon a few of the chief proprietors in the county of Roxburgh amounted to twenty-two thousand five hundred pounds. The penalties of every kind exacted within eleven shires amounted to an hundred and eighty thousand pounds sterling—an enormous sum in those days, especially in the depressed state of the country.*

Fines.

The case of Porterfield of Duchal, which was by no means singular, affords an example of the infamous mode in which the laws were strained, and the courts of justice disgraced, in order to ruin the presbyterians, and enrich the worthless minions of the court, by their forfeiture. This gentleman had been solicited by Sir John Cochrane to contribute a small sum of money for the support of Argyll, and had refused; but he was brought to trial on the charge that he had not revealed the application to his majesty, or his officers. Perth, the chancellor, and the fifteen judges of the court of session, having been consulted respecting this new crime, gave it as their opinion, that as Argyll was a traitor, to contribute money or to solicit contributions for his support was also treason; and that to conceal the request for such a contribution was "downright veritable treason, and it affords no plea that the money was refused, for the concealment of the fact constitutes the essence of the crime." Porterfield was, therefore, forfeited and condemned to death as a traitor, and was obliged to compound for his estates with the chancellor's brother, the vile apostate Melfort, who sat as one of the judges on his trial.†

Case of Porterfield of Duchal.

Oppressive as these proceedings were, the measures adopted against the Cameronians or Hill-men were much more severe. In dealing with them, murder went hand in hand with robbery. In the absence of all evidence, ensnaring questions were put to them respecting the royal supremacy, the murder of Sharp, the rising at Bothwell Bridge, and other similar matters, and their silence or their answers were alike taken as evidence of their guilt. The powers of the ordinary magistrates were now intrusted to the military, and the common soldiers were authorised to put to death any suspected persons they might meet with who should refuse to take the test, or to answer to their satisfaction the questions they might put to them. When expelled from their homes the wanderers were forced to hide in dens and caves, among morasses and woods, and to suffer every extremity of climate and the want of the common necessaries of life, and to live cut off from all intercourse with their nearest relatives. The poor friendless fugitives were hunted by the soldiers like wild beasts. Spies and apostate renegades were instructed to gain their confidence and betray them.* On some occasions bloodhounds were employed to discover their retreats; and whenever they were apprehended they were at once put to death without indictment, or trial, or proof. The Duke of York had declared, with characteristic barbarity, that "there would never be peace in Scotland till the whole of the country south of the Forth was turned into a hunting-field," and now it appeared not at all unlikely that his words would be verified.

Oppression of the Cameronians.

Driven to despair by these atrocious proceedings, the unhappy wanderers drew up and published in October, 1684, what is termed their "apologetical declaration," in which, after disavowing the royal authority, they expressed their abhorrence of murder committed from a difference of judgment or of religious persuasion; but solemnly warned all who chose "either with bloody Doeg to shed their blood, or with the flattering Ziphites† to inform persecutors where they were to be found," that the principle of self-preservation would constrain them not to allow such deeds to pass unpunished. They were careful to discriminate between their sanguinary persecutors, and the more sober and moderate of the public officials; and declared their determina-

Their apologetical declaration.

* These facts may serve to show that it is a mistake to suppose, as has been often done, that the presbyterians chiefly belonged to the poorer classes of the community. Some of the highest nobility, and the greater part of the gentry and substantial farmers, adhered to the presbyterian faith.

† Fountainhall's Decis., vol. i. p. 315; Wodrow, vol. ii. p. 422.

* A royal commission was granted in 1684 "to employ spies and intelligencers to go in company with the said rebels and fugitives as if they were in their party, the better to discover where they haunt and are reset." Two of these miscreants on one occasion fell into their own trap, and met with a well-merited punishment. They belonged to a troop of soldiers stationed in Renfrewshire, and were sent by their commander to the house of Duchal to collect information respecting the proprietor, who, as we have just seen, was obnoxious to the government. They applied to the lady for quarters, pretending to be persecuted covenanters, and she directed them to go to the barn, and sent them a mess of porridge for their supper. They fell to eating the food *without asking a blessing*. The servant from this circumstance conceived suspicion that they were spies, and informed her mistress, who, in great alarm, laid her fears before her husband. Duchal brought the two soldiers to the front of his house, and, in the presence of all his domestics, inflicted a severe horsewhipping on the "rebellious whigs," as he pretended, on their confession, to consider them, and who had thus by a crafty device attempted to bring him into trouble. After the whipping, he bound them hand and foot, and threw them into the old vault of Duchal Castle till the commander came and relieved the pseudo-covenanters. (Wodrow, vol. iv. p. 160, note by the Editor.)

† 1 Sam. chap. xxii. and xxiii.

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tion to retaliate as far as lay in their power on such privy councillors, lords of justiciary, officers and soldiers, and common informers, as should still continue to embrue their hands in the blood of the covenanters. "Call to your remembrance," they said, "all that is in peril is not lost, and all that is delayed is not forgiven."* This declaration was affixed in the night to many of the market crosses and the doors of the parish churches, and produced a strong impression on the country. The warning thus wrung from the wanderers by the severity of their sufferings, had the effect of terrifying for a time some of the more active spies and informers, but it exasperated the government, and led to the adoption of still more severe measures against the covenanters.† The privy council ordained "that whosoever owned, or refused to disown, the declaration on oath, should be put to death in the presence of two witnesses, though unarmed when taken." A form of abjuration was prescribed, which the soldiers were commanded to enforce under the penalty of death. Special commissions or courts of inquiry were appointed with justiciary powers. If any suspected persons failed to appear on being summoned, their goods were to be confiscated, their houses burned, and the children above twelve years of age of those who were condemned or executed were to be sold as slaves to the plantations. A royal warrant, signed by the king himself, directed that women who obstinately adhered to the principles of the covenanters should be drowned. These inhuman decrees were executed to the letter. In those districts in which the declaration of the Cameronians had appeared, all the inhabitants of both sexes were collected into one place, and surrounded by soldiers with drawn swords till they took the test. Proprietors were ordered to produce lists of the people resident upon their estates, so that none might escape observation. Every avenue to escape was closed; and captains of vessels were forbidden, under pain of confiscation, to leave the kingdom until they had presented lists of their passengers to officials appointed for the purpose. All who travelled within the realm were required, under the penalty of death, to carry with them a certificate that they disavowed the declaration, and had taken the test in the presence of a magistrate. Innkeepers were forbidden to receive any guest till he had produced this certificate, and were empowered to exact an oath from travellers that their certificates were genuine.

Retaliatory measures of the government.

The work of death was carried on with horrid glee by the military executioners. The slightest pretext was regarded as a sufficient warrant for their proceedings. The want of a certificate; the least scruple in swearing the test; an expression of sympathy for the sufferers, and of indignation at their cruel treatment;* even mere suspicion was in many cases followed by immediate execution. One or two specimens of these sanguinary proceedings may suffice. A poor man sleeping on a bank was surprised by a lieutenant and three soldiers. Their suspicions were excited by finding a Bible lying near him; and they awoke him, and asked if he would pray for the king; "With all my heart," was the prompt reply. But on being further interrogated whether he was willing to renounce the covenant, he answered firmly, "I'd as soon renounce my baptism." Upon this he was at once put to death on the spot.† On another occasion, a countryman lying in a field, engaged in reading, was observed by some soldiers, who called to him, and then fired, and shot him, because, being deaf, he did not make any reply. Five wanderers had taken refuge in a cave in the parish of Glencairn, their retreat was discovered and betrayed by a base informer, who had pretended to share in their sentiments, and to sympathise with their sufferings. The soldiers first fired into the cave, and then rushing in dragged the sufferers forth to execution, and put them to death without trial or examination, or even asking a single question. One man, being observed to be still alive, was thrust through the body by one of the murderers. The dying man raised himself up, and, weltering in his blood, exclaimed with his last breath, "Though every hair of my head was a

Sanguinary excesses of the soldiers.

* Wodrow, vol. ii. p. 429; Appendix, No. 99; Hind let Loose, p. 177; Short Memorial, &c., pp. 18, 19.

† It would not have been surprising if men who were placed beyond the protection of law, and hunted like wild beasts, had with the courage of despair turned upon their ruthless persecutors, and taken deadly vengeance for the enormous wrongs they had suffered. But their threat of revenge was never executed. Two soldiers, indeed, who had been active in persecuting the people were put to death by persons who were never discovered, and a curate named Peirson lost his life in a scuffle; but the Cameronians have always disclaimed this murder. The only instance in which they ever attempted, after the battle of Bothwell Bridge, to repel force by force took place at Enterkin, a steep pass in Dumfriesshire, which winds along the side of a mountain with a tremendous precipice beneath. One misty morning a party of dragoons were proceeding along this dangerous pass, carrying with them to Edinburgh nine prisoners bound two and two on horses, when a voice was heard from the hill above. The commanding officer halted, and cried out, "What do you want? and who are ye?" In reply, twelve men stood forward on the side of the hill surmounting the pass, and one of them called to the officer, "Sir, will you deliver up our minister?" The officer, with an oath, refused; on which the countryman fired at once, and shot the officer through the head. He immediately fell to the ground, and his horse, frightened by the fall of its rider, reared back over the precipice, and was dashed to pieces. The officer next in command then desired a parley, and agreed to release the minister, saying to him, "Go, sir, you owe your life to this d——d mountain."—"Rather, sir," was the reply, "to the God who made the mountain." The release of the rest of the prisoners was next demanded and granted, and the crest-fallen soldiers were then permitted to proceed on their march. (Defoe's Memoirs of the Church of Scotland, part iii. pp. 189—195; Wodrow, who relates the same incident, says the soldiers fired first on the countrymen.)

* James Nicol, a burgess of Peebles, having been accidentally compelled to witness the execution of three covenanters in the Grass-market, Edinburgh, said, as he was leaving the spot, "These kine of Bashan have pushed these three good men to death at one push, contrary to their own base laws, in a most inhuman manner." For this offence he was immediately seized and committed to prison, and in a day or two brought to trial, condemned, and executed. (Wodrow, vol. ii. p. 377.)

† Defoe's Memoirs of the Church of Scotland.

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JOHN GRAHAM OF CLAVERHOUSE VISCOUNT DUNDEE.

From the Original by Sir Peter Lely

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man, I would die all those deaths for Christ and his cause."*

Employment of torture.

Torture was had recourse to upon the slightest suspicion, and the boots, the thumbikins, the application of lighted matches between the fingers till the flesh was consumed, and other devices of fiendish cruelty were employed to compel the poor sufferers to betray their friends, or to bear witness against themselves. Even children were beaten and kicked by the brutal troopers to intimidate them into revealing the lurking-places of their parents.

Cruelties of Grierson, Johnstone, and Graham of Claverhouse.

During this the hottest period of the persecution, Grierson of Lagg, Johnstone of Westerhall, Captain Douglas, brother of the Marquis of Queensberry, Bruce of Earlshall, Urquhart of Meldrum,—names still mentioned with execration by the Scottish peasantry,—and, above all, Graham of Claverhouse, distinguished themselves by their savage cruelty and the wanton murders which they perpetrated. Claverhouse on one occasion having seized six unarmed fugitives, caused four of them instantly to be shot in his presence, and the remaining two were afterwards executed by his order. At another time, having captured one of the wanderers who endeavoured to save himself by flight, with diabolical cruelty he brought him back to his family, and put him to death in the presence of his wife.† The atrocities perpetrated by Grierson were, if possible, still more revolting. In this monster was displayed what has been justly termed the most odious vice that is incident to human nature—a delight in misery merely as misery. He was in the habit of mocking, in the coarsest terms, the victims whom he tortured and butchered, and the sight of their agonies produced in him a kind of fiendish exultation and glee. When implored to grant a few minutes to prepare for death, he would exclaim with oaths and curses—"What, have you not had time enough to prepare since Bothwell!" It is affirmed by Wodrow that Grierson and his associates used, in their drunken orgies, to play at the torments of hell, to personate devils, and to lash each other with whips, in jesting imitation of the tortures of the damned.

Death of Charles II.

These horrible deeds received a momentary interruption by the death of the king, who expired on the sixth of February, 1685, in the fifty-fifth year of his age, and twenty-fifth of his reign.

His character.

In person Charles was tall and well-proportioned, with a swarthy complexion and harsh features. He was possessed of excellent natural parts, a good temper, a pleasant wit, and affable and polite manners. His early years had been passed in penury and danger; but adversity taught him neither self-denial nor industry, and he returned from exile indolent, selfish, unfeeling, faithless, ungrateful, and insensible to reproach or shame, with a settled distrust of mankind, and an entire disbelief in the existence of integrity among men, or of chastity among women. He was a profound and habitual dissembler, and made and broke promises with equal facility. The slave of his appetites, his life was spent in a round of degrading sensual indulgences and frivolous amusements; and his habitual and entire disregard of the rules of morality, contributed in no small degree to produce that deep-rooted and general corruption, and that licentiousness in morals which, throughout his reign, disgraced the nation. His detestation of business and of labour of every kind kept him in a state of the most disgraceful ignorance; and it was almost impossible to induce him to give the slightest attention to the most serious affairs, even when his misgovernment and neglect of duty had brought the country to the brink of ruin. He had imbibed the arbitrary maxims of his father and grandfather; and the whole tenor of his conduct, especially during the latter part of his reign, indicates his determination to subvert the liberties of his people, not from ambition, but merely for the unlimited gratification of his private tastes and appetites. So careless was he of the honour and interests of his kingdom, and even of his own reputation, that he stooped to become the hired lacquey of the French king; and bartered the independence of his own crown, and the safety of Europe, for the means of satisfying the rapacity of his worthless courtiers and the profusion of his female favourites. It is scarcely possible to condemn in too strong terms the atrocities perpetrated in Scotland by his authority, and his oppression of that country has justly been compared with the tyranny of the worst of the Cæsars. With respect to religion, he appears to have had no fixed belief; but, before the Restoration, he made in secret a careless profession of the Romish faith, and he received absolution from Huddleston, a popish priest, a few hours before his death. In spite of all that his apologists have adduced in extenuation of his vices, the impartial verdict of history must pronounce him a profligate man and a bad sovereign.*

* M'Crie's Sketches, vol. ii. pp. 211, 212.

† The following specimens of the brutality of Claverhouse may serve to show with what justice he has been held up as the mirror of chivalry. In the year 1683, when a band of Highlanders were searching for the wanderers, they rifled the house of a poor man near Hawick, and carried away his wife and infant child. The poor woman, burdened with her child, was unable to keep pace with them, and Claverhouse ordered the savages "to put a rope about her neck and trail [drag] her." On another occasion, when they were marching through Eskdale and Ettrick Forest, the Highlanders, having complained to Claverhouse that they could not get the women and children along, this gallant and chivalrous soldier commanded them to "bind the little ones to the meikle ones, and gar them harl [drag] them."

* Burnet's Hist., vol. ii. pp. 456—470; Wellwood's Memoirs, p. 140; Hume, chap. lxix.; Macaulay's History of England, vol. i. pp. 167—171.

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CHAPTER LIII.

JAMES THE SEVENTH.

A.D. 1685—1688.

Accession of James VII.

CHARLES was succeeded by his brother, who assumed the title of James the Second of England and Seventh of Scotland. The new monarch had long been one of the most unpopular men in the kingdom. His dull and narrow understanding, obstinate temper, harsh and revengeful disposition, combined with his popish principles to render him obnoxious to the great body of the people, both in England and Scotland; and a strenuous effort had been made during the reign of his brother to exclude him from the throne. The patriotic party was now, however, completely crushed, and the suspicions of their opponents had not yet been aroused, so that not the slightest opposition was made to the accession of James. Conscious that he was regarded with no friendly feelings, the new king, at the first meeting of his privy council, endeavoured to remove the apprehensions of his subjects by a conciliatory speech, in which he declared his resolution to maintain the established government in Church and State, and to imitate the "singular lenity" which had distinguished his brother's reign. This declaration, which was certainly not sincere,* was received by the members of council with loud acclamations of gratitude and joy; and a vast number of addresses were presented from corporations and other public bodies, declaring, in the most servile terms, their delight at his accession, and their confidence in his promise.

His speech at the first meeting of the privy council.

Intelligence of the death of Charles reached Scotland on the 10th of February, and on the same day James was proclaimed king by lawful and undoubted succession and descent, and as sovereign over all persons and in all causes, holding his imperial crown from God alone, and therefore as entitled to claim unconditional obedience. He declined, however, to take the coronation oath for Scotland, as its obligations would have fettered him in his plans for the re-establishment of popery; and the obsequious council acquiesced in his refusal, although it was afterwards adduced to justify the sentence that he had forfeited the throne.†

He declines to take the coronation oath.

The accession of James brought no relief to the persecuted covenanters, and the laws against those accused or suspected of adherence to the presbyterian faith were enforced with the same relentless severity. An indemnity was indeed published, but it proved as usual a merely nominal offer of mercy; for as pardon was extended only to those who were under the degree of "heritors, wadsetters,‡ liferenters, burgesses of royal burghs, and vagrant preachers," the leaders of the covenanters were excluded from the benefit of the indulgence, and none except mechanics and peasants could avail themselves of "the innate clemency of his majesty, a virtue which," it was gravely added, "hath shined in the whole line of his royal race."* The circuit courts in the south and west, by the special orders of the privy council, renewed their iniquitous proceedings with increased vigour. The murders in the fields continued without intermission; and the soldiers were permitted to plunder and maltreat the people at their pleasure. Multitudes were put to death by them, often without a trial, on mere suspicion, or on account of their refusal to take the test, or to betray the hiding-places of the wanderers. Women were not unfrequently burnt in the cheek, and the ears of the men lopt off; and great numbers, thus branded and mutilated, were transported to North America and the West Indies, and sold as slaves.

Continuance of the persecution.

On one occasion, six persons were surprised at prayer in the parish of Minnigaff, in Galloway, by a troop of horse commanded by Captain Douglas, who, without inquiry, commanded them to be instantly shot—the exercise in which they were engaged being regarded as conclusive proof of their guilt. On another occasion six of the wanderers were seized in the parish of Urr, by Bruce of Earlshall; four of these unhappy fugitives were put to death by him on the spot; the remaining two were carried before Sir Robert Grierson of Lagg, and because they refused to take the oath of abjuration they were hanged upon the nearest tree. Five others, one of whom was a gentleman, named Mr. Bell, of Whiteside, step-son to Viscount Kenmure, were put to death by Grierson in the same summary manner, and the petition of the unfortunate youth for a few minutes to prepare for death was rejected with imprecations and fiendish mockery. Some time after the murder, Lord Kenmure, meeting Grierson in company with his associate Claverhouse, reproached him with his cruelty to his relation, and particularly for not allowing his dead body to be buried. The ferocious ruffian replied with an oath, "Take him if you will, and salt him in your beef barrel." The brutality of this reply so enraged Kenmure that he drew his sword, and, but for the interference of Claverhouse, would have run Grierson through on the spot.†

Brutal murders committed by Douglas, Bruce, and Grierson.

The proceedings of the commission courts were quite as ruthless as the doings of the military and the militia. Three women were apprehended at Wigton, and brought to trial for nonconformity. One was an aged widow, named Margaret MacLauchlan, remarkable for her piety

Two women drowned at Wigton for nonconformity.

* See James's own admission, Clark's Life, vol. ii. p. 3.
† Wodrow, vol. ii. p. 471. ‡ Holders of mortgages.

* Wodrow, vol. ii. p. 473.
† Ibid. Grierson married the aunt of Queensberry. As a reward for his services in persecuting the covenanters, he was created a baronet 28th March, 1685, and received a pension of £200 a year.

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JAMES II.

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and prudence; the other two were the daughters of a respectable farmer, named Gilbert Wilson, who, along with his wife, had conformed to the episcopal system, though their children had steadfastly refused to attend the parish church, and for this cause had been driven for shelter to the hills and morasses. They were all condemned to death, because they refused to take the oath of abjuration, and to attend the episcopal worship. The life of the youngest daughter, a girl of thirteen, was purchased by her father for the sum of one hundred pounds sterling; but the other, named Margaret, who was eighteen years of age, was sentenced to be drowned along with her aged companion. They were carried to a spot near Wigton, which the Solway Frith overflows twice a day, and, in the presence of Grierson of Lagg, Major Winram, and an immense concourse of spectators, bound to stakes fixed in the sand within floodmark, that they might endure all the horrors of a lingering death. The stake to which the elder victim was tied was placed near to the advancing tide, doubtless with the expectation that the sight of her death-struggles would shake the resolution of the younger sufferer. But her courage was supported by a principle which was proof even against the terrors of death. She calmly sang a portion of the twenty-fifth psalm,* and prayed till the waves covered her. But before life was extinct the soldiers unbound and drew her out of the water, and their commander, Major Winram, when she came to herself, asked if she would pray for the king. She replied that she wished for the salvation of all men, and the damnation of none. One of the spectators, deeply affected, implored her to yield—"Dear Margaret, say, God save the king!"† The poor girl answered calmly, but firmly, "God save him if He will, for it is his salvation I desire." Her friends eagerly cried out to the major, "Sir, she has said it! she has said it!"—"Will she take the abjuration oath, then?" demanded Winram.—"I will not," was her firm reply. "I am one of Christ's children—let me go!" And she was immediately thrown into the sea, and the waves closed over her.‡

On the 5th of May two men, named Peter Gillies and John Bryce, belonging to Ayrshire, were condemned to death by a military tribunal, not for any act of rebellion, but, as their indictment expressly bears, merely for holding the same doctrines which it was alleged had impelled others to rebel. They were immediately hanged, and their bodies buried at the foot of the gallows.*

Six days later, three poor labouring men, who had adopted the opinion that it was sinful to pray for those who had been predestined to perdition, were stopped in the neighbourhood of Glasgow by an officer, who asked whether they would pray for the king. They refused to do so unless he were one of the elect, and were instantly shot.†

Murder of John Brown of Priesthill.

But amidst all the atrocities perpetrated by the government and its instruments during these "troublous times," the murder of John Brown, the "Christian carrier," by Claverhouse, has taken the deepest hold upon the minds of the Scottish people, and has contributed probably more than any other of his crimes to render his memory abhorred by them down to the present hour. The story is told by the chroniclers of the day with almost scriptural simplicity and pathos. Brown lived at a place called Priesthill, in the parish of Muirkirk. His cottage, which has since been demolished, stood on the brow of an eminence, surrounded by an extensive tract of heath, moss, and rocks. He was originally intended for the church;‡ but an impediment in his speech rendered him unfit for that profession, and he became a carrier, conveying on packhorses the produce of the farmers and shepherds of the district to the neighbouring towns. He was a man of amiable manners and great intelligence, and was respected by all who knew him for his singular piety and strict integrity. He had taken no part in the risings of these sad times, and the persecutors, like the envious courtiers of King Darius, "could find none occasion nor fault against him, except concerning the law of his God." His only offences were his absence from the ministrations of the curate of the parish, and his holding intercourse with the fugitive ministers of his own faith. He was married to Marion Weir, a woman of great excellence of character and strength of mind, of a lively and humorous disposition, and a cheerful temper. The marriage ceremony was performed at a conventicle, in 1682, by Alexander Peden, one of the most celebrated of the Cameronian ministers, who addressed the bride in the following singular terms:—"You have got a good husband, value him highly. Keep linen for a winding-sheet beside you, for in a day when you least expect he may be taken from you." This pious couple lived very happily together; and to this day "the domestic peace and comfort of Priesthill are talked

* "Let not the errors of my youth,
Nor sins, remembered be;
In mercy, for thy goodness' sake,
O Lord remember me!" &c.

† Sir George Mackenzie, in his apology for the atrocious proceedings of the government, in which he took a leading part, asserts that none suffered during the reign of Charles II. who would say, "God save the king!" This statement is false; for many suffered who were quite willing to say these words. But the unscrupulous tool of tyranny conceals the fact, of which he was quite well aware, that when the prisoners at the bar asked the meaning of the words referred to, they were told that they implied the acknowledgment not only of the civil but of the ecclesiastical supremacy of the king, and were therefore regarded by the persecutors, no less than by their victims, as a virtual renunciation of the presbyterian principles.

‡ Wodrow, vol. ii. chap. ix.

* Wodrow, vol. ii. chap. ix. † Ibid.

‡ Brown's training for the office of the ministry, however, was not lost. "Every Monday evening he met with the young persons of the neighbourhood, and instructed them from the Bible and the Confession of Faith. In summer they assembled in a sheep-bught, and in winter they formed a circle around a large fire of peat and cannel-coal, that blazed in the middle of the spence-floor. The effects of the substantial instruction these rustics got is felt to this day in that neighbourhood."—SCOT'S *Worthies*, p. 576.

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of in the district in which they lived."* Many a little meeting for worship was held at their fireside; but as the persecution waxed hotter these meetings were broken up. Three of the little band who attended them were murdered in the months of February and March, 1685; and the "inoffensive Christian carrier" himself was often obliged to seek shelter amid the moors of Kyle and Lanarkshire. On the 30th of April, Peden, who had for some time found refuge in Ireland, but had now returned to Scotland, paid a visit to Priesthill.† The aged minister, worn out with his labours and wanderings, readily found the shelter which he sought. He stayed all night; and in the morning, when he bade the family farewell, as he turned from the door, he said twice to himself, "Poor woman! a fearful morning—a dark misty morning!"‡ After the departure of his guest, John Brown took a spade in his hand, and went to the hill to prepare some peat ground. It was about six o'clock, and the morning was dark and foggy, so that before he was aware, Claverhouse, who had spent the previous night at the village of Lesmahagow, came upon him with three troops of dragoons, and brought him down to the door of his own house. A brief examination ensued, in which John at once admitted that he did not attend the public worship of the episcopalians, and stated his reasons so clearly and tersely (though he usually stammered much upon addressing a stranger), that Claverhouse asked his guides if they had ever heard Brown preach. "No, no," was the reply; "he never was a preacher."—"If he has never preached," said Graham, "meikle§ has he prayed in his time." Then turning to his prisoner, he said, "Go to your prayers, for you shall immediately die." The poor man obeyed; and kneeling down, began to pray with great power and fervour. Three times did the brutal persecutor interrupt him: once when, in allusion to the sufferings of the covenanters, he was pleading that the Lord would spare a remnant, and not make a full end in the day of his anger. "I gave you time, to pray," said Claverhouse, "and ye are begun to preach."—"Sir," said his meek and patient victim, turning round on his knees, "you know the nature neither of preaching nor praying, if you call this preaching." When his devotions were ended, Claverhouse said to him, "Take good night of your wife and children." Turning to his wife, who was standing by with his two children, Brown calmly said, "Now, Marion, the day is come that I told you would come, when I spake first to you of marrying me."—"Indeed, John," she replied, "in this cause I am willing to part with you."—"Then," said he, "this is all I desire; I have no more to do but to die." He kissed his wife and children, and wished "purchased and promised blessings" to be multiplied to them, and his blessing. Claverhouse then ordered six soldiers to shoot him; but the fervent prayers of poor Brown, and the appearance of his wife, holding one child by the hand, carrying another in her arms, and evidently again about to become a mother, produced such an impression on the minds of the hard-hearted troopers, that they shrank from the fearful crime of murdering her husband before her face, till in the end Claverhouse was forced to become the executioner himself, and, in a fury, shot him dead with his own hand.* She had never before this tragic event (as she told Patrick Walker, sitting upon her husband's gravestone), been able to look at blood without being in danger to faint; yet she was helped to be a witness to all this without either fainting or confusion, except that when the shots went off her eyes dazzled. When the horrid deed was perpetrated, the murderer turned to the widow, and said, "What thinkest thou of thy husband now, woman?"—"I ever thought meikle of him," she replied, "and now more than ever."—"It were but justice," said he, "to lay thee beside him."—"If you were permitted," was the rejoinder, "I doubt not but your cruelty would go that length; but how will ye answer for this morning's work?"—"To man I can be answerable," said the bloodthirsty ruffian; "and as for God I will take him in my own hands." He then mounted his horse, and rode off, leaving the widow with the corpse of her husband lying there. After the departure of the dragoons, the heroic woman set her child on the ground, and gathered together her husband's brains, tied up his head, straightened his body, and covered it with her plaid; and these duties being discharged, she sat down beside the corpse, and wept bitterly.† The cold-blooded wickedness of

* Memoirs of John Brown of Priesthill, with Preface, by William M'Gavin, p. 21.

† Peden's reputation has suffered not a little from the exaggerations of his humble and uneducated admirers, who were in the habit of referring his predictions to inspiration. He was undoubtedly an enthusiast, though at the same time a man of great sagacity, and a keen judge of human motives. One half of the stories told of him are not true; and the book entitled "Peden's Prophecies" is not genuine.

‡ The psalm sung by them at family worship on this fatal morning was the xxvii., and the portion of Scripture read was the sixteenth chapter of the Gospel of St. John, which closes with the words, "In the world ye shall have tribulation, but be of good cheer, I have overcome the world."

§ Much.

* Wodrow, vol. ii. p. 503; Patrick Walker's Life of Peden, p. 74. Walker says the soldiers did fire; and "that the most part of the bullets came upon Brown's head, and scattered his brains upon the ground." Walker's account came from the wife of the murdered man; and as she "was in danger to faint, and her eyes were dazzled," it is a matter of no surprise if she could not tell distinctly from whom the shot came. See also "Scot's Worthies," p. 581; "Cloud of Witnesses," appendix, p. 382; and "A Short Memorial of the Sufferings and Grievances of the Presbyterians in Scotland," printed in the year 1690. The eulogists of Claverhouse have sought in various ways to extenuate the murder of Brown; and one of the most recent of their number has ventured, in the face of the clearest contemporary evidence, as well as of the reluctant admission of friends, to deny that this deed, which he characterises as "a dastardly and unprovoked murder," was perpetrated by Claverhouse at all. See Appendix L.

† John Brown was buried at the end of his house, with the following inscription on his gravestone:—

"In earth's cold bed the dusty part here lies
Of one who did the earth as dust despise;
Here, in this place, from earth he took departure—
Now he has got the garland of the martyr," &c.

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this barbarous deed is of itself sufficient to stamp the character of Claverhouse with eternal infamy; and it is stated on good authority that even on his obdurate heart and seared conscience the prayers of John Brown produced an impression which was never altogether worn off.

Atrocious conduct of Johnstone of Westerhall.

A few days after the murder of the Priesthill martyr another atrocious deed was perpetrated in Eskdale. One of the prescribed wanderers, labouring under a mortal disease, had found shelter under the roof of a respectable widow, named Hislop, and had died there. This offence came to the knowledge of Johnstone of Westerhall, the proprietor of the estate on which she lived,—an apostate from presbyterianism, who hated with peculiar bitterness the faith which he had abandoned, and laboured to gain the favour of the government by his vindictive persecution of the covenanters. This petty tyrant pulled down the house of the poor widow, drove out her and her younger children to wander in the fields, robbed her of her furniture, and dragged her son Andrew, who was a mere youth, before Claverhouse, that sentence of death might be passed upon him. Claverhouse, strange to say, expressed pity for the poor lad. Since the murder of Brown he had exhibited some marks of compunction, and now urged delay. But Westerhall, eager to signalise his loyalty, insisted that the sentence should be immediately executed, and Claverhouse yielded, saying, "The blood of this poor man be upon you: I am free of it." The captain of a Highland company, who was present with his men, was asked, but peremptorily refused to execute this iniquitous sentence, and Claverhouse ordered three of his own dragoons to do it. When they were ready to fire, the youth was told to pull his bonnet over his face. "No!" was his undaunted reply; "I can look my death-bringers in the face without fear—I have done nothing of which I need be ashamed." Then holding up his Bible, he charged them to answer for what they were about to do at the great day, when they should be judged by what is written in that Book. He received their fire without shrinking, and was buried in the moor.*

Meeting of the Scottish parliament—

As the Scottish parliament was expected to be more obsequious than the English to the royal will, the meeting of the Estates at Edinburgh was hurried on, while the session of the English houses was postponed, for the express purpose, as James admitted, of affording the former an opportunity to exhibit an example of dutiful obedience to the king's commands. The meeting was opened on the 28th of April, by Queensberry, as commissioner. As every presbyterian was excluded by the test, this assembly was composed entirely of episcopalians, and showed itself even more base and obsequious than its predecessors in its readiness to sacrifice the rights and liberties of the nation on the shrine of arbitrary power. The Estates were plainly informed by his majesty in the letter, which was read to them at the opening, that he was determined to maintain his prerogative in its highest lustre; that compliance with his demands was necessary rather for their own security than for his aggrandisement; and that as nothing had been left unattempted by certain "fanatical murderers and assassins, wild and inhuman traitors," to overturn the public peace, he trusted that nothing would be wanting on the part of the parliament to inflict merited punishment on them for their crimes. The commissioner and the chancellor enlarged successively on the royal letter, and eagerly pressed the extirpation of the Cameronians, not merely as rebels to the king, but as inveterate enemies to mankind.

—its baseness and servility.

The confidence of James in the servility of the Scottish parliament was not misplaced. They drew up a declaration of duty, in which they expressed their abhorrence of every principle derogatory to the king's sacred, supreme, sovereign, absolute authority, and promised an unreserved obedience to his commands. The whole nation, between sixteen and sixty, was placed at his disposal. The duties which had been granted to the late king were annexed in perpetuity to the crown; and an additional income of two hundred and sixteen thousand pounds Scots, equivalent to eighteen thousand pounds sterling, was settled on James for life. The most iniquitous acts of the privy council and of the justiciary court were legalised by *ex post facto* enactments; and an ample indemnity was granted to all the officers of the crown, civil and military, for their illegal proceedings. The demand of the king for new and more stringent penal laws against the presbyterians was promptly and zealously obeyed. It was enacted, by a statute of peculiar atrocity, that whoever should expound the Holy Scriptures in a house where five persons in addition to the members of the family were present, or should attend either as preacher or hearer a field-meeting, should be punished with death and confiscation of goods.* The refusal to give evidence against persons suspected of treason or nonconformity was converted into the same crimes of which they were accused. To administer or receive the covenant, to write in its defence, or to acknowledge its obligation, was declared treason. The test was extended to nearly all classes of the community, under the penalty of a fine, at the discretion of the council. The Earl of Loudoun, Lord Melville, Fletcher of Saltoun, Sir Patrick Hume, Sir James Dalrymple, Sir John Cochrane, and other exiles, were attainted, and their estates forfeited; and Campbell of Cesnock and his son, though acquitted by the verdict of a jury, to gratify the rapacity of Melfort, were deprived of their estates, and sent to the Bass. And, finally, this scene of wholesale murder and spoliation was closed by an

Enactment of more stringent laws against the presbyterians.

Attainder of the exiles.

* Wodrow; Cloud of Witnesses.

* Act. Par. Jam. c. vii., May 8th, 1685.

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act by which the estates of Argyll, Baillie of Jerviswood, Porterfield of Duchal, and about twenty others, were for ever annexed to the crown.

Origin of entails.

The insatiable greed of the king and the courtiers, and the numerous attainders which the parliament was required to sanction, excited great alarm among the nobility; and it has been conjectured, with much plausibility, that an act which was passed at this time to authorise the perpetual entail of lands, ostensibly for the purpose of preserving their estates from alienation or debts, was really intended to secure them from the rapacity of the crown. As it is a maxim in law that a person attainted can forfeit nothing more than he was entitled to alienate, the possession of an entailed estate would, in the event of an attainder, forfeit merely his own life-rent interest in the property. In this way the family would be preserved from ruin, and the iniquitous laws which now disgraced the statute-book would be at least partially evaded. It was owing to this cause that strict entails were introduced into Scotland at a period when other countries were freeing themselves from the trammels of the feudal system. But in adopting this measure to recover their property from the grasp of the crown, the Estates, with that disregard of honesty characteristic of the times, did not hesitate to set aside the just claims of their private creditors.

The Scottish and English exiles in Holland.

Meanwhile the Scottish and English exiles in Holland, stimulated alike by private and public wrongs, were engaged in planning a double invasion for the deliverance of their respective countries. Monmouth, whose hopes of return to England were utterly extinguished by the death of his father, and the accession of his obstinate and implacable uncle, yielded to the importunity of his associates, and agreed to make a descent on the southern coast of England; while the Earl of Argyll undertook the invasion of Scotland. Associated with the great Highland chieftain were certain Scottish gentlemen, whom the iniquitous measures of the court had driven from their native land, and who were burning with impatience to effect its deliverance from arbitrary power. The chief of these exiles was Sir Patrick Hume of Polwarth, whose escape has already been mentioned. He has been justly described as "a man incapable alike of leading and of following; conceited, captious, and wrong-headed, an endless talker, a sluggard in action against the enemy, and active only against his own allies."* At the very outset the mutual jealousies and contentions of the exiles had nearly ruined the enterprise. At length their differences were compromised, and it was resolved that Argyll should attempt a descent on Scotland, and that Monmouth should, a few days after, land in the west of England, where it was expected that his personal popularity would attract the great body of the people to his standard. It was arranged that Monmouth should be accompanied by Fletcher of Saltoun, a staunch republican, who, though he disapproved of the attempt, yet would not shrink from sharing its dangers along with his friends; while Rumbold and Ayloffe, two of the English exiles, agreed to go with Argyll to Scotland.

Departure of Argyll from Holland.—

On the 2nd of May the Scottish expedition, consisting of three ships, set sail from Amsterdam, and after a prosperous voyage reached the Orkneys on the 6th, and anchored off Kirkwall. Argyll's secretary and physician, having very unwisely been allowed to go on shore, were arrested by Mackenzie, the bishop. After losing three days in a fruitless attempt to obtain their release, and in keen debates respecting the course they should pursue, the refugees proceeded to the coast of Argyleshire.

—he lands in Scotland.

The government, however, had already been apprised by Mackenzie of the movements of the rebel squadron. Some time before this, indeed, accounts had reached Scotland of the preparations going forward in Holland, and measures had been taken to defeat the expected attempt. The country was put into a state of defence; the militia was ordered to be in readiness; the strongholds in Argyleshire were dismantled or garrisoned; the chiefs of the clan Campbell were summoned to Edinburgh and thrown into prison, while others were compelled to give security for their peaceable behaviour. As soon as the news of the sailing of the expedition arrived, troops were put in motion towards the west coast, and several ships of war were ordered to cruise near the Isle of Bute. On reaching his own country, therefore, Argyll found that effectual precautions had been taken against his attempt, and that even his own clan were disheartened and unable to afford him adequate assistance. From Dunstaffnage, where he first touched, he proceeded to Campbelton, near the southern extremity of Kintyre.

Preparations of the government.

Argyll publishes his manifesto—

Here he published two manifestoes, one addressed to his clan, recapitulating the personal injuries he had received from the government; the other to the presbyterians, enumerating the sufferings inflicted upon the country by a popish tyrant, and calling upon all true patriots to take up arms for the vindication of the covenant and the overthrow of popery and prelacy. The fiery cross was also sent throughout the district, to summon all the Campbells, from sixteen to sixty, to rally round the banner of their chief. But only about eighteen hundred men obeyed this summons, not more than a third of the number that would have assembled, if the strength and spirit of the clan had been unbroken.

A difference of opinion now arose between the earl and his associates respecting the course they should follow. Argyll proposed that they should

* Laing's History, vol. ii. pp. 160, 161.
† Macaulay's History, vol. i. p. 536.

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first of all expel the royal troops from his domains, and take possession of the Castle of Inverary. A secure base would thus be obtained for their offensive movements. The whole strength of his clan would be at liberty to muster under his banner, and such an accession of strength would enable them to make a descent into the low country with good hopes of success. But Sir Patrick Hume and Sir John Cochrane, who had throughout manifested the greatest jealousy of Argyll, and had pertinaciously thwarted his plans, insisted that they should at once proceed to Ayrshire, where the people were strongly attached to the cause of the covenant. After a long and fierce discussion Argyll gave way, and, against his better judgment, consented to make a compromise, and to allow Cochrane and Hume to advance into the Lowlands with a part of their little army.

—disputes with his associates.

After a fruitless attempt to reach the coast of Ayrshire, which was watched by two English frigates, the insurgents sailed up the estuary of the Clyde as far as Greenock. Here another scene of dissension and wrangling ensued. Cochrane wished to land, for the purpose of obtaining provisions. Hume, of course, objected; and Elphinstone, a subordinate officer, whom Cochrane ordered to go on shore at the head of twenty men, refused to obey. Major Fullarton, another of the officers, then made the attempt with only twelve men, and, after a slight skirmish, drove back a body of militia, by whom the place was guarded, and obtained a supply of meal. They were completely disappointed, however, in their expectations of assistance from the Lowland covenanters. The more moderate of the party were crushed by oppression or overawed by the presence of the military, and regarded as hopeless the attempt to overthrow the government, hateful though it was to the great body of the people; while the Cameronians cherished a vindictive recollection of the ravages of the Highland host, and of the support which Argyll himself had given to the persecuting government, and refused to unite with him on the grounds set forth in his manifesto.

Cochrane lands at Greenock—

—the Cameronians refuse to join him.

On the failure of their hopes of assistance from the presbyterians of Renfrew and Ayr, Cochrane and Hume rejoined Argyll, who had proceeded to the island of Bute. Difficulties now gathered thick around the devoted band, but still their dissensions were as violent as ever, and the two parties seemed even about to come to blows. They at length agreed to garrison a fort on the small island of Eillangheirrig, at the mouth of Loch Ridden, and there disembarked the military stores. Their ships were moored close to the walls of the fort, out of the reach, as was supposed, of the royal frigates, and some outworks were thrown up for their protection. Leaving a portion of his troops to protect the place, Argyll proceeded towards Inverary, but was obliged speedily to retrace his steps by the intelligence that the king's frigates were threatening Eillangheirrig. The earl proposed to attack the enemy with his ships, assisted by thirty large fishing-boats manned with Highlanders; but, as usual, the committee resolutely opposed the plan, and even excited a mutiny among the sailors.

Renewed dissensions.

The ill-fated enterprise was now rapidly hastening to ruin. The committee had reserved to themselves the superintendence of the stores, and these had been so mismanaged and wasted that provisions began to fail, and the Highlanders consequently deserted in great numbers. In these disheartening circumstances, Argyll at length yielded to the urgency of the committee, and agreed to make a descent into the Lowlands. The insurgents accordingly marched towards Dunbartonshire, but they had scarcely reached the eastern shore of Loch Long, which they crossed by night in boats, when news reached them that the royal frigates had forced a passage through the shallows and captured their ships, and that Elphinstone, who had most unwisely been left in command at Eillangheirrig, had, without a blow, abandoned the fort and all their stores to the enemy.

Argyll resolves to make a descent on the Lowlands—

—capture of his stores.

Affairs were now all but desperate. The means of escape were cut off; provisions and ammunition were lost; while the Marquis of Atholl was advancing on one side, the Duke of Gordon on another, and the Earl of Dunbarton was preparing to oppose the little army of the exiles in front. In this extremity Argyll resolved boldly to march to Glasgow, and resolutely persevered, in spite of the opposition of Hume and his associates, who now abandoned the plan they had up to this time pertinaciously urged, and proposed that they should take up a strong position among the Highland fastnesses. On the 16th of June they crossed the river Leven, three miles above Dunbarton, and marched eastward to the village of Kilmaronock "weary and hungry enough." A strong body of regular troops and militia now appeared in front, and Argyll proposed to attack them; but his intention was overruled by Hume and the other officers, and it was resolved to give the enemy the slip by decamping during the night and hastening towards Glasgow. The guides, however, mistook the way, and led the troops into a morass, where the baggage and horses were lost. All order and subordination instantly ceased. Numbers lost their way, and were separated from the main body; hundreds deserted under cover of the darkness; and next morning only five hundred men, worn out with fatigue and hunger, assembled at Kilpatrick.

March to Glasgow resolved on.

Dispersion of Argyll's army—

The enterprise was now at an end. The little band of disheartened fugitives broke up and dispersed. Cochrane and Hume, with a small body of men, forced a passage over the Clyde, at Erskine House, repulsed a party of militia who opposed

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them, and fled into Ayrshire, where Cochrane was betrayed by his uncle's wife,* and sent up to London. Hume once more escaped to the Continent, to return in the train of the Prince of Orange. Argyll endeavoured, but without success, to obtain shelter in the house of one of his retainers who lived near Kilpatrick. He then crossed the Clyde in the disguise of a countryman, along with Major Fullarton, to whom he professed to act as guide. On reaching Inchinnan, near Paisley, they attempted to cross the river Cart by a ford, which was guarded by a party of militia. Something in Argyll's appearance excited their suspicions, and they attempted to seize him. He sprang into the stream, and kept five assailants at bay, for a short time, with his pistols; but the water had rendered his weapons useless, and he was struck to the ground with a broadsword, and secured, exclaiming as he fell, "Alas! unfortunate Argyll." His captors were moved with pity when they discovered the rank of their prisoner, but they dared not release him.† He was first of all conveyed to Renfrew, and thence to Edinburgh. Every kind of indignity was heaped upon him during his journey, but he bore it all with astonishing patience and equanimity. He was led up the Canongate and High Street like a common malefactor, with his hands bound behind his back and his head bare, preceded by the executioner bearing the axe. On reaching the castle he was put in irons, and informed that the privy council, by the command of the king, had determined not to bring him to a new trial for his rebellion, but to put him to death under his former iniquitous sentence.

—his capture at Inchinnan—

He was required by the privy council to answer certain questions upon oath, and was threatened with the torture, by the positive orders of the king himself, to compel him to reveal the names of his supporters. This atrocious threat, however, was not carried into effect, though it is certain that the earl resolutely declined to say anything that could injure his friends. "I have named none to their disadvantage," he wrote on the morning of his execution; "I thank God, he hath supported me wonderfully!" The night before his death he composed his own epitaph, a short poem written in a simple and forcible style, vindicating his character from the aspersions of his enemies—complaining that his fall was caused more by his friends than by his foes, though the latter had thrice sentenced him to death; and expressing his confident hope that though Providence had frowned on his attempt, God would at length vindicate the cause of his oppressed people, and by another hand rescue the faithful remnant, and bruise the serpent's head.

—he is threatened with torture—

—his firmness and composure in prison.

His wife and daughters had been apprehended by order of the privy council, as soon as the rumour of his invasion reached Scotland, and confined in the Castle of Edinburgh, so that he had the opportunity of spending a few hours in their society. To his sister, Lady Lothian, who was deeply affected in bidding him farewell, he said, "I am now loosed from you and all earthly satisfactions, and long to be with Christ, which is far better. It seems the Lord thought me not fit to be an instrument in his work; but I die in the faith of it, that it will advance, and that the Lord will appear for it. I hear they cannot agree about the manner of my death, but I am assured of my salvation; as for my body, I care not what they do with it. Sister," he added, while his heart filled at the thought of his afflicted wife, "be kind to my Jeanie." "We must not part like those not to meet again," were his farewell words to his stepdaughter, Lady Sophia Lindsay, who had formerly saved his life by aiding his escape from prison.

Although the earl spoke strongly of the folly and perversity of his associates, he expressed no regret on account of the enterprise itself; but he professed deep penitence for his former unworthy compliance with the sinful measures of the government, and his conformity to the worship of the Established Church. But though he was not worthy, he said, to be the instrument of delivering the nation from the yoke of bondage, and the Church from her oppressors, and his attempt had failed, yet he felt assured that the good cause would ultimately triumph. "I do not," he added, "take on myself to be a prophet, but I have a strong impression on my spirit that deliverance will come very suddenly."

On the day of his execution he dined and conversed at table with great cheerfulness, and, having been accustomed to sleep after dinner, he lay down as he was wont and took a short slumber. At this time one of the officers of state came to visit him with a message from the privy council, and demanded admittance. He was told that the earl was asleep; but, thinking this a mere subterfuge, he insisted on entering. The door of the apartment was softly opened, and he was permitted to look in. The sight of the prisoner, to whose destruction he had contributed, sleeping placidly on his bed overwhelmed him with remorse and shame. He ran out of the castle in a state bordering on distraction, took refuge in the house of a female relative who lived hard by, and flung himself in agony on a couch. After reiterated inquiries respecting the cause of his terror and anguish, he at length exclaimed, "I have seen Argyll, within an hour of eternity, sleeping as pleasantly as a child. But as for me—"

On leaving his bed, the earl was brought down from the castle to the council-house, where he was to remain till the hour for his execution. During

* In revenge for the death of her brother, Captain Cleland, who fell in a skirmish between the fugitives and a troop of soldiers who sought to hinder their flight into Ayrshire.

† One of these militia men was named Riddell, and so hateful did the whole of the race of the Riddells in consequence become to the Campbells, that within the present century a horse-dealer bearing that name, on visiting Balloch fair, near Loch Lomond, found it necessary to assume the name of Ridet. The spot where the earl was taken is marked by a stone, which is termed by the country people "Argyll's stone."

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that brief interval he wrote the following farewell letter to his wife:—"Dear heart,—God is unchangeable; He hath always been good and gracious to me, and no place alters it. Forgive me all my faults; and now comfort thyself in Him in whom only true comfort is to be found. The Lord be with thee, bless and comfort thee, my dearest! Adieu." To his step-daughter and daughter-in-law, Lady Sophia,* for whom he entertained a peculiar regard, he wrote:—"My dear Lady Sophia,—What shall I say in this great day of the Lord, wherein, in the midst of a cloud, I find a fair sunshine? I can wish no more for you but that the Lord may comfort you and shine upon you as He doth upon me, and give you the same sense of his love in staying in the world, as I have in going out of it. Adieu." On the same day, before leaving the castle, he bade farewell to his second son:—"Dear John,—We parted suddenly, but I hope shall meet happily in heaven. I pray God bless you; and if you seek Him, He will be found of you. My wife will say all to you; pray love and respect her. I am your loving father, Argyll."†

After writing these letters, he proceeded to the place of execution at the Cross, accompanied by a number of his friends, and some episcopalian divines. On the scaffold his behaviour was remarkably composed, and even cheerful. He addressed the spectators in a speech which breathed the spirit of piety and resignation, and declared that he forgave his enemies as he hoped to be forgiven. One of the episcopalian clergymen who attended him said aloud, so as to be heard by all the people, "This nobleman dies a protestant."—"Yes," said the earl, stepping forward, "I die not only a protestant, but with a heart-hatred of popery, prelacy, and all superstition." He next took leave of his friends, delivered to Lord Maitland some tokens of remembrance to his wife and children, and kneeling down, laid his head on the block, and prayed for a little space. He then uttered aloud three times the words, "Lord Jesus, receive me into glory!" and having given the signal to the executioner by raising his hand, the axe descended and severed his head from his body, and it was soon after fixed on the top of the Tolbooth.‡

—his execution.

Rumbold and Ayloffe, the two Englishmen who had accompanied Argyll in his unfortunate expedition, and who had displayed throughout a degree of sense and courage which presented a striking contrast to the folly and perversity of many of their coadjutors, lost their way during the night march from Loch Lomond to Kilpatrick, and were unable to rejoin the main body of their associates. Next day they were attacked by a party of militia, and after a desperate resistance, in which Rumbold was mortally wounded, they were captured and brought to Edinburgh. Rumbold had originally been an officer in the army of Cromwell; at the Restoration he became a maltster, and was the owner of the building from which the Rye-House Plot took its name. He was deeply implicated in that conspiracy, and was, therefore, peculiarly obnoxious to the government, who resolved to bring him immediately to trial, "that he might not prevent his public execution by his death."* He was accordingly tried, found guilty, and condemned to be executed within a few hours. He solemnly denied, as a dying man, that he had designed to assassinate the king; but frankly admitted his accession to Argyll's invasion, and the part which he had taken as an officer in the army of the insurgents. He vindicated his conduct by the sacred duty incumbent upon all freemen to resist oppression and tyranny; and declared that he never would believe that Providence had sent the greater part of mankind into the world with saddles on their backs and bridles in their mouths, and some few ready booted and spurred to ride them. "I desire," he added, "to bless and magnify God's holy name for this, that I stand here not for any wrong that I have done, but for adhering to his cause in an evil day. If every hair of my head were a life, in this quarrel I would venture them all." He was drawn to the place of execution on a hurdle; "for, laying aside the ignominy," says Fountainhall, "he was not able to walk by reason of his wounds. He carried himself discreetly enough, and heard the ministers, but took none of them to the scaffold with him." His courage and equanimity extorted the reluctant admiration even of his enemies. On the scaffold he began to pray on behalf of the "good old cause," which he had supported to the death; but the officers commanded the drums to beat lest the people should hear him. The sentence of the justiciary court was executed upon him to the letter, with all its revolting barbarities. His head was placed on the west port of Edinburgh, and his quarters were sent to Glasgow, Dumfries, New Galloway, and Jedburgh; but by order of the king they were afterwards carried up to London.†

Trial and execution of Rumbold and Ayloffe.

Colonel Ayloffe, who had joined the expedition rather from political than religious motives, and was, indeed, suspected of infidelity or atheism, when brought as a prisoner to Glasgow, attempted to destroy himself with a penknife; but his wounds, though severe, were not mortal, and he was sent

* The earl was married to the widow of the first Earl of Balcarres. Her daughter, Lady Sophia, was the wife of Charles, one of the sons of Argyll. The earl also wrote a brief farewell letter to her sister, Lady Henrietta.

† Wodrow, vol. ii.; Lives of the Lindsays, vol. ii. p. 153.

‡ The cruel and vindictive character of James was displayed in his causing two medals to be struck to commemorate his triumph over an innocent nobleman, whom his own injustice had reduced to despair. On the one medal were the heads of Argyll and Monmouth placed on altars, the bleeding bodies beneath, with an inscription, *Sic aras et sceptra tuemur* (Thus we defend our altars and sceptres); on the other, their heads upon spikes, and the inscription, *Ambitio malesuada ruit* (Ill-advising ambition brings ruin). (Laing, vol. ii. p. 106.)

* Wodrow, vol. ii. pp. 529—546; Burnet, vol. iii. pp. 17—23; Fox's History of James, vol. ii. pp. 163—164, 178—211; M'Crie's Life of Bryson.

† Fountainhall's Decision; Fox's History; Wodrow, vol. ii. pp. 548—576.

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up to London, in the hope that some more ample information respecting the plot might be extracted from him. He was brought before the privy council, and examined by the king himself, but without effect. He firmly refused to save his own life by criminating his associates. "You had better be frank with me," said James, "you know it is in my power to pardon you."—"It may be in your power," was the cutting rejoinder, "but it is not in your nature." In spite of his connection by affinity with the late Chancellor Clarendon, the father-in-law of James, he was executed under his former outlawry, and died with great firmness and composure.*

Sir John Cochrane, who, as we have seen, had been betrayed by his uncle's wife, was condemned to be hanged at the Cross of Edinburgh; but he was ultimately sent up to London, and his pardon purchased by his father, who gave a bribe of five thousand pounds to James's priests.†

Cruelties inflicted on the Campbells.

The unsuccessful attempt of Argyll to vindicate the liberties of his country was followed by the most disgraceful severities towards his defenceless retainers. Upwards of twenty of the most considerable gentlemen of his clan were put to death by the Marquis of Atholl, and many of his humbler followers were hanged without a trial. Argyll's son Charles, the husband of Lady Sophia Lindsay, fell into the hands of this titled savage while ill of a fever, and but for the interference of the privy council, at the intercession of some ladies, Atholl would have hanged him before his father's gate at Inverary. He laid waste the whole district with fire and sword, and with malignant cruelty burnt the houses, destroyed the nets and fishing-boats, cut down the fruit trees, and broke in pieces the millstones, in order to deprive the miserable inhabitants of their only means of subsistence. More than three hundred persons of both sexes were transported to the colonies and sold for slaves, and many of them were previously deprived of their ears by the hangman, and branded in the cheek with a hot iron.

Barbarous treatment of the presbyterians in Dunnottar Castle

During the alarm created by Argyll's invasion, the privy council ordered all the covenanters who were in prison to be sent to the Castle of Dunnottar, in the county of Kincardine, for their more safe custody. They performed this toilsome journey on foot, and were compelled to march with their hands tied behind their backs, as if they had been most dangerous criminals. Every kind of indignity and outrage was heaped upon them. At night they were thrust into crowded and unwholesome apartments in the jails, and one tempestuous night of wind and rain they spent without shelter, upon a bridge across the North Esk, in Forfarshire. When they reached the place of their destination they were, to the number of one hundred and sixty-seven persons, including several women and children, thrust into a dark subterranean vault full of mire, and with only one small window opening to the sea. Their guards treated them with the most shocking inhumanity, allowed them neither bedding nor provisions, excepting what they bought, and made them pay for every indulgence, and even for the water with which they were supplied. In a few days about forty of these unhappy prisoners were removed into a smaller vault, into which light entered only by a chink; and they were compelled to stretch themselves on the damp floor, in order to obtain the benefit of a current of fresh air which entered through a decayed part of the wall close to the ground. Many of them died in consequence of this horrid confinement, and the tortures to which they were subjected. At the intercession of the governor's wife, their sufferings were at length somewhat alleviated by their removal to apartments better ventilated. Twenty-five of them succeeded in making their escape down the precipitous rock on which the castle was built, but fifteen of these were betrayed by the neighbouring peasantry and retaken. They suffered the most cruel tortures at the hands of the soldiery, and were bound down to the floor of their dungeon with fiery matches burning for several hours between their fingers. Several of them expired under this diabolical treatment, and the fingers of others were reduced to ashes. In consequence of a strong representation which was made to the council regarding these atrocities, orders were given that provisions and other necessaries should be allowed to the prisoners on moderate terms, and that they should not be crowded together so closely in their dungeon. It was supposed that by this time their patience and fortitude would be exhausted by the dreadful sufferings they had undergone; and the Earls of Errol and Kintore were appointed to ascertain whether they would take the test, and promise to attend in future their parish churches. But they all stood faithful to their principles. About the end of July they were brought to Leith, and those who adhered to their resolution, and persisted in refusing the test, were transported to the plantations.*

—many of them sold for slaves.

Meanwhile Monmouth and his associates, according to their concerted plan, had undertaken the invasion of England, and six days before the capture of Argyll they landed at Lyme, in Dorsetshire. A considerable number of the yeomanry and peasantry flocked to the standard of the adventurer. But it soon became evident that he was totally disqualified to conduct such an enterprise; and on the 6th of July the insurgents were routed with great slaughter at Sedgemoor, near Bridgewater, in Somersetshire. Monmouth was taken and executed, and many hundreds of his followers shared his unhappy fate, or were sold into slavery; and the bloody "campaign," as

Ruin of Monmouth's expedition.

* Burnet, vol. i. p. 634. † Ibid.

* Wodrow, vol. ii. pp. 558—567; Walker's Vindication of Cameron, &c., p. 177; Introduction to "Old Mortality."

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James himself had the barbarity to term it,* of the infamous Jeffreys spread carnage and mourning throughout the western counties of England.

The destruction of Argyll and Monmouth having strengthened the authority of the king, and freed him from all fear of opposition, he now began to throw off the mask, and to endeavour openly to establish popery and arbitrary power. His dispensing at once, by his own authority, with all the penal laws affecting the Romanists; his annulling the test and the oath of supremacy; his re-establishment of the oppressive and vexatious court of high commission; and many other arbitrary acts of a similar kind, left the people no room for doubt that James intended to usurp despotic authority both over the bodies and consciences of his subjects, and to destroy alike their civil and religious liberties.

Arbitrary acts of James.

Proceedings of a similar kind were adopted in Scotland, but much more openly and boldly than the infatuated monarch at first ventured to do in the southern division of the island. Royal letters were sent down to the privy council, authorising Roman Catholics to hold offices without taking the test. Strict injunctions were issued to the clergy that they should not preach against popery, because to do so was "insulting to the king's religion;" the printers and booksellers of the capital were charged by the chancellor not to publish any work without his licence; and the shops of the booksellers were ransacked, and all publications on the errors of Romanism were seized and committed to the flames. A bookseller, named James Glen, more courageous than the rest, told the messengers of the court that he had in his shop one book which denounced popery more severely than all the other books in the world. They required him to produce it, and he showed them a copy of the Bible.† Crowds of popish priests flocked to Scotland from the Continent; a college of Jesuits was established in the palace for the gratuitous instruction of youth; images, crosses, and other similar articles, the importation of which was illegal, were now allowed to pass the Custom-house unchallenged; and a chapel was fitted up in the chancellor's house for the private celebration of mass. These proceedings excited great commotion in Edinburgh, and a riot ensued, in which several citizens lost their lives by the fire of the soldiers, who were called out to quell the mob, and to protect the mansion in which the obnoxious rites were celebrated. Several of the rioters were hanged, but the popular sympathy ran strongly in their favour, and the chancellor and his master were held in universal detestation.

Encouragement of popery.

Riot in Edinburgh.

Queensberry, the lord-treasurer, had for some years enjoyed the confidence of James, which, indeed, he had well merited by his combined servility and cruelty; but he was a zealous Protestant, and he had distinctly informed the king that he would be no party to any attack upon the Established Church. The chancellor and his brother, Melfort, the bitter rivals of the treasurer, sought to supplant him in the royal favour by the unfailing expedient of apostatising from the Protestant religion; and they now embraced the Romish faith, declaring that their conversion was owing to the papers found in the strong-box of Charles II. The baseness of their conduct, which disgusted every honourable man, whether Protestant or Papist, proved a sure passport to the favour of James. The supreme power in the government was speedily intrusted to them. Queensberry, whom they accused of prompting the attack upon the popish chapel, was dismissed from the office of treasurer and reduced to the inferior position of president of the council; he was at the same time removed from the government of the Castle of Edinburgh, and that important post was conferred upon the Duke of Gordon, a staunch Romanist.

Disgrace of Queensberry.

Apostacy of Perth and Melfort.

At this juncture his majesty wrote to the Scottish privy council explaining to them his plans. His object was to obtain for the members of his own Church exemption from civil pains and penalties on account of their religious belief, but to leave the covenanters still exposed to the vengeance of the law. The members of the council, however, usually so obsequious to the royal will, expressed great reluctance to comply with this monstrous demand; and James, who was exceedingly provoked at their refusal, ordered three of their number—the Duke of Hamilton, Sir George Lockhart, and General Drummond, brother of the chancellor, and of Melfort—to attend him at Westminster. Encouraged, however, by the strong dissatisfaction with the royal measures which they found prevailing at the English court, the three Scottish councillors refused to remove the Roman Catholic disabilities, unless a similar relief should be extended to the presbyterians, and the king should give a solemn promise not to attempt to destroy or injure the Protestant religion. James, however, positively refused to comply with these conditions, and the three nobles returned to Scotland in a frame of mind by no means favourable to the royal schemes.

Plans of the king.

Opposition of the council.

The Scottish parliament assembled at Edinburgh on the 29th of April, 1686. Queensberry, who had formerly held the office of lord-high-commissioner, was now set aside, and this dignity was conferred on the Earl of Moray, as a reward for his recent apostacy from the faith of which his illustrious ancestor, the "good Regent," had been the zealous defender. A letter from the king was read, recommending the repeal of the penal laws against the Roman

Meeting of parliament.

* "Lord Chancellor has almost done his campaign; he has already condemned several hundreds, some of whom are already executed; more are to be, and the others sent to the plantation."—*James's Letters.* (Dalrymple's Memoirs, vol. ii. p. 53.)

† Fountainhall, vol. i. p. 398.

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Catholics, and offering in return a free trade with England and an indemnity for state offences.* But even the servile courtiers and placemen, of whom this parliament was mainly composed, had become apprehensive of the king's designs. The popular abhorrence of popery had been deepened by the recent revocation of the edict of Nantes and the persecutions inflicted by the French king on his unoffending Protestant subjects, many thousands of whom had taken refuge in England; and the episcopalians, hitherto the willing tools of James, began now to dread that the same sufferings which they had inflicted on the covenanters were reserved for themselves. To the astonishment of the king, therefore, the Estates, instead of returning an answer, as formerly, echoing the royal sentiments, merely declared that "they would take his majesty's letter into their serious and dutiful consideration, and go as great lengths therein as their consciences would allow." And a large and respectable minority, including nearly all the representatives of the burghs, voted even against this answer as too courtly.†

James recommends the repeal of the Romish disabilities.

Evasive answer of the Estates.

An act for the removal of the penalties attached to the Romish worship was proposed to the lords of the articles, without whose consent no statute could be laid before the Estates for their consideration; but, though this committee was virtually nominated by the king, and was usually most submissive to his will, they proved refractory on this occasion. The greater part even of the bishops opposed the royal demand, and were warmly supported by the Duke of Hamilton, Sir George Lockhart, and General Drummond, who had just returned from their interview with James in London. The duke declared that, though a faithful and loyal subject, he could not obey his majesty in opposition to the dictates of his conscience. The chancellor said that conscience was a vague word, which might signify anything or nothing. On which Lockhart rejoined, "If conscience be a word without meaning, we will change it for another phrase, which I hope means something. For conscience let us put the fundamental laws of Scotland."‡

Hostility of the lords of the articles.

James was exceedingly provoked at this unexpected opposition from a quarter whence he had been accustomed to expect unhesitating support. Some of his refractory courtiers he warned and menaced, others he punished by the withdrawal of their pensions, or by dismissal from the privy council. Cairncross, Archbishop of Glasgow, and Bruce, Bishop of Dunkeld were both displaced. Lord Pitmedin, the only judge who opposed the repeal of the penal laws, was removed from the bench; and Sir George Mackenzie, the lord-advocate, in spite of all his claims on the gratitude of the king by his unscrupulous persecution of the covenanters, was deprived of his office, which was conferred on Sir John Dalrymple. These severe measures, however, failed to terrify the refractory lords of the articles into submission, encouraged as they were by the popular approbation, expressed through both the pulpit and the press. After a contest which lasted several weeks, and excited intense anxiety in England as well as in Scotland, they were induced to propose merely that the Romish form of worship should be tolerated in private families; and it was doubtful whether the Estates would consent to pass even this restricted measure of relief. The commissioner, in despair, adjourned the parliament, which was soon after dissolved by the king.*

Dismissal of Mackenzie and other privy councillors.

Dissolution of parliament.

Any man capable of discerning the signs of the times must have clearly perceived the peril of the course which James was pursuing; but warnings and expostulations were alike thrown away upon the wrong-headed bigot, who seemed bent on alienating the firmest supporters of his throne. He now declared that since his gracious offer to accept the dutiful assent of the Scottish parliament to his demands had been spurned, he was resolved to dispense by his own authority with all the penal laws affecting Roman Catholics, and to visit with his severe displeasure those who had dared to thwart his schemes. Queensberry was deprived of all his employments, and left to feel the ingratitude of the master for whose sake he had sacrificed the liberties of his country and the rights of his fellow-subjects. To prepare the way for the exercise of the dispensing powers, eleven members of the privy council, including the Earls of Mar, Dumfries, and Glencairn, who had opposed the king's designs in parliament, were dismissed from office, and their places at the board were supplied by papists. As the representatives of the towns had strenuously resisted the proposals of the court, it was now resolved to remodel the burghs, and to deprive them of their privileges by the simple mandate of the sovereign. The annual elections of magistrates and councillors were, therefore, prohibited. The king assumed to himself the right of nominating the provosts, and they in turn appointed the magistrates and town-council; so that the election both of the municipal office-bearers and of their representatives in parliament was transferred to the crown. Having thus punished or intimidated the opponents of his plans, James announced to the remodelled council that the Roman Catholics should now be permitted the free exercise of their religion, and should be at liberty to accept all offices and benefices which he might think fit to bestow on them; that the judges and magis-

Dismissal of Queensberry and others.

The burghs deprived of their privileges.

* Wodrow, vol. ii. pp. 591, 592; Appendix, No. 115; Burnet, vol. iii. p. 87.

† Fountainhall, May 6th, 1686; Wodrow, vol. ii. p. 591, Appendix, 115.

‡ Citters, quoted by Macaulay, vol. ii. p. 120.

* Fountainhall, June 15th, 1686.

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trates were forbidden to execute the laws against papists on pain of his high displeasure; and that a chapel should be fitted up in his palace of Holyrood, and provided with chaplains, for the public celebration of divine service according to the Romish ritual. He, at the same time, dispensed with the test, and substituted a new oath, to be taken by all his subjects, by which they swore never to resist his authority upon any pretence or for any cause. And this he declares was done by his own absolute power. "We have thought fit," he says, "to grant, and by our sovereign authority, prerogative royal, and absolute power, which all our subjects are to obey without reserve, do hereby give and grant our royal toleration." The obsequious board expressed their assent in the most servile terms to the unconstitutional injunctions,* and declared that they were ready to hazard their lives and fortunes in maintaining the royal prerogative; and though a sullen discontent pervaded that class of the Scottish people, hitherto most conspicuous for their slavish loyalty, no one ventured as yet to disobey the royal commands.

Exercise of the dispensing power.

In order to cover his real design, James, at the same time that he removed the disabilities of the Roman Catholics, granted a partial indulgence to the moderate presbyterians and to the quakers, but with a renewal of all the former severe enactments against conventicles. None of the presbyterians, however, would accept of the indulgence in this form; and as the king had now become exceedingly anxious to conciliate the nonconformists, he soon after (April, 1687) published his "Declaration for Liberty of Conscience," in which still farther concessions were made; and this was followed in July by a third proclamation, abolishing all laws imposing penalties and disabilities on account of nonconformity, and all restrictions except the prohibition of field-meetings.†

Partial indulgence of the presbyterians.

Some of the more moderate of the presbyterian party, worn out by their long-continued persecution, and overlooking the danger which lurked in this unconstitutional exercise of power, availed themselves of the indulgence thus granted, and resumed the exercise of their ministerial functions, and a few even went so far as to thank the king for the insidious boon, as "a gracious and surprising favour." The Cameronians, however, true to their own principles, would accept no favour from a despotic sovereign, whose allegiance they had renounced, and sternly refused to avail themselves of an indulgence which was obtained by the sacrifice of the fundamental laws of the kingdom. They boldly declared that the proposed boon was intended merely to facilitate the extension of popery; denounced the illegal and unconstitutional exercise of the royal prerogative in which it originated; refused to give security for their loyalty; and continued to meet for divine worship in conventicles, in defiance of the renewed denunciations of vengeance against all who preached in the fields. James Renwick, one of their most zealous and intrepid preachers, persevered with undaunted courage in acting on these principles, and condemned with great keenness the conduct of those who had accepted the royal indulgence and toleration. He became in consequence exceedingly obnoxious to the government, and after several hair-breadth escapes he was at last apprehended in the beginning of February, 1688. When examined by the privy council, he resolutely disowned the royal authority, and acknowledged that he had taught his people that it was unlawful to pay cess for the maintenance of tyranny and the suppression of the Gospel, and that it was lawful to come in arms to the field meetings to defend themselves against their assailants. In consequence probably of the altered policy of the king, the council made various attempts to induce him to retract these sentiments, but in vain. He was, of course, found guilty and condemned to death, and was executed at the Cross of Edinburgh, February, 11th, 1688, in the twenty-sixth year of his age.*

—accepted by a few—

—sternly rejected by the Cameronians.

Martyrdom of James Renwick.

Renwick was the last Protestant martyr that suffered in Scotland. The persecution of the Stewarts lasted twenty-eight years, in the course of which it is computed that no fewer than eighteen thousand persons suffered death, or some other form of penal infliction, on account of their religion. Nearly two thousand were banished to the plantations, of whom several hundreds perished on the voyage by shipwreck or cruel treatment; nearly three thousand suffered all the horrors of imprisonment in the most loathsome dungeons, and many were subjected to tortures shocking to humanity; about seven thousand went into voluntary exile; six hundred and eighty were killed in the encounters with the soldiers; five hundred were put to death in cold blood; and nearly four hundred were murdered under the forms of law. Besides all these, great numbers were reduced to abject misery; and multitudes perished through cold, hunger, and fatigue while wandering on the mountains and moors, or hiding in dens and caves of the earth. "But," as Defoe has beautifully remarked, "it would be endless to enumerate the names of the sufferers, and it has not been possible to come at the certain number of those ministers or others who died in prison and banishment, there being no record preserved of their persecution in any court of justice. Nor could any roll of their names be preserved in those times of confusion any where, but under the altar, and about the throne of the Lamb, where their heads are crowned, and

Numbers who suffered during the persecution.

* The Duke of Hamilton and the Earls of Dundonald and Panmure refused to subscribe the answer of the board, but all the other privy councillors, including the two archbishops, attached their signatures

† Wodrow, vol. ii. p. 417; Burnet, vol. iii. p. 138.

* Scot's Worthies, p. 612—626; Wodrow, and Biog. Presby. vol. ii.

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their white robes seen, and where an exact account of their number will at last be found." *

Crisis of James's affairs.

But the downfall of this horrible system of ecclesiastical tyranny and civil despotism was rapidly approaching. James had now filled up the measure of his iniquity, and the hour of retribution at length arrived. His pertinacious exercise of the dispensing power and admission of crowds of papists to offices of authority and trust; his attempts to compel the clergy to read from their pulpits a second declaration of indulgence, dispensing with the test and penal laws; his imprisonment and trial of the seven bishops for their refusal to comply with his illegal and unconstitutional demands; and the birth of the Prince of Wales, who was at the time regarded by the great body of the people as a spurious child imposed upon them as the heir of the monarchy, brought matters to a crisis, and induced the nation to throw off the hateful yoke under which they had so long groaned.

The patriotic and public-spirited part of the community had for some time turned their eyes to William Prince of Orange, who had married Mary, the eldest daughter of James, and was regarded as the bulwark of the Protestant faith against the aggressions of the French king. That prince had long watched anxiously the course of affairs in Britain, and had seen with alarm the arbitrary measures which his father-in-law was adopting for the purpose of destroying the constitution and the established religion of the kingdom. He had

Invitation given to the Prince of Orange.

for some time carried on an intimate, though cautious, correspondence with the leaders of the Whig and Protestant party in England, and pressing invitations were now addressed to him by the most influential persons in the kingdom, desiring his aid in maintaining the liberties of the country, and in rescuing it from a degrading subservience to the designs of France. After long and careful deliberation, William determined to comply with their urgent solicitations.

He sets sail, and is driven back by a tempest.

Accordingly, on the 19th of October, he put to sea with a fair wind; but after the fleet was about midway between the Dutch and English coasts the wind changed, a violent tempest arose, aggravated by the darkness of the night, and the terrors of a lee shore. The ships were scattered in all directions, but in the end they all save one regained the coast of Holland in safety; and in the course of a few days the armament was reassembled, the damage it had sustained repaired, and the expedition was again ready to set sail.

An exaggerated account of this disaster was soon conveyed to Britain, and raised the hopes of the popish party, while it produced a corresponding depression in the minds of the great body of the people. When the intelligence reached Scotland, the supporters of the government flattered themselves that the projected invasion was completely defeated, and the prelates of the Scotch Episcopal Church

Servile letter of the Scottish bishops.

(with the exception of the Bishops of Argyll and Caithness), with their characteristic servility, availed themselves of this favourable opportunity to make a flaming profession of loyalty to James, and to express their warmest gratitude to heaven "that he had been so often miraculously prospered with glory and honour in defence of the rights of his august brother, and of these kingdoms; and that through the divine goodness, the ragings of the sea, and the madness of unreasonable men, he, whom they styled the darling of heaven, had been peaceably seated on the throne of his ancestors. They then declared how thankful they were for his repeated assurances of his royal protection to their national Church and religion; congratulated him upon the birth of the Prince of Wales; alluded with amazement to the invasion from Holland, praying, that those who invaded his majesty's just rights might be disappointed; and pledging themselves not only to be guided by the most fervent loyalty, but to promote, in all his subjects, a steadfast allegiance to his majesty, which they conceived to be an essential part of religion." * When we consider that this slavish document was addressed to a sovereign who had openly and systematically violated the constitution of the kingdom, both civil and ecclesiastical, and had perpetrated the most savage cruelties on those who had sought to maintain the rights and liberties of their country, and that it denounced in the strongest terms the enterprise of a prince who, as the inscription on his banner testified, came to "maintain the liberties of England and the Protestant religion," it throws very instructive light on the principles of the Scotch Episcopal Church, and goes far to account for the detestation in which the prelatic form of government has always been held by the people of Scotland.

Landing of William at Torbay.

Meanwhile, William had put to sea the second time, on the evening of the 1st of November, with a fleet of upwards of six hundred vessels and an army of fourteen thousand men, and, after a prosperous voyage, landed at Torbay on the 5th of November, 1688, the anniversary of the Gunpowder Plot. The peasantry of Devonshire flocked in considerable numbers to welcome the prince, but, to his great mortification, for some time no man of note or influence repaired to his quarters. At length, after the lapse of a week, several gentlemen of the county gave in their adherence to his cause. They were speedily followed by Lords Colchester, Wharton, Russell, Abingdon, and other influential noblemen from different parts of the country, who set out to meet William as soon as they received notice of his arrival; and in a short time risings in his favour took place in all parts of the country, and multitudes of all ranks and political parties flocked

* Memoirs of the Church of Scotland, p. 158; M'Crie's Sketches, vol. ii. p. 240; Short Memorial of the Sufferings and Grievances of the Presbyterians, 1690.

* Wodrow, vol. ii. p. 646, and Appendix, No. 147.

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to his standard. Every day brought some new proof of that universal hostility which the nation entertained against the measures of the king. The defection of the army soon followed. Several noblemen and officers of rank, including among others Lord Churchill, afterwards the celebrated Duke of Marlborough, deserted the royal camp, and carried over to the prince's army a portion of their soldiers. Prince George of Denmark, the king's son-in-law, followed. To add to the distress of the unhappy king, the Princess Anne, James's favourite daughter, was gained over by her friend, Churchill's wife, and fled from Whitehall during the night, and took refuge with the insurgents at Nottingham. At the tidings of this event, the wretched monarch was stung with the most bitter anguish; "God help me," said he, "my own children desert me!"

He is joined by vast numbers of the people.

Miserable condition of James—

James now became alarmed for the safety of his queen and infant son, and resolved to send them off to France. With a view, however, to gain time for this purpose, and to conceal his real designs, he promised to call a meeting of parliament, and made various other concessions to the popular demands. With some difficulty the queen escaped from London in disguise in a dark and tempestuous night, carrying with her the Prince of Wales, and embarked at Gravesend on board a yacht, which carried them in safety to France. James himself then resolved to leave the kingdom, in the vain hope that his flight would plunge everything into confusion, and that his interest would be promoted by the anarchy and discord which he expected to ensue. Accordingly, he disappeared on the night of the 10th of December, accompanied only by Sir Edward Hales and another friend. On the morning of the 12th they reached the Isle of Sheppy, where the hoy in which they were to sail lay. But while they were waiting for the tide to set sail, the vessel was boarded by a party of fishermen and smugglers, who mistook James for a Jesuit in disguise, and mobbed and plundered the unhappy monarch and brought him on shore a prisoner. He was speedily rescued out of their hands and conveyed back to London, where he arrived on the 16th. But the news of his return gave little satisfaction to the Prince of Orange, whose aim from the beginning was to induce his father-in-law to relinquish the throne and flee from the kingdom. He, therefore, conducted himself towards the king with such coldness and severity as alarmed him for his personal safety, and caused him to resume his purpose of flight. With this view, James desired permission to retire to Rochester, which was readily granted. He remained there three nights in the midst of a few faithful friends, who earnestly entreated him to remain in England, but in vain. On the evening of the 22nd he embarked on board a smack which was in readiness to receive him, and on the 25th he was safely landed at Ambleteuse, in France.

—his flight.

After the flight of the king, the Prince of Orange summoned a convention at Westminster. At their first meeting thanks were voted to the prince for the deliverance which he had achieved for the nation. They then proceeded, by a great majority, to vote that King James, having endeavoured to subvert the constitution, and having withdrawn himself out of the kingdom, had abdicated the government, and that the throne was thereby vacant.

Convention.

The king being thus set aside, the convention proceeded to take into consideration the appointment of a successor. Proposals were made by some for electing a regent; others were for investing the Princess of Orange with regal power in her father's room. On learning these proposals, William summoned a small council of leading persons, and stated that he thought it necessary to inform them that if they chose a regent, he would not accept that office. Neither was he disposed to take the government of the kingdom under the princess his wife. If either of these schemes were adopted, he informed them that he could give them no assistance in the settlement of the nation, but would return home to his own country. Upon this it was agreed, after a long debate, that the Prince and Princess of Orange should reign jointly as King and Queen of England, while the administration of the government should be placed in the hands of the prince only. Accordingly, on the 13th of February, 1689, William and Mary were proclaimed King and Queen of England.

Prince and Princess of Orange called to the throne.

The Revolution, which had so suddenly changed the dynasty in England, found every element necessary to its development already in existence in the northern kingdom. Twenty-eight years of perfidy and oppression had lost for ever to the house of Stewart the confidence and affection of the presbyterians. The episcopalians, alarmed lest the new order of things should subvert their power, unintentionally, by their public declamations, fanned the flame of national discontent; while certain arbitrary and most impolitic measures that had been adopted by the court, though afterwards recalled, had shaken the allegiance of the army, and disgusted nearly all the civil officers of the kingdom. Notwithstanding the party animosities by which the country had so long been distracted, it now seemed evident to moderate and reflecting men, including many of the episcopalians themselves, that the time had arrived for some combined movement to arrest the encroachments of popery, as well as of civil despotism; and all eyes were turned towards the Prince of Orange as the only centre around which they could rally with any hope of success.

The Revolution in Scotland.

Meanwhile, the administration, struck with a moral paralysis, were incapable alike of decision and of action. Their overthrow was hastened by disunion, and each member began to provide for his own personal

Weakness of the government.

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safety and the preservation of his estates. In their terror, they attempted to obliterate the traces of their evil deeds. The victims of their tyranny, who were in prison for their refusal to renounce the covenant, were now set at liberty; and the heads of the martyrs, which for a quarter of a century had remained bleaching on the gates of the capital, were taken down and buried, lest these monuments of their cruelty "might occasion the question to be moved by whom and for what they were set up there."*

Declaration of the presbyterian ministers.

James had not lost all reliance on the presbyterian party. Gratitude for the indulgence they then enjoyed he fondly hoped would at this crisis attach them to his cause. He was mistaken: they regarded his pretended favours as insidious attempts for the subversion of the Protestant Church, and, on their ministers being sounded by Sir Patrick Murray as to the line of policy they intended to adopt, they declined to answer individually; but at a general meeting summoned on the occasion, they boldly declared that they had no confidence in a government whose chief offices were filled by papists, and that "they would behave in the juncture as God should direct."†

Withdrawal of the army to the south.

At this critical moment James accelerated the ruin of his cause in Scotland by sending orders for the army to march to the south, for the purpose of assisting him to repel the Dutch invaders, and this order was peremptorily repeated, notwithstanding the remonstrances of the secret committee. The place of the soldiers in the capital was supplied by the militia, on whose loyalty no dependence could be placed, and who were commanded by an officer of unprincipled and temporising policy. From that instant the small remnant of power which the government had still possessed was extinguished; and the dread of absolute anarchy compelled the friends of civil and religious liberty to concert measures for their own safety, and that of the Church and nation. Their leaders included many noblemen and gentlemen of the highest rank, among whom were the Earls of Glencairn, Crawford, Dundonald, and Tarras, and they were joined by Lord Ross and several of the opposite party, who were probably influenced rather by personal than public motives. Meanwhile, the revolutionary party intercepted all communications between the king and the privy council, who were thus for some weeks ignorant of each other's movements and intentions, while the whole was patent to their opponents. Still the presbyterians do not appear to have adopted any definite plan of procedure, until the landing of the prince in England; and the publishing of his manifesto confirmed their determination to strike for liberty at all hazards, afforded them a common rallying point, and gave form and coherence to their design.

Communications between the king and council intercepted.

William's declaration was publicly announced in Glasgow, Irvine, and Ayr, and was speedily made known throughout the kingdom, in open defiance of a proclamation issued by the privy council. The secret committee, finding the authority of council treated with contempt, and having now no power to enforce it, dispatched messengers to James professing their continued devotion to his service, and requesting instructions. It was now, however, too late. His cause was found to be hopeless, and, shortly afterwards, the greater number declared for the prince, and the committee was dissolved.

Publication of William's declaration.

Scarcely had the army been withdrawn when the whole country was in commotion. Multitudes of presbyterians rose in arms for the Prince of Orange, and a number of the more impetuous spirits flocked to the capital, and carrying with them vague and alarming reports filled the inhabitants with consternation. To complete the discomfiture of the government, the chancellor, timidly yielding to the urgent solicitations of some of the revolutionary leaders, consented to disband the militia; and shortly after, in terror of his life from the infuriated mob, he retired from the council, and was escorted by a strong guard to his country seat in Perthshire.

Distracted state of the country and the capital.

A tumultuous assemblage, consisting at first chiefly of college youths and city apprentices, now attempted to gain possession of the chapel-royal, with its popish images and other paraphernalia, which had been left under the protection of a Captain Wallace and a small guard. The attempt was unsuccessful, and in the encounter which ensued several persons were killed on both sides. The whole city was immediately in a ferment, and multitudes of the citizens, under the conduct of some gentleman of rank and influence,* assembled in arms, and, attended by the magistrates in their robes, the train-bands, city officers, and heralds, marched to the palace, within which Wallace and his men had sought shelter, and summoned him in his majesty's name to surrender. Wallace refused, but a party gaining access by a back entry that had been incautiously left unguarded, the chapel and palace were speedily in the hands of the assailants. The work of destruction was at once commenced. The ornaments of the chapel, which had been lately fitted up for the Order of the Thistle, were demolished, the crucifixes, pictures, and images were dragged from their places of concealment, paraded in mock procession through the city, and then committed to the flames in the Abbey Close. The Jesuits' college was sacked and burned, its printing-press and library were destroyed, and many of the private dwellings of the Roman Catholics

Attack on the royal chapel.

Burning of the images, and of the Jesuits' college, printing-house, &c.

* Sufferings and Grievances of Presbyterians in Scotland, &c., p. 28.

† Balcarres; Wodrow, vol. ii. p. 644, *et seq.*; Faithful Contendings, 369; Minutes of the Society, 1688

* Balcarres' Mem., p. 25.

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shared the same fate. During these outrages the government remained inactive, probably more through terror than from any want of will to punish the rioters. At length, however, the council issued a proclamation for the protection of the persons and property of the Roman Catholics; and after the mob had performed the ceremony, common at the period, of a mock trial and execution of the pope,* the ferment was for the time allayed.

The tidings of this outbreak were speedily conveyed to Castle Drummond, where Perth had taken refuge, and filled the mind of the cowardly renegade with overwhelming alarm. He had tried in vain to find support in the rites of his new faith or in the consolations of his priests, to whom, with eager importunity, he appealed for comfort, acknowledging with craven terror that "the terrors of death were upon him." Afraid to trust himself longer even among his own servants and retainers, he left his residence in disguise, and travelling by an unfrequented route over the Ochil Mountains, then covered with snow, he succeeded in reaching Burntisland, on the northern shore of the Frith of Forth, and embarked on board a ship which lay off that port. But, in spite of all his precautions, he was recognised and pursued. The vessel in which he was making his escape was overtaken, boarded and searched. The cowardly wretch was discovered in the hold dressed in women's clothes. He was immediately seized, and, after having been stripped and plundered, was dragged on shore and committed to the jail of Kirkaldy. His late associates in the council, with characteristic baseness, hastened to disown their colleague in his hour of need, and ordered him to be removed to Stirling Castle. Like his companion in office and in guilt, the infamous Chancellor Jeffries, Perth was conveyed to his place of confinement under a strong guard, amid the mingled execrations and threats of a vast multitude, who had assembled to exult over the downfall of the despicable tool of oppression and cruelty.

Flight of Perth—

—his capture and treatment.

Some unfounded reports that ten thousand Irish papists had landed in Galloway, and burned the town of Kirkcudbright, having alarmed the Cameronians, the whole Society people of Nithsdale and Galloway rose in arms, and, being joined by many of the presbyterians of the west, prepared for the defence of the country. The alarm, however, proved groundless, but they did not disperse until they had rifled the houses of the papists of their images and relics, and reduced them to ashes. Though these proceedings cannot be defended, they can excite no surprise, and it deserves to be remarked that they were characterised by a degree of moderation quite unusual in such circumstances, and were throughout unaccompanied by violence or bloodshed.

Reported invasion of Irish papists. The Society men rise in arms.

* Balcarres, p. 25, *et seq.*; King James's Mem., vol. ii. p. 338; Wodrow, vol. ii. p. 650, *et seq.*; Arnot's Hist. of Edin.

The declaration of the Prince of Orange, which had now been diffused everywhere throughout the country, raised the hopes of the friends of liberty, who laying aside their party differences, unanimously resolved to rally round his standard. The declaration was temperate in its tone, and had an air of straightforward frankness, which carried a conviction of the prince's sincerity. He referred to the sufferings of the people under the two preceding reigns, asserted his right and that of his consort to the crown of Scotland, and their consequent duty to free the country from the tyranny to which it had been so long subjected. He demanded the concurrence of the people in his just design for the good of the nation, and declared that the freeing of the kingdom from all hazard of popery and arbitrary power for the future, and the settling it by parliament on a solid basis, were the true reasons of his undertaking. Finally, he called upon all good men to implore the blessing of Almighty God on his endeavours, that so they may tend to the glory of God, "to the establishment of the reformed Churches, and to the peace and happiness of the kingdom."

The declaration of the Prince of Orange.

Owing to the presence of the bishops, who were allowed to attend the meeting of the privy council, and who were dissatisfied because the declaration contained no assurance that their ascendancy would be maintained, no cordial address of thanks was voted to the prince, but only a brief and formal congratulation, which he received without exhibiting any emotion.

But though the council adopted this cautious policy, the arrival of William produced great excitement among the Scottish people. A scramble for place and power began among men of all ranks, and nearly all parties. Noblemen, gentlemen, and burgesses, all who were ambitious of preferment, and could afford the leisure and the expense of a visit to London, flocked thither, so that for a period of three months, Scotland, and especially the capital, was deserted by nearly every public leader, and left almost without a government; yet, to the honour of the people, who had been so long and so cruelly oppressed, this tempting opportunity of inflicting signal vengeance on their persecutors was not embraced.

Resort of noblemen and gentlemen to London.

William had the discretion to avoid committing himself to the views and directions of any one party. He assembled the leading Scotsmen then congregated in London, consisting of thirty peers and about eighty gentlemen, and informed them that the imminent danger with which the liberties of the country and the Protestant religion were threatened, had been his only inducement to engage in his present undertaking, and that he had called them together that he might have their advice. They repaired to the council-chamber to deliberate, and after a discussion, which lasted three days, they resolved, on the sug-

William assembles some of the leading Scotsmen in London—

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gestion of the Duke of Hamilton, that it was necessary in the present distracted state of the kingdom "that executive power should be lodged somewhere until a convention of Estates should be called, and that that could be no where better or safer than with the prince." An address to this effect was accordingly voted unanimously, and William was requested to appoint the 14th of March for the meeting of the convention, and to annul the act which excluded presbyterians from the privilege of voting or being returned as members. The prince received this address graciously, and signified his unqualified concurrence in the resolutions of the meeting.* Notwithstanding the apparent unanimity of their proceedings, however, a number of James's adherents were present, who now saw no other way of promoting his cause than by endeavouring to gain an ascendancy in the forthcoming convention; and both parties hastened home to prepare for the contest.

—their advice.

In this struggle, the presbyterians, as might have been expected, strenuously supported the cause of William, while the episcopalians still persevered in their attachment to their native sovereign. There were some conspicuous examples, however, on both sides, of men who cared little for the principles which they professed to maintain, and were quite ready to sacrifice these to their own personal aggrandisement.

State of parties.

After the flight of James was known in Scotland the country was virtually in a state of anarchy. "There was no king in Israel, and every man did that which was right in his own eyes." There was no attempt, however, to retaliate on the instruments of tyranny the cruelties they had inflicted upon the nation, during the reigns of the fugitive monarch and his brother: no lives were sacrificed, nor were there any violent outrages on person or property. There was, indeed, one class who were peculiarly obnoxious to the common people, and were soon made to feel the effect of the change that had taken place. The curates were the representatives of the hateful system which had by force and fraud replaced the Church of their fathers; they had been thrust into their livings under the law of patronage against the wishes of the parishioners; they had acted the part of spies and informers to the privy council; and had assisted Claverhouse and Dalzell in their bloody persecutions, furnishing them with lists of the persons who absented themselves from their ministry; and not a few had brought discredit on their office by their profligate lives. It was natural, therefore, that they should be regarded with peculiar aversion by the people, and that no time should be lost in ejecting these hirelings and intruders, as they were termed, from the places which had once been filled by those faithful ministers who had been driven into the wilderness, or had laid down their lives for the "crown rights of the Redeemer." But though the episcopal clergy were made to feel the effects of the popular indignation, perhaps in no other country would reprisals have been so moderate. On Christmas, 1688, armed bands of the Cameronians, or Hillmen, assembled in various parts of the western counties, and proceeded with great deliberation to eject the curates from their churches and manses. The obnoxious incumbent was carried in mock procession to the church-yard, the cross, or some other public place. He was there reproached for his past conduct; his gown, which was regarded as a badge of prelacy, was torn over his head; he was then conducted to the boundary of the parish, and dismissed with an emphatic warning never to officiate there again.*

State of anarchy in Scotland.

The mode in which these proceedings were conducted seems to have excited the disapprobation of the leading covenanters; and a general meeting of ministers and elders was held, for the purpose of concerting measures for the ejection of the episcopal clergy in a more formal and orderly manner. A form of notice was drawn up and served on all the curates in the western districts who had not been rabbled, requiring them to remove from their parishes peaceably, on pain of violent expulsion if they neglected the warning. In this way about three hundred in all

Ejection of the curates.

* Burnet, vol. i. p. 805.

* It was alleged that in some instances the mob plundered the cellar and larder of the obnoxious incumbents, greatly to the scandal of the more sober Cameronians. "A whiggish mob," says Baron Bradwardine, "destroyed the meeting-house of Mr. Rubric, tore his surplice, and plundered his dwelling-house of four silver spoons, intromitting also with his mart and his meal-ark, and with two barrels, one of single and one of double ale, besides three bottles of brandy." (Waverley, chap. x.) The spirit by which some at least of the actors in these scenes were moved may be learned from the manner in which the eccentric pedler, Patrick Walker, who wrote the lives of Cameron, Peden, &c., speaks of the share that he took in these rabblings. "The time of their fall was now come," he says, "which many longed for, even for long twenty-eight years. Faintness was entered into their hearts, insomuch that the greater part of them could not speak sense, but stood trembling and sweating, though we spoke with all calmness to them. I inquired of them what made them to tremble, they that had been teachers and defenders of the prelatical principles, and active and instrumental in many of our national mischiefs. How would they tremble and sweat if they were in the Grassmarket going up the ladder, with the rope before them, and the lad with the pyoted [party-coloured] coat at their tail [the hangman]! But they were speechless objects of pity." Full details of these rabblings are given in "The Case of the Present Afflicted Episcopal Clergy in Scotland truly represented," drawn up by themselves, and collected by Dr. Munro, who was at this time expelled from the University of Edinburgh. One of them, Mr. Bullo, of Stobo, declares that the mob threatened to shoot him through the head, and "laid many strokes on him with the broad side of their drawn swords." Another, Mr. John Little, complained grievously of the treatment which he received from a regiment of fifty women armed with cudgels, who, he says, "after tearing his coat off, compassed him about, four at each arm, others of them beating his head and shoulders with their fists, others of them scratching and nipping his back." To appease these viragoes, Mr. Little said, "if they would let him into the kirk he would preach a sermon to them,"—an offer which, coming from such a quarter, was more likely to inflame than to appease their wrath. (See Remarkable Passages in the Life of Richard Cameron, &c., Apud. Biograph. Presbyteriana; Case of the Afflicted Clergy, &c., pp. 5, 56, 59; M'Crie's Sketches, vol. ii. pp. 262, 265.)

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of the clergy were ejected between Christmas, 1688, and April, 1689. These "rabblings" of the curates, as might be expected, caused a great outcry among the episcopalians and Jacobites, and a highly coloured report of their treatment by the rabble was drawn up by the clergy and transmitted to London. William immediately issued a proclamation directing that the episcopal ministers should be suffered to retain their benefices without molestation, till the constitution and government of the Church should be settled by the convention. But as he had no troops in Scotland, and, consequently, no means of enforcing his commands, his attempt to protect the curates from ejection and insult was wholly ineffective.

Relative strength of the two parties.

Meanwhile, the elections were proceeding for members to serve in the convention, and it soon appeared that the Whigs had the superiority in almost all the shires and burghs; but the adherents of James relied for support on the bishops and the majority of the nobles. The great body of the lawyers also ranged themselves on the side of the fallen monarch, and the Castle of Edinburgh was still held for him by the Duke of Gordon. At this juncture, the Earl of Balcarres and Claverhouse, recently created Viscount Dundee, came down from London to direct the counsels of James's adherents.

Proceedings of Dundee and Balcarres in London—

The former, a man of amiable disposition and great accomplishments, had in his youth espoused the popular cause, but had subsequently been gained over by the court, and was strongly attached to the king from personal friendship. In company with Dundee, he waited upon James after his return to London from Feversham, and assured him of their continued devotion to his interests. As they walked with him up and down the Mall, the king asked them how they came to be with him when all the world had forsaken him for the Prince of Orange? Balcarres replied that their fidelity to so good a master would ever be the same; they had nothing to do with the Prince of Orange. Dundee also made the strongest professions of fidelity. "Will you two, as gentlemen," inquired James, "say you have still attachment to me?"—"Sir, we do," was their reply.—"Will you give me your hands upon it as men of honour?" They did so. "Well," rejoined the unhappy prince, "I see you are the men I always took you to be; you shall know all my intentions. I can no longer remain here but as a cipher, or be a prisoner to the Prince of Orange,—and you know there is but a small distance between the prisons and the graves of kings." He had, therefore, resolved, he said, to seek a temporary refuge in France. "When I am there," he added, "you shall receive my instructions. You, Lord Balcarres, shall have a commission to manage my civil affairs; and you, Lord Dundee, to command my troops." *

On the following day James fled a second time from his palace, never to return, and the Prince of Orange entered London. Balcarres had repeated audiences of William, to whom he was well known, and whose cousin he had married. He expressed "the utmost respect for his highness, but said that he could have no hand in turning out his king, who had been a kind master to him in many things. The prince, perhaps, valued him the more for this, and twice thereafter spoke to him upon the same subject, but said at parting, 'Take care, my lord, that you keep within the law, for if you break it you must expect to be left to it.'" *

The eulogists of Dundee assert that he was solicited by William to enter his service, that he refused without ceremony, on the ground that he had taken an oath of fidelity to King James, which he did not conceive himself at liberty to violate,† and that William acknowledged the validity of the excuse. But the truth is, he acted a part by no means so frank and honest as the course adopted by his friend Balcarres. He employed Burnet to mediate for him with the new sovereign, declared his willingness to acquiesce in the settlement of the crown upon William and Mary, and obtained in return a promise of protection, and was permitted to travel down to Scotland under the escort of a troop of cavalry. "Without such an escort," says Macaulay, "the man of blood, whose name was never mentioned but with a shudder at the hearth of any presbyterian family, would at that conjuncture have had but a perilous journey through Berwickshire and the Lothians." ‡

—measures adopted by them in Edinburgh.

It was nearly the end of February when Dundee and Balcarres reached Edinburgh. They lost no time in taking active measures to revive the drooping spirits of their party, to confirm the waverers, and to preserve union among the adherents of the fugitive monarch. They waited upon the Duke of Gordon, who was preparing to surrender the castle, and though they found him in the act of removing his furniture, they prevailed upon him to hold out till he saw what course the convention should adopt. § In conjunction with the Archbishop of St. Andrew's, they had received a commission from James to adjourn the convention to Stirling; and they informed the duke of their resolution to use their powers if the majority should prove hostile to the rights of their royal master.

Meeting of the convention.

At length the day (March 14) appointed for the meeting of the Estates arrived, and they assembled rather in the circumstances of a Polish diet than of a Scottish parliament. The English convention met in quietness and security, and conducted their proceedings in the most orderly manner, and with the strictest regard to form and precedent. But the Scottish patriots had to assemble under the guns of a hostile fortress, and to mingle even in their place of meeting with unscrupulous enemies, while their safety

* Lives of the Lindsays, vol. ii. p. 162.

* Lives of the Lindsays, vol. ii. p. 162.
† Chambers's Rebellions in Scotland, 1689—1715, p. 30.
‡ History of England, vol. iii. p. 270.
§ Memoirs of Balcarres, p. 24.

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was farther imperilled by the presence of a troop of Claverhouse's ruthless dragoons. In these critical circumstances they were obliged to call to their protection a body of the western covenanters, who, nothing loth, flocked to the capital, carrying under their grey plaids the swords and pistols which they had wielded in the cause of the covenant at Drumclog and Bothwell Bridge.

Hamilton elected president.

The first question which tested the strength of the hostile parties in the convention was the choice of a president. The presbyterians supported the Duke of Hamilton, a moderate Whig of respectable abilities and fair character, but whose political course had by no means been either straightforward or decided. The choice of the Jacobites fell upon the Marquis of Atholl, a treacherous, cruel, and cowardly time-server, of mean abilities and disreputable character, who had lent himself to the court, to execute its most flagitious schemes, during the dark period of the persecutions. On the flight of James he had sought with abject servility to gain the favour of the Prince of Orange; but, finding his overtures coldly received, he had once more joined the adherents of the fallen monarch. Parties were so nearly balanced that Hamilton was elected by a majority of only fifteen; but the victory was regarded as decisive, and about twenty of the defeated party, with the laxity of principle which characterised the statesmen of the period, immediately joined the winning side. A committee of elections was then appointed to scrutinise the disputed returns, and it is alleged by the Jacobites that the majority of the members showed gross partiality in their decisions. The convention next proceeded to make provision for their own security. The parliament-house was commanded by the guns of the castle, which was still held for James by the Duke of Gordon, a papist, and, therefore, disqualified by law to hold the command. The Earls

Duke of Gordon summoned to surrender the castle—

of Lothian and Tweeddale were sent to require the duke, in the name of the convention, to evacuate the fortress within twenty-four hours. He at first seemed inclined to comply with the demand, and asked a night for consideration. The exhortations of Balcarres and Dundee, however, confirmed his wavering mind; and next morning, when the deputies returned to receive the surrender of the castle, he put them off with an evasive answer, professing great respect for the convention, and offering to give security for his peaceable behaviour to the amount of twenty thousand pounds sterling, but refusing to give up the castle until he should receive a communication from the government now established in England.

—refuses, and is proclaimed a traitor.

His answer was deemed unsatisfactory. He was proclaimed a traitor to the Estates, and guards were posted to intercept all communication between the garrison and the city.*

* Acts of Scot. Parl., March 14th and 15th, 1689; Balcarres' Memoirs.

Letter from James to the convention.

On the following day, March 15th, a messenger arrived from France with a sealed letter from King James to the Estates. The leaders of the Jacobites, though ignorant of the contents of the letter, and mortified by the neglect of their master to furnish them with this information, hoped that James would have offered terms calculated to conciliate his opponents, and, though not without misgivings, resolved to lay the letter before the convention.

Accordingly, next day, while the Estates were engaged in deliberation, it was announced that James's messenger was at the door. He was called in, and the document which he brought was laid on the table. A motion was then made that the letter should be read, but the president reminded the Estates that they had been convoked by the authority of the Prince of Orange, who had also sent them a letter, and that his communication was entitled to the precedence. This proposal was agreed to without opposition, and

Letter from William read.

the letter of William, which had been entrusted to the Earl of Leven, was produced and read. It reminded the Estates of the responsible position in which they were placed; urged them to lay aside all animosities and factions, and to establish the affairs of the kingdom on a solid basis; and professed warm attachment to the Protestant religion, though it carefully avoided giving an opinion respecting the points of difference between the presbyterians and episcopalians. Some of the Scottish nobility and gentry with whom William had conferred in London had recommended a union of the two kingdoms, and he now expressed his cordial approbation of that project, and promised to do all in his power to promote a measure which, in his opinion, would greatly conduce to the happiness of both nations.

Apprehensions were entertained that the letter of James might possibly contain an order for the dissolution of the convention; before the seal was broken, therefore, it was proposed, and unanimously agreed to, that nothing contained in the letter should annul or impede the deliberations of the Estates, and that they should continue to sit until they should have completed the work of securing the Protestant religion, the constitution, laws, and government of the country. This vote was subscribed not only by the Whigs, but by seven out of nine bishops, and by Dundee, Balcarres, and the other Jacobites present, who, in the hope that the letter would contain some conciliatory offers, were thus guilty of a flagrant violation of their own principles, and an act of rebellion against their master's authority. The important document, from which so much was expected, was then read. It

Unfavourable effect of James's letter.

showed that the character of James remained unchanged, and that it was vain to expect either prudence or moderation from the intractable, hard-hearted tyrant. He required of them to support his interests as became loyal and faithful subjects, and

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thus to avoid the danger and infamy of rebels in this world, and their condemnation in the world to come. He graciously promised a pardon to those who should return to their allegiance before the last day of the month, and threatened condign punishment against all who should continue in rebellion against his lawful authority.* This letter, which was written and countersigned by the apostate Melfort, who was legally incapable of holding office under the crown, excited loud and vehement expressions of indignation from the Whigs, and rendered it impossible for the Jacobites any longer to continue the struggle in the convention.

Meanwhile the capital was in a state of great excitement. A considerable body of the western covenanters had flocked to the city for the purpose of protecting the convention. It was expected that these stern and dauntless presbyterians, burning with the recollection of their grievous wrongs, would not be slow to take vengeance on their abhorred persecutors, especially on Dundee and his associate, the "bloody Mackenzie," the late king's advocate. It was reported to the convention on the 16th of March, the day on which James's letter was read, that two men had been heard inquiring for the lodgings of Dundee, vowing at the same time that "they would use the dogs as they had been used by them."† Mackenzie, with great earnestness and force of language, claimed the protection of the Estates, and Dundee demanded that the house in which the intended assassins were said to lurk should be searched, and that all strangers should be removed from the town. But this was at once refused, as it would have placed the convention at the mercy of the Duke of Gordon, and of Dundee and his troops.

Dundee threatened by the covenanters.

On the afternoon of the same day (Saturday) the Jacobite leaders held a consultation, and as it was now evident that the great majority of the convention was hostile to James, they resolved that the Archbishop of St. Andrew's, Dundee, and Balcarres, should use the powers entrusted to them, and hold a counter convention of their adherents at Stirling. Monday was appointed for carrying this project into effect. But when the day arrived Atholl, who had promised to bring down a body of Highlanders from his estates to protect their deliberations, with his usual pusillanimity and vacillation, requested a delay of twenty-four hours, and proposed that, in the meantime, to prevent suspicion, they should repair once more to the parliament-house. Balcarres and the other members of the party yielded to his request; Dundee alone, haunted by the terrors of an evil conscience and the dread of assassination, refused to wait longer, and, in spite of the remonstrances of Balcarres, who saw clearly that the flight of his associate would break up their whole plan, he determined immediately to set out for the north. At the head of about fifty of his old troopers, he quitted the city by Leith Wynd, one of its eastern avenues, and, turning to the west, proceeded with his men along the bank of the loch which defended the city on the north side—a road which now forms the site of Princes Street. Passing close under the huge rock on which the castle is built, he alighted from his horse, scrambled up the western face of the crag, and held a conference at a postern with the Duke of Gordon, the governor of the fortress. It is reported that Dundee urged the duke to leave the castle under the charge of his lieutenant and accompany him to the Highlands, with the view of raising his vassals there in behalf of King James. The duke, however, excused himself on the plea that a soldier cannot in honour quit the post that is assigned to him; and Dundee was obliged to content himself with entreating that the duke would at least hold out the castle till he should be relieved.

Proposal to hold a counter convention.

Flight of Dundee.

During this singular conference, great excitement prevailed in the city, and a crowd had collected at the foot of the precipice. The news soon reached the convention, which was then sitting, together with a report that their dreaded and abhorred adversary was mustering his forces to attack them. A terrible uproar ensued. The Duke of Hamilton ordered the doors of the parliament-house to be locked, and the keys to be laid on the table, exclaiming with great fierceness, "It is high time we should look to ourselves, since the enemies of our religion, and of our civil freedom, are mustering all around us, and there is danger within as well as without doors. Let those be detained who are not well-wishers to their country, that they may serve as hostages for the good behaviour of their accomplices." The Earl of Leven was then ordered to go forth into the city, to cause drums to be beat and trumpets sounded, to collect their trusty adherents for the protection of the convention. All this was promptly executed. The covenanters from the west country, on hearing the signal, started from their hiding-places in garrets and cellars, and appeared in the street with arms in their hands. It was speedily discovered that no danger was to be apprehended from Dundee, who had in the meantime scrambled down the castle rock, and, along with his troopers, pursued his journey towards Linlithgow. And after a period of dreadful suspense the doors of the parliament-house were opened, and the humbled and dispirited Jacobites were permitted to depart, amid the threats and railings of the crowd which filled the High Street. The project of a counter convention was at once and finally abandoned. Some of the adherents of James fled to their country seats, others joined the ranks of the Whigs; the Earl of Mar was arrested as he was leaving the city, and the remainder were glad to purchase their safety by remaining quiet.*

Excitement in the convention.

Submission of the Jacobites.

* Acts of Parl., March 16th; Balcarres' Memoirs; Life of James, vol. ii. p. 342.

† Minutes of Convention, MS. Ad. Lib.

* Balcarres' Memoirs.

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Next day the convention proceeded to take prompt measures for the defence of the kingdom. The militia was ordered to be levied, and all Protestants, from sixteen to sixty, were enjoined to hold themselves in readiness to assemble in arms at the first summons. So energetically were these orders carried out that a regiment of eight hundred covenanters was raised within two hours; and the Earl of Argyll, who had been permitted to take his seat in the convention, though the attainder of his family was still unrepealed, assembled three hundred of his clan for the protection of the Estates. Shortly after, the public peace was secured by the arrival of the three Scotch regiments in the Dutch service, which had accompanied William to England, under the command of General Mackay, a veteran officer of distinguished courage and piety. He was immediately appointed, by the convention, general of their forces.

Measures adopted for the defence of the kingdom.

Arrival of the Scotch regiments under General Mackay.

Protected by Mackay's troops, and relieved from the presence of the more courageous Jacobite leaders, the Estates became more confident in their strength than before. They sent a letter of thanks to William, cordially approving of the step he had taken in assuming the temporary administration of affairs, and proceeded resolutely to carry out their plan for the settlement of the government. This important business was entrusted to a committee of twenty-four, composed in equal proportions of peers, and of the representatives of counties and of the towns. The exclusion of the bishops from this committee was ominous of the fate that awaited their order.

The spirit of the Jacobites was now completely broken. As a last resource, some of the more eager of their number had urged the Duke of Gordon to fire on the city, in the hope that the convention would be compelled to adjourn to Glasgow, and that time might thus be gained for the reorganisation of their party.* But the duke prudently refused to lend himself to this desperate policy. A project for the union of the two kingdoms had long been entertained by some eminent Scottish statesmen; and the Dalrymples, father and son, with Lord Tarbet, recommended that the union and the settlement of the crown should go hand in hand. Various other parties, actuated by widely different motives, united in supporting the proposal that the throne should be kept vacant until the treaty of union should be settled. And the Jacobites even gave their countenance to this project, in the hope that they might thereby postpone for a few months, at least, the settlement of the government. But the zealous presbyterians were apprehensive that such a measure might interfere with their ecclesiastical arrangements, as well as excite dissensions in their own ranks; the proposal was, therefore, prudently abandoned.

Proposal for the union of the two kingdoms.

* Balcarres' Memoirs.

The committee to which the plan for the settlement of the government had been referred, submitted to the convention a series of resolutions declaring that James, by his misconduct and crimes, had forfeited the crown. The offences which justified this doom were recapitulated in fifteen articles:—his efforts to establish popery, and to convert the limited monarchy of Scotland into an arbitrary despotism; his imposition of illegal oaths and tests; his levying of taxes without consent of parliament; his unconstitutional conduct in raising and maintaining an irresponsible and oppressive standing army, and in conferring upon the soldiers the power to inflict the highest penalties without legal trial; his illegal use of judicial torture; his imposition of fines and forfeitures without trial; his suppression of the privileges of the municipal corporations; his interference with the independence of the judges, and dictating their decisions. For all these outrages against the rights and liberties of the people of Scotland, "the Estates of the kingdom find and declare that King James VII., being a professed papist, did assume the regal power, and acted as king without taking the oath required by law; and hath, by the advice of evil and wicked councillors, invaded the fundamental constitution of this kingdom, and altered it from a legal limited monarchy to an arbitrary despotic power, and hath exercised the same to the subversion of the Protestant religion, and the violation of the laws and liberties of the nation, inverting all the ends of government, whereby he hath FOREFAULTED the right to the crown, and the throne is become VACANT."

Plan for the settlement of the government.

Vote of forfeiture.

A feeble opposition to the vote of forfeiture was made by Patterson, Archbishop of Glasgow, and Sir George Mackenzie, who maintained that James was an absolute and irresponsible monarch, entitled to the unconditional obedience of his subjects, and that every illegal act of his government had been vindicated by the decisions of the late parliament. The arguments of these disheartened supporters of the doctrine of divine right were ably refuted by Sir John Dalrymple, the late lord-advocate, and Sir James Montgomery, who showed that absolute and irresponsible power was irreconcilable with the rights of the people, and could neither be lawfully granted by the parliament nor acquired by the king. When the question was put, Atholl, Queensberry, and other influential Tories withdrew from the house, and only five members of their party voted against the resolution which declared that James had forfeited the crown.

Feeble opposition of the Jacobites.

On the 11th of April the Estates resolved that the crown should be settled on William and Mary as joint sovereigns, and failing the issue of Mary, on the Princess Anne and her heirs. The new sovereigns were then proclaimed at the city Cross with sound of trumpet, and on the same day the

Crown settled on William and Mary.

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parochial clergy were enjoined, on pain of deprivation, to read this proclamation from their pulpits, and to pray for King William and Queen Mary.

Claim of Right.

Before, however, proceeding to make a formal tender of the crown to the new sovereigns, the convention adopted a "Claim of Right," drawn up by the committee that had prepared the vote of forfeiture.* This memorable document, which purported to be a declaration of the law as it stood, included some things not specifically contained in the vote of forfeiture, and extended to almost all the illegal acts of the two preceding reigns:—the suspension or alteration of the laws by regal proclamations; the measures employed to establish popery; the imposition of bonds and oaths, and the exaction of money without the authority of parliament; the investing of officers of the army with judicial powers; the infliction of the punishment of death without trial, jury, or record; the exaction of exorbitant fines or bail; the imprisonment of accused persons without a specific statement of the cause, or the delay of their trial; the forfeiture of persons upon old and obsolete laws, and upon frivolous pretexts or defective evidence; the nomination by the crown of the magistrates and councillors of burghs; the interference with the proceedings of the courts of justice; the employment of torture without evidence in ordinary crimes; the compelling persons accused to give evidence against themselves; the garrisoning of private houses, and the introduction of a hostile army into the country to live at free quarters in the time of peace. The Claim of Right also condemned as illegal the two notorious decisions of the judges—that it was treason to conceal the demand of money to assist traitors, and for any persons to refuse to declare their private sentiments respecting the treasonable opinions or actions of others. It was declared that no papist could occupy the throne, or even hold any public office; and that no heir to the crown could exercise regal authority before taking the coronation oath. The right of appeal to parliament and of petition to the sovereign was asserted; and it was demanded that for the redress of grievances, and the amending and strengthening the laws, parliaments ought to be frequently held, and freedom of speech secured to the members; and all these articles were claimed by the Estates as their undoubted right, against which no declaration or precedent should operate to the prejudice of the people.* A place was given in the Claim of Right to the ecclesiastical grievances under which the Scottish people had so long groaned; and, though it could not be denied that episcopacy had been established by law, and could not, therefore, be justly termed an illegal infringement of the rights of the people, the Estates, who were anxious that this important question should not be left open to future discussion, declared that prelacy and the superiority of any office in the Church was a great and insupportable burden to the kingdom, and odious to the people, and that it ought to be abolished.

Declaration of Grievances.

On the 13th of April the convention prepared a supplementary paper, called a Declaration of Grievances, which could be remedied only by new laws. In this document, the committee of articles, the royal supremacy over the Church, the manner and extent of the popular representation, the trial and punishment of juries for finding verdicts against the crown, the marriage of the sovereign with a papist, and various other grievances, were denounced, and their redress demanded.

Having settled the Claim of Right, and revised the coronation oath, the convention appointed three commissioners to repair to London with the offer of the crown. The Earl of Argyll was chosen to represent the nobles; Sir James Montgomery, the commissioners of shires; and Sir John Dalrymple, the burgesses. On the 11th of May, the three commissioners, attended by almost all the Scotchmen of rank and influence who were then in London, were admitted to the presence of William and Mary in the Banqueting House, at Whitehall. The new sovereigns were seated under a canopy, and surrounded by the great nobles and statesmen of England. The coronation oath was taken after the Scottish form. The royal pair, standing and holding up their right hands, repeated the oath, clause by clause, after Argyll; but on coming to the last clause, which declared "We shall be careful to root out all heretics and enemies to the true worship of God," William paused, and stated that he would not lay himself under any obligation to be a persecutor. "Neither the words of this oath, nor the laws of Scotland," replied one of the commissioners, "lay any such obligation on your majesty."—"Then," said William, "I take the oath in that sense only; and I desire you all, my lords and gentlemen, to witness that I do so."† Thus happily terminated that contest which the house of Stewart had obstinately maintained against the liberties and religion of Scotland; and that hapless race, whom no misfortunes or experience could teach moderation, were a second time driven forth fugitives and vagabonds on the face of the earth.

* According to the legal import of the vote the whole issue of James were excluded from the crown, but in a MS. copy of the minutes of the Convention in the Advocate's Library, it is said to have been unanimously agreed to that the word "forefault" in the resolution should be limited to the persons and the future children of King James, and of "the pretended prince," his son. This was for the purpose of keeping unquestioned the claims of Mary. (Burton, vol. i. p. 4, note.)

* Laing, vol. ii. p. 192.

† History of the Affairs of Scotland from the Restoration, &c.; London Gazette, May, 16, 1689.

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CHAPTER LIV.

ECCLESIASTICAL HISTORY.

A.D. 1688—1712.

THE prelatical Church established in Scotland at the Restoration had now existed for twenty-eight years; and, though the most sanguinary measures had been employed for its support, and the most shocking barbarities inflicted on those who refused to worship within its pale, yet, strange to say, during all this time no attempt had been made to introduce the English ritual. The liturgy, the surplice, the altar, and the use of the cross in baptism, were all unknown to the greater part of the Scottish episcopal clergy. They had no Confession of Faith or standard of doctrine and discipline. Prayers were, however, usually read, though the selection appears to have been left to the clergy. The Apostles' Creed was in general recited when baptism was administered, and the doxology was sung at the close of public worship. The bishops had no fixed rule to guide their practice in the government of the Church; but they were completely subject to the will of the king, who, as supreme head of the Church, superseded the prelates and deposed the clergy at his pleasure, and even issued instructions regulating both the matter and the manner of their preaching.* The revolution, however, was followed by a speedy and radical change in the position of ecclesiastical affairs. The episcopal hierarchy, under whose tyrannical oppression the presbyterians had so long groaned, was set aside; and there was substituted in its room that form of church government which was most in accordance with the views of the Scottish people, and which has continued in force down to the present day.† William's own sentiments, indeed, would have disposed him to retain the forms of episcopacy; not that he considered them superior in themselves or more scriptural, but because he conceived that it would conduce to the peace and concord of the two kingdoms, if similar ecclesiastical institutions were established in both. Now, as there was no ground at all for hoping that presbytery could be introduced into England, where the Episcopal Church occupied an impregnable position, the only way left to realise his views seemed to be to maintain the bishops in Scotland. William, however, had an adviser with regard to the settlement of Scottish ecclesiastical affairs, whose weighty reasons completely changed his mind. This was the celebrated Carstairs, a presbyterian minister, whose ability, and integrity, and discretion had secured for him a high place in the king's regard. In early life he had taken refuge in Holland, that he might escape the miseries and distractions of his own country, and having been introduced to the Prince of Orange, he had at once gained his confidence. Returning to Scotland, he had suffered imprisonment and been subjected to torture, on account of the part which he had taken in Shaftesbury's plot against the late government. He had then gone back to Holland, where he was admitted into the prince's family and appointed one of his chaplains. His extensive acquaintance with the state of affairs in Britain, and with the views of the different parties, rendered him a valuable counsellor to William; and his advice was so much followed that, though a simple presbyterian, he came to be known by the designation of Cardinal Carstairs.* His representations soon convinced the king that neither justice nor policy sanctioned the continuance of the Scottish hierarchy. The episcopalians in the northern kingdom were universally opposed to his government, and ready to concur in any measures for the restoration of the exiled monarch, while the presbyterians were the devoted friends of the new order of things; and, therefore, it behoved his majesty to consider whether he could with any propriety heap favours upon his enemies, while he excluded from office and power the warm supporters of his throne. Besides, episcopacy was identified in Scotland with all the abuses of the late government, and its adherents had uniformly supported the obnoxious doctrines of passive obedience and unlimited royal supremacy, which it was the very purpose of the late Revolution to discountenance and explode. Another argument employed by Carstairs to influence William was grounded upon the circumstances and views of the non-conformists in England, who were most zealous in their attachment to the new sovereign, and who naturally expected that after all the sufferings which they had endured, something would now be done to mitigate the hardships of their position. But his majesty could not venture to give them all the countenance which he was persuaded they merited, lest he should excite the jealousy of the Church of England. Let him, however, sanction the establishment of a presbyterian Church in Scotland, and this would convince them that if he did not extend to them all the relief which they desired and needed, it was not because he entertained any prejudice against their views, but in consequence of the difficult circumstances in which he found himself placed.†

Effect of the Revolution upon the Church.

Before any measures were taken by government for effecting, in a legal manner, a change in the ecclesiastical affairs of the kingdom, the long-suppressed resentment of the presbyterians broke out in open violence against the prelatic system, from which they had suffered so much. We have already alluded to the "rabblings," as they were termed, to which the episcopal parish

Popular resentment against the episcopalians.

* M'Crie's Sketches, vol. iv. p. 236.

† Cook's History of the Church of Scotland, vol. iii. p. 440.

* Carstairs' State Papers, pp. 8—38; Burton's History, vol. i. p. 29.

† Carstairs' Life, pp. 39—43; Cook's History, vol. iii. p. 441.

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priests or curates were in many quarters, particularly in the west, subjected. Bands of people, in a state of high excitement, marched to the manses and churches in their neighbourhood, expelled the incumbents and drove them beyond the bounds of their respective parishes, forbidding them ever again to resume possession of their manses, or to officiate in their churches. In other cases notices were served upon the curates, commanding them to remove peaceably, and threatening them, in case of refusal, with violent expulsion. It is impossible to justify these proceedings. They are inconsistent with everything like a due regard to law and order; yet they are not to be wondered at. The parties who acted in this manner had been exposed for years to the fiercest persecution. They had been driven from their dwellings, and obliged to seek refuge in solitary haunts, where they were destitute of all the comforts of life. They had often seen their friends and relatives shot before their eyes for refusing to renounce their religious principles, and to conform to episcopacy. The minister had been cruelly butchered while threading his weary way to some expectant congregation. The husband had been put to death before the eyes of his loving wife. Defenceless women had been fastened to stakes within the water mark, and left to perish amid the slowly-rising waves. There were few places, particularly in the west and south of Scotland, which had not been signalised by some such atrocious deed. If these things are kept in mind, it will probably appear to the unprejudiced reader that there is more reason to admire the moderation of the covenanters than to blame their violence. Their retaliation embraced nothing similar to what they themselves had suffered. It was no part of their scheme in these rabbling excursions to inflict personal injury upon their victims, or to plunder them of their goods. If here and there an individual appropriated what was not his own, he was considered as disgracing the good cause, and was exposed to the censure of his brethren.*

Convention held at Edinburgh.

A convention of Estates was held at Edinburgh, with the concurrence of William, in March, 1689. After declaring that James, by his tyranny and violation of all constitutional principles, had forfeited his right to the crown, and that the throne was become vacant, they drew up what has been designated a claim or declaration of right, the object of which was to set bounds to the royal prerogative, and to guard against the recurrence of those terrible calamities with which the country had been so long afflicted. In this important document, where principles are brought into view which, although ignored under the late government, had been long before enunciated by the reformers, the affairs of the Church find a prominent place, and it is declared that "prelacy, and the superiority of any offices in the Church above presbyters, is and hath been a great and insupportable grievance and trouble to this nation, contrary to the inclinations of the generality of the people, and therefore ought to be abolished."*

This portion of the declaration was opposed by a considerable number, and it seems to have been the only clause upon which a division took place; but still the current of feeling ran very decidedly against the bishops. Many of them were present in the convention, but they were not allowed to vote as a separate estate. Deprived of royal support, episcopacy could no longer maintain its ground. Its adherents, although numerous, were a minority in the country. In the northern counties, it is true, they greatly outnumbered their opponents; but in the south and west, which were the great seats of population, the friends of the presbyterian system vastly preponderated; and what was of far more importance than the mere element of number, the presbyterians were thoroughly instructed in scriptural truth, and were characterised by remarkable intelligence and zeal. They were devotedly attached to their scheme of ecclesiastical government, while the great body of the episcopalian laity merely acquiesced in the polity of their leaders and superiors. Nor was it an unimportant circumstance that the convention was assembled in one of the strongholds of presbyterianism. It has been alleged, too, that many of its members were swayed by private interest in their opposition to the bishops, conceiving that their title to estates, which, although now in their possession, had at one time been church property, would be rendered more secure by the abolition of the order of bishops, and placed beyond all reach of dispute; and it is not unlikely that this motive might influence many. So long as the affairs of religion are allowed to come in any shape under the cognizance of parliaments and political conventions, it is vain to expect that they will be settled purely on their own merits.

After the accession of William and Mary, a regular parliament was held in June, consisting of the same members who had formerly been returned to the convention; and at this meeting prelacy was formally abolished. The principles affirmed in the claim of rights were sanctioned, and it was enacted that prelacy and all superiority of office in the Church was an intolerable burden. Nothing definite, however, was settled as to what should be established in the room of prelacy. Presbytery was not mentioned, but it was simply declared that their majesties, with consent of the Estates of parliament, would establish by law that form of church government in the kingdom, which was most agreeable to the inclinations of the people.†

The appeal thus made, both in the Claim of Right and in the act of parliament, to the inclinations of the people as the reason for adopting a certain form of church government was highly displeas-

* Macaulay, vol. iii. p. 251; Hetherington, p. 173.

* Cook's History, vol. iii. p. 445; Burton, vol. i. pp. 9, 186; Aikman's Buchanan, vol. v. p. 220.

† Aikman's Buchanan, vol. v. p. 246; Cook's History, vol. iii. p. 446.

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ing, not only to the covenanters, but to the whole body of the presbyterians; but it perfectly harmonised with the sentiments of William, and agreed with the instructions which he had sent down to his representative in Scotland. The king was willing that the presbyterian scheme of government should be established by law; but he, naturally enough, desired that the grounds of the preference accorded to it should be so exhibited as not to give offence to his subjects in England. As the head of an episcopal communion in one part of the empire, he could not with consistency acknowledge the divine right of presbytery in another. It might be allowed to be lawful, but it could not be described as the only polity warranted in Scripture. Besides, William was desirous that the episcopalian clergy in Scotland might feel at liberty to retain their benefices in connection with the new establishment; and it was obvious that they could have far less ground for scruple on this head, if presbytery were established on account of its agreeableness to the views of the people, than if it were declared to be the only scheme sanctioned by the Word of God. But the argument and the conclusion, the means and end, were alike distasteful to the presbyterians. They not only wished their own policy established, but they conceived that it should be established on the ground of divine right. They neither desired that the episcopalians should be included within the pale of their church, nor did they conceive it right that any form of religion should be established merely because it happened to receive the suffrages of a majority; and, certainly, it was not at all surprising that they should be quite averse to the admission of their old enemies to the privileges of their newly-founded church. Not only had the episcopalians refused to allow them to retain their presbyterian principles in connection with the Established Church during the reigns of Charles II. and James VII., they had not even granted them permission to retire quietly from the communion of the dominant Church, and to worship God according to the dictates of their own conscience in a state of separation, but had enforced conformity with the sword and the gibbet, by thumb-screws and iron boots, and for twenty-eight long years they had filled the country with "lamentation, and mourning, and woe." It would have been marvellous, indeed, if in those circumstances the presbyterians had manifested any disposition to make sacrifices for the sake of admitting amongst them men from whom they had suffered so much.

Offence taken at the ground indicated for the new establishment.

It was the wish of the Duke of Hamilton, lord high-commissioner, that parliament, having abolished episcopacy, should immediately proceed to set up a new ecclesiastical establishment; and he brought forward a proposal, which had been sent down to him from London by Carstairs, that the presbyterian system should be restored, and church affairs regulated agreeably to the principles of the settlement of 1592.* His overture also aimed at preventing church courts from meddling with the affairs of state, and, with the view of securing this object, their majesties were to be allowed, if they thought proper, to send commissioners, not only to assemblies, but also to synods and presbyteries. The rights of patrons, too, were to be secured to them.† Another scheme was proposed by Lord Cardross, which abolished patronage, and was also in other respects agreeable to the views of the presbyterians. Many were extremely dissatisfied that the inclinations of the people should be described as the ground for preferring the presbyterian government, and they insisted that the phraseology of Knox should be employed, which declared the presbyterian scheme to be grounded upon the infallible truth of God's Word. But from these amendments the Duke of Hamilton felt constrained to withhold his consent, as quite beyond what his instructions warranted. Besides, there were other causes of disunion in the house; a strong party having been formed against the government under the leadership of Sir James Montgomery, who were bent upon securing certain political and personal objects before proceeding to settle the affairs of the Church.‡ The consequence was that parliament was dissolved before any ecclesiastical settlement was made at all. The old fabric was thrown down, but nothing was erected upon the ground thus left vacant.§

Measures proposed by the Duke of Hamilton.

Matters remained in this posture till the subsequent meeting of parliament in April, 1690, when the question of the new ecclesiastical establishment was taken up in much more favourable circumstances, and brought perhaps to the best settlement which the views and relative positions of the different parties admitted. The Earl of Melville appeared as the representative of his majesty in the assembly of the Estates. It had been the king's purpose to reappoint the Duke of Hamilton to this office, and proposals had been made to him to induce him to co-operate heartily in advancing the royal views, but the negotiations failed of success. One of the first measures adopted by parliament was the repeal of the act of supremacy, which, investing the sovereign with the power of judging in all causes ecclesiastical as well as civil, had been the copious source of sorrow, perplexity, and suffering to the presbyterians for more than a quarter of a century. It is alleged by Burnet that his majesty had not authorised Melville to give his sanction to the abrogation of this act,‖ being afraid that his influence over the Church might be too much circumscribed, and that his authority even in civil matters might suffer some damage;¶ but the opposition of the house to the existing law was so strongly expressed that the commissioner felt constrained to yield to it,

Proceedings of parliament with regard to the Church.

* Carstairs' Life, pp. 47, 794; Burton, vol. i. p. 192.
† Burnet, vol. iv. p. 36. ‡ Macaulay, vol. iii. p. 348.
§ Cook's History, vol. iii. p. 449.
‖ Burnet, vol. iv. p. 89.
¶ Willison's Impartial Testimony, vol. iv. p. 301.

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and the act of abrogation was touched with the royal sceptre. So far as the act of supremacy related to civil matters its propriety had never been questioned, but its bearing upon ecclesiastical affairs was utterly inconsistent with the smallest degree of spiritual independence.*

Sixty ejected ministers restored to office.

Shortly after the Restoration, nearly four hundred of the presbyterian ministers had been compelled to leave their parishes, where they were much beloved and were labouring with great efficiency, because they refused to disown the validity of their own orders, and to apply to the prelates for collation and admission to office. The harshness and iniquity of the treatment which had been given at that time to so large and honoured a body of men, were now acknowledged by parliament; and an act was passed restoring to their parishes as many of the ejected ministers as might still be alive. Yet the interests of those who were displaced to make room for them were not altogether overlooked, for it was arranged that a portion of the current half-year's stipend should be assigned to them for their support, until they obtained some other situation. No such consideration had been shown to the ejected presbyterians in their day of trial. And, after all, it was not many removals that were needed to make room for the restoration of those who had suffered so long; for the lapse of twenty-seven years had reduced the number of these venerable men to sixty. The vast majority of them had ended their days in tribulation and poverty; and not a few of them had met a violent death for the sake of their principles.†

Confession of Faith ratified.

The next point which parliament proceeded to consider was the nature of the new ecclesiastical system to be established in the room of episcopacy now abolished as unsuitable to Scotland. No difficulty was felt with regard to the creed which should be recognised as the national one. The Confession of Faith was read over at full length, received the approbation of parliament, and was ordered to be engrossed in the records of the house. The zealous adherents of the presbyterian scheme were desirous that the Larger and Shorter Catechisms, also, as well as the Directory of public worship, and presbyterial church government and discipline, should be read and sanctioned in the same manner, but the patience of the legislators was quite exhausted.‡ The Duke of Hamilton exclaimed that they had done all that was essential, and it was so ruled by acclamation. Three hours had been spent in reading the Confession, and the other documents referred to being at least twice as voluminous, the members were quite indisposed to encounter the task of passing judgment upon them. They did not, therefore, receive the same parliamentary sanction as the Confession itself.§

The question regarding the forms of ecclesiastical government, by which the new establishment should be conducted, was attended with more difficulty; and several points, in this region so fertile of controversy, were very keenly contested. The general principles, indeed, of the presbyterian system, as embracing sessions, presbyteries, synods, and an assembly, were sanctioned without hesitation; and the famous settlement of 1592, already fully described in this work,* was followed as a model, although the adherents of the covenant and all the more zealous presbyterians would have preferred the revival of the laws enacted at the time of the second Reformation in 1638. One point, which gave rise to long and serious debate, was the question whether the General Assembly should be intrusted with the sole power of appointing and dissolving its own meetings, or whether this power should be vested in the crown. Neither party was disposed to yield to the other, and the strife terminated without any decisive settlement of the question. The evil consequences of this ambiguity became apparent at the closing of the very first General Assembly which was held after the Revolution, when considerable tact and management were requisite in order to prevent a rupture between the civil and ecclesiastical authorities.

Commission given to the sixty restored ministers.

The task of setting the ecclesiastical machinery in motion was confided to the sixty restored ministers, who had so long braved the storms of persecution. They were made the nucleus, around which the new Church was to gather. They were authorised, along with such individuals as they might judge it suitable to associate with themselves, to visit parishes, to summon the incumbents before them, and to dismiss those who were shown to be either unsound, or immoral, or deficient in ability. The powers thus intrusted to the remnant of the ancient presbyterian Church were greatly complained of as too extensive and despotic. They were styled, in derision, the sixty bishops, and certainly they did possess for a time something like episcopal jurisdiction. It belonged to them to revive the presbyteries, which were to consist of such ministers as they either admitted anew, or allowed to remain in the parishes where they found them labouring. What should be done in the case of the episcopal incumbents, who had been expelled by popular violence, might have proved a very perplexing question to the sixty while labouring to reconstruct the Church. With the view of smoothing the way for them, it was decreed by parliament that all parishes which had been forsaken by their ministers should be considered vacant. No part of the new enactments with regard to the Church was assailed with more determined opposition than this, and certainly it was one which, however urgent might be the necessity for it, was least susceptible of public defence. Why should men who had been driven out of their parishes by a lawless rabble be held to

* Cook, vol. iii. p. 450.
† Hetherington, p. 130; Burnet, vol. iv. p. 92.
‡ Burton, vol. i. p. 195.
§ Macaulay, vol. iii. p. 690; Burton, vol. i. p. 198.

* *Supra*, vol. ii. pp. 442, 443.

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have demitted their charge? Yet the attempt to repone them would have embroiled the whole kingdom. It would have alienated the covenanters from the government, and would thus have augmented the power of the party who were labouring to effect a counter-revolution. Besides, the ejected episcopal incumbents had themselves been intruded upon the presbyterian congregations, amid scenes of atrocious cruelty, and in violation of existing laws, and on this account they had for years been the objects of extreme dislike through all the western shires. As individuals they might deserve sympathy, but their restoration to the churches, from which the parishioners had expelled them, would have been utterly inconsistent with all the purposes for which a church exists. The blame of their sufferings rests upon the outrageous tyranny of the preceding twenty-eight years, which had fallen with peculiar severity upon the covenanters of the west, and had thus maddened them into fury.*

Change of the law of patronage.

The question of patronage was brought under the notice of parliament at a later period of the session. The presbyterian Church had always clung to the idea that the pastoral relation could only be formed between minister and people by common consent. Both the first book of discipline and the second had exhibited this great principle, although with different degrees of prominence, and it had been considered one of the principal defects of the act of 1592, that it recognised and established the rights of patrons, and altogether excluded the popular element.† Congregations were debarred from having any voice in a matter, in which they had a far deeper interest than any other party could plead, and the sole check upon the abuse of patronage was the right vested in the presbytery of testing the qualifications of the presentee. The deep feeling always cherished against patronage received full vent during the triumph of the covenant, and this odious infringement of congregational rights was successfully assailed in 1649; but once more the Restoration in 1661 elevated the patrons to be "lords over God's heritage;" and down to the time of the Revolution the views of the people were altogether disregarded in the settlement of ministers. But now again the ancient feeling, although it had been long trampled in the mire, sprung up fresh and vigorous, and the great mass of the people were urgent that patronage should be entirely and for ever abolished. This, however, was a measure which the patrons strenuously opposed, as involving a violation of their rights; and William also, on the ground of political considerations, was quite averse to so sweeping a change. It has been disputed whether he authorised Melville to consent in any circumstances to the abolition of patronage. Burnet affirms that the representative of majesty in the Scottish parliament went beyond his commission, and that the king was much displeased with him for surrendering the safeguards of the crown.* Certainly, the remarks which were dictated by William to Carstairs upon the act for settling church government in Scotland, and which were sent down to Scotland for the guidance of Melville, imply that the rights of patrons were to remain intact;† but there is reason to believe that secret instructions were given to Melville authorising him, if he found himself sorely pressed, to accede to the desires of the Scottish people,—and he did accordingly, when he saw what offence the continuance of patronage would give to the presbyterian party to which he himself belonged, consider himself at liberty to sanction a measure in accordance with their views.

Nature of the act abolishing patronage.

But the act abolishing patronage did not by any means concede to the communicants of the Church the right of freely choosing their own pastors. The privileges which it conferred fell below even what the second book of discipline had contemplated, and they would be considered in our day degrading bondage by those churches which, disconnected from the state, take the entire management of their own affairs, and conduct them in general with so much propriety and decorum. In country parishes the heritors, and in boroughs the municipal corporations were empowered, in conjunction with the elders, not to *present*,‡ for that word was studiously shunned, but to *propose* a duly licensed individual to the congregation; and the congregation had the privilege of expressing their approbation of the proposal, or of declaring themselves dissatisfied.§ If they were not pleased, then they were obliged to state their reasons to the presbytery; and it remained with the presbytery alone to decide whether the reasons which they assigned were valid, and whether the settlement should be completed without regard to the views of the people.‖

One of William's objections to the abolition of patronage was, that the right of presenting to churches seemed to him a species of property. This view, of course, naturally suggested the idea of obviating the difficulty by making compensation to the parties deprived of their ancient rights; and accordingly the act did make provision for the payment of a certain amount of purchase money to the patrons. This proposal, too, of pecuniary compensation was the more readily acceded to by

* Macaulay, vol. iii. p. 691.
† *Supra*, vol. ii. pp. 442, 443.

* Burnet, vol. iv. p. 89; Aikman's Buchanan, vol. v. p. 288.
† Carstairs' State Papers, p. 51.
‡ This change of terms has always been considered by the friends of the Church of Scotland as one of vital importance. And, certainly, it does seem as if the power of proposing a minister to a congregation were somewhat less than the power of presenting one. But the real question is, whether the communicants had any greater means of resisting the proposal of the ministers and elders than of resisting the presentation of the patrons. Now, the truth seems to be that there was hardly any difference. In both cases the people were at liberty to state their objections as fully as they pleased; but in both cases it remained with the presbytery to decide with regard to their validity.
§ Wodrow's Correspondence, vol. i. pp. 15, 16.
‖ Cook's History, vol. iii. p. 452.

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many, who might have been disposed to deny that patronage at all partook of the nature of property, on the ground that, assuming it to be property, the most effectual method of preventing the possibility of its restoration was to purchase it at a valuation. For both these reasons it was readily agreed to in parliament that the sum of six hundred marks, amounting to about twenty-five pounds sterling should be paid by each parish in return for the right of patronage renounced by the patron. Yet the portion of the act relating to compensation is so drawn up as hardly to seem consistent with what goes before; for after patronage had been declared in the outset to be "abolished, discharged, annulled, and made void," it surely might have sufficed to decree that compensation should be made for the rights thus taken away. But, instead of this, the act requires that the patron, on receiving the specified six hundred marks, should execute a deed of renunciation, and that until he did so the money should not be paid to him, but remain deposited in the hands of some responsible person. It seems thus to be left to the patron to decide whether he would renounce a right abolished by parliament, and yet whether he did so or not, the heritors and sessions were empowered to proceed according to the new law. These incongruities afford a plausible ground for the view which has been taken by many, that the famous act of 1690 was really not an act for abolishing patronage, but rather one for facilitating the extinction of it by purchase; and it is a fact that the provisions of this act really did pave the way for the restoration of patronage at a subsequent period; for as the parishes obtained the benefit of the new law at once, they hardly in any case thought of completing the arrangement by presenting payment and demanding the patron's renunciation; and the patrons, on the other hand, although empowered to sue for their six hundred marks, in no case had recourse to this step, because they hoped that their rights might be restored to them at no distant period. And thus it happened that only four parishes, viz., Cadder, Old and New Monkland, and Strathblane, obtained renunciations from their patrons; and in the case of the last mentioned parish, the deed was afterwards set aside, as not having been executed by the right person.*

Meeting of the General Assembly.

That the legislative enactments thus made in favour of presbyterian principles might be carried into effect, and the machinery of the new Church be actually set in motion, it was appointed that a meeting of the General Assembly should take place at Edinburgh on the 16th day of October. It was with great reluctance that William gave his consent to the resumption of the meetings of a court which had so often, in former days, been able to control the policy of government, and which might now furnish an arena where the elements of strife, so rife in Scotland, might meet in conflict; but as a General Assembly belonged to the very essence of the presbyterian system, he found that he could not on any plausible ground withhold his sanction from the meeting. And accordingly, after an interval of nearly forty years, the supreme ecclesiastical tribunal of Scotland was again summoned together.* The zealous presbyterians were desirous that the Earl of Crawford, who was noted for his attachment to presbyterian principles, should be appointed royal commissioner; but the very ardour of character and warmth of religious feeling, which recommended him to them, were considered as disqualifications at court. Accordingly his majesty, while he took pains to soothe the feelings of Crawford and to secure his co-operation, named Lord Carmichael, who was noted for his calmness, prudence, and firmness, as his representative in the Scottish ecclesiastical court. At the opening of the assembly the commissioner presented a letter from his majesty, in which it was strongly urged that a moderate and temperate course should be pursued in dealing with those who had held office under the former establishment; and the assembly declared in reply that "it was not their judgment to depose any incumbent simply for his judgment anent the government of the Church, or to urge reordination, nor to ratify any sentences against ministers, but such as were either ignorant, insufficient, scandalous, or erroneous."†

Delicate position of the assembly with respect to the government.

There were many elements of discord at work in the new establishment, which, without the utmost care and prudence, might involve it in difficulties and issue in its destruction. It had always been a favourite and cherished principle among the presbyterians that the Christian Church should not be under the control of the civil power, but should be left by statesmen to pursue her own independent course. The taint of Erastianism was the object of peculiar abhorrence. It was, therefore, conceived by the General Assembly that they possessed the inherent right of appointing their own meetings, and of adjourning their proceedings to such times as they might judge proper; but his majesty's commissioner felt that he could not concur in these views without sacrificing the rights of the crown, and, therefore, he refused to allow even the daily adjournments to take place without his sanction.‡ The disagreement, however, was veiled from public view, and a compromise was devised, which has been followed substantially down to the present day. The commissioner and the moderator consulted together, and the moderator, having obtained the commissioner's sanction, intimated the period when the court was to resume its business. But at the close of the assembly the commissioner himself announced the dissolution and the time of the next

* Burton, vol. i. p. 221; Macaulay, vol. iii. p. 694.

* Willison's Testimony, vol. iv. p. 300; Hetherington, p. 181.

† Burton, vol. i. pp. 208, 209.

‡ Melville Papers, p. 549.

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annual meeting; and when the minute was read, drawn up in terms which conveyed the idea that the assembly had dissolved itself, he objected to the structure of it. A dangerous crisis might have arisen, but, in order to ward it off, an ambiguous expression was employed, and the record was thrown into a form which simply mentioned the dissolution, without describing the authority from which it proceeded, the words employed being these—"this assembly being dissolved."*

Differences between the ministers themselves.

Besides the differences between the views of William and the members of the assembly, there were differences also among the members themselves, which tended to paralyse the vigour of their proceedings, and to prevent the adoption of any decisive measures. Some of the ministers had formerly complied to a greater or less extent with prelacy, and had accepted the indulgences granted by the preceding government; but others of them had boldly denounced the defections of the times, sternly censured their more submissive brethren, and exposed themselves to many dangers and sufferings on account of their principles. The appointment of a national fast brought the differences between these men into active operation, and a warm and protracted discussion ensued, with reference to the statement of grounds for the public humiliation. What the one party would have exhibited as the sins to be repented of, the other would have felt to be a censure upon their whole past career. It was, therefore, found necessary to the peace and well-being of the Church, that no minute specification of sins or of offending parties should be made, but that general expressions should be employed to set forth the offences which rendered a national fast necessary.†

Course taken by the covenanters.

There were large numbers of the presbyterians who continued to hold the permanent obligations of the Covenant sworn at the period of the second Reformation. Those who took this view were grievously offended that the late parliament had not ratified the Covenant along with the Confession of Faith; and they maintained that all who acquiesced in this procedure entailed upon themselves the guilt of perjury. Many on this account refused to join the new establishment; and they continued to maintain themselves as a separate religious community, to which the names of Hillmen, Society people, and Cameronians have been given. Their special function was to bear testimony in favour of the Covenant, and to aim at restoring it to its former might and mastery. They considered that William, having refused to take upon himself the obligations of this solemn deed, and to enforce them throughout his dominions, had no valid title to the throne, and that his government ought not to be acknowledged by the acceptance of any office under him, or by the payment of taxes, or by the signing of any document which recognised him as king. These men, although undoubtedly far wrong in the views which they entertained of government and of the Covenant, were yet men of ardent piety, whose sincerity was demonstrated by the sufferings and trials which they so resolutely encountered for the sake of their principles. That they should attach exaggerated importance to the oaths sworn by their ancestors against prelacy was a not unnatural consequence of the bloody persecutions which they had endured during the two preceding reigns; and if they contracted some stern and repulsive features of character, and used a phraseology somewhat singular in its stamp, their long-continued sufferings and isolation, and the heroism which they displayed on many occasions, might suffice to shield them from the shafts of ridicule. Their descendants still subsist among us, under the designation of the Reformed Presbyterian Church, a very respectable body of men, with a ministry thoroughly trained and disciplined, who although they may not have formally renounced the peculiarities of their predecessors, yet certainly do not now bring them into the same prominent view as in bygone times. They are to be found, not merely in "a few obscure farm-houses," but in all the largest towns of Scotland.*

Three leading Cameronian ministers admitted into the Church.

But while the Society people as a body refused to join the Church of the Revolution, their three leading religious teachers, Thomas Linning, William Boyd, and Alexander Shields, determined to apply for admission within her pale; not because they were disposed to abandon their principles, but in the hope that they might be able, as members of the Church, to promote her reformation. They presented two papers to the assembly, in the one of which they simply craved admission into the Church, and promised to submit to her judicatories; but in the other, which was designed as an exoneration of their consciences, they gave an extended exposition of their views, pointed out the enormities and backslidings chargeable upon the nation, and called upon the assembly to adopt measures for rectifying these clamant evils.† These papers were submitted to the consideration of the committee of overtures, who reported with regard to the larger document, "that though there were several good things in it, yet the same did also contain several peremptory and gross mistakes, unreasonable and impracticable proposals, and uncharitable and injurious reflections, tending rather to kindle contentions than to compose divisions,"‡

* Burton, vol. i. p. 212. † Hetherington, p. 182.

* Macaulay, vol. iii. pp. 705—707. The eloquent historian of England, whose works have recently excited so great a sensation, has fallen into a mistake regarding the descendants of the Society people, or men of the Covenant. He seems to imagine that they do not now exist as a corporate body at all, but are only to be found as isolated individuals, in a few dwellings far from the haunts of men.

† Brown's Compendious History, vol. ii. p. 382.

‡ Linning, in his preface to Shields on "Church Communion," maintains that these words were not in the original minute, but must afterwards have been fraudulently inserted by the clerks. They stand, however, in the printed record.

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and, therefore, it was agreed that it should not be read in open court.* The smaller paper, however, was read, and the three brethren were admitted on the ground of the petition and promise which it embodied. These proceedings, like those of parliament, demonstrate to how great an extent the ecclesiastical settlement at the Revolution partook of the nature of a compromise. We naturally wonder how the assembly, when the document presented by the three covenanting ministers was so offensive that it could not bear to be read in public, could at once proceed to admit them to the position of ministers in the Church without asking from them apology or retractation. But we have only to remember that the covenanters were a numerous body, and that their military prowess, which was equal to that of Cromwell's Ironsides, was one of the main defences of the government against the efforts of the exiled royal family. On the other hand, if the three brethren believed the half of what they said in their longer document, it is equally surprising that they could for a moment entertain the idea of entering a Church which was so full of blemishes, and which not only refused to rectify them, but was even so blind as not to perceive their existence. Doubtless they were conscientious men; and we can only suppose that they really believed they should be able to effect such a reformation of the Church, as would bring her into conformity with the Church of the second Reformation, which was considered the standard of perfection. Their conduct, however, in joining the establishment, when their paper of grievances and complaints was so unceremoniously set aside, gave extreme offence to the great body of their followers, who regarded them as renegades and traitors, and determined to choose for themselves other teachers, and to maintain their separate existence.†

Proceedings against negligent and erroneous ministers.

Parliament had granted to the sixty brethren, whom they commissioned to constitute themselves the nucleus of the Church and to bring together a general assembly, power to purge out all "insufficient, negligent, scandalous, and erroneous ministers by due course of ecclesiastical process and censures." With the view of carrying into effect the powers thus vested in them, the assembly appointed visitors to proceed to all parts of the country for the purpose of investigating the state of matters, and taking measures for the rectification of abuses. One commission received charge of the regions lying north of the Tay, another of those lying south of that river. These commissioners were not empowered to depose any incumbents simply for opinions which they might hold regarding church government, provided they were sound in their views of doctrine and free from gross immorality. Their labours were prosecuted for a considerable time, and they deposed many of the episcopalian clergy on the ground of drunkenness and debauchery.‡ As might be expected, it was alleged that they treated these with more severity than any others, and it is not unlikely that even with the desire of acting fairly they might in some instances be biassed by prejudice. Their proceedings in the southern and western parts of the country, which were the strongholds of presbyterianism and the covenant, were exceedingly popular, and the only fault which was laid to their charge was that of undue lenity. But very different was the case in the north, where episcopalian principles prevailed. There the commissioners were viewed as the agents of despotism and tyranny. When they visited Aberdeen in March, 1691, their proceedings were resisted by force, the inhabitants having leagued together in defence of their ministers; and they were under the necessity of retreating with some precipitation, to avoid the disgrace and danger of being stoned out of the town.*

Views taken of the revolution settlement—

Thus was the Presbyterian Church once more recognised by the Estates of the realm as the national Church of the country; and, although episcopalians were admitted within her pale, not only as members, but even as office-bearers, yet no forms of procedure were introduced inconsistent with the principles of presbytery. The settlement of ecclesiastical affairs at the Revolution has been made the subject of keen criticism, and men have pronounced judgments of the most opposite kind regarding it. Some have stigmatised it for one reason, and some for another; and what has been considered in one quarter as deserving the most unmitigated censure, has been viewed in another as possessing a claim to the highest praise; so that perhaps it really was as equitable and just a settlement as was practicable in the circumstances of the times.

—reflections on its character.

There are two lights in which the ecclesiastical arrangement of 1690 may be contemplated, and according as we look at it in the one or the other of these, we shall form very different opinions of it. If we consider the institution modelled by parliamentary and royal power simply as a Christian Church, and bring its principles to the test of Scripture, we can hardly fail to descry in it numerous and deep-seated blemishes. The new Church was not sufficiently independent; she had not the power of acting upon her own convictions of duty. The single fact that the General Assembly could not appoint its own meetings, nor adjourn without the sanction of the royal commissioner, is sufficient to refute the allegation that the Church was possessed of complete spiritual independence. No one can deny that her power of spontaneous action was very much trammelled. It cannot be doubted that if the restraints imposed by William had been all removed, the sixty, and those whom they summoned to their counsels, would have come to very different conclusions on a variety of points. The probability is that it was the merest fraction of the assembly that were

* Acts of Assembly, 1690. † Hetherington, p. 181.
‡ Brown's Compendious History, vol. ii. p. 384.

* Burton, vol. i. p. 214.

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entirely satisfied with the moderate policy which William considered it his duty to follow. The elements, too, which this policy ultimately introduced into the Church were of the most heterogeneous kind, and such as would never have spontaneously coalesced. How could those who believed that a covenant, whose leading object was the extirpation of prelacy, was obligatory upon the nation with all the sanction of an oath, cordially co-operate with men who viewed episcopacy as the only form of government sanctioned in Scripture? Parties thus disposed to wage an internecine war with one another, would have acted a more Christian part in remaining asunder. Such extremes meeting within the same communion tend to obliterate all distinction between right and wrong. The best solution of the difficulty would have been to refrain from setting up an established Church at all, and then the different parties would have been left to incorporate themselves with one another, just in so far as they could agree. But this method, although recommended by the equal justice which it extends to all, and by its perfect accordance with the New Testament, which does not contain a single hint that the Gospel was to look for support to the powers of this world, was quite impracticable at the time, for the simple reason that the conviction of the necessity of a national Church supported by the state was universal throughout the country. All proceeded upon the principle that there must, of course, be an established Church, and hence arose the necessity for sundry compromises, in order to make the Church rest upon as broad a basis as possible. It is easy for those who still approve of the solemn league and covenant, to say that parliament and the General Assembly should have made those documents the basis of their legislation; but although all the praise that was so profusely bestowed upon them in certain quarters had been entirely merited, the revival of them was no longer practicable as a national measure, for they were far from having an effective majority in their favour. It was not now felt that there was the same need of a national covenant as, without a doubt, there had formerly been, when an oppressed community were mustering their forces for conflict with a powerful despotism. Besides, Scotland had accepted the deliverance which William brought to this country when he assumed the reins of government, and the position of the new sovereign in the southern part of the island rendered a renewal of the covenant in the northern kingdom utterly impracticable. With what consistency could the head of the episcopal Church of England have sworn to extirpate prelacy in Scotland? Again, it is easy for those who are rigidly presbyterian in their principles, to say that the General Assembly should have excluded all the episcopalian clergy from the new establishment; but this would have been a very hazardous measure, for the so-called curates were a numerous class, and there were parts of the country where they were respected and honoured, as much as the presbyterians were in the south and west. For several years, indeed, no measures were taken by the assembly for their admission; but it was not long till it became apparent, that they could not be shut out without endangering the stability of the whole ecclesiastical system. In fact, their continued exclusion by the General Assembly would either have embroiled the country in endless strife, or would probably have necessitated the erection of two ecclesiastical establishments, one north of the Tay and the other south. At that time as conclusive an argument could have been constructed for setting up two religious establishments in Scotland, as for having different churches in England and Scotland. Again, it is easy for those who look upon episcopal ordination as essential to the validity of holy orders, to say that parliament should have disregarded the inclinations of the people, and maintained the Church which existed before the Revolution, in all its rights and privileges; but this would have been a more visionary and hopeless scheme than any of the rest, for deliverance from the oppression of the Episcopal Church was considered in the greater part of Scotland as the main blessing of the Revolution. Amid the opposing views and principles by which different parties in the country, and different districts, were agitated, it was not possible that any system could have been established, such as would meet perfectly the views of any one party, and yet be such as the rest of the community could at all tolerate. Compromise was indispensable. A national Church cannot be set up with any degree of fairness, nor with any prospect of permanency or peace, excepting on the principle of embodying as large a proportion of the inhabitants as possible; and those who will establish churches of this kind must make sacrifices to attain this end. Many blame William for the principle which he avowed of instituting a Church in Scotland, such as would best fall in with the inclinations or views of the bulk of the people. It was the only sound or rational principle that could be followed in such a case. What would have been thought of his procedure, if he had avowed the opposite principle, and, declaring that he would establish nothing but what he considered in his own conscience to be scriptural, had proceeded to set up a system, right in his own views, but utterly wrong according to the convictions of the whole Scottish people? The settlement of the Church at the Revolution, seeing that the country was not at all prepared to dispense with an establishment, was perhaps the best which, amid the conflicting views and interests of the different parties, it was possible at the time to effect. It is true that no small amount of evil sprang from it afterwards. But it does not, therefore, follow that it was not the best practicable arrangement at the time. The rigid exclusion of the episcopalian ministers from the pale of the Established Church might very likely have prevented the growth of that moderatism which so long shed its blighting

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influence upon the religious interests of Scotland, but the excluded element would not, therefore, have ceased to exist or to operate. It would probably have been sufficiently vigorous at the time to secure the establishment of an episcopal Church in the northern parts of the kingdom, and its concentrated virus might there have operated with tenfold energy. With a purer Church south of the Tay, we might have had one greatly more corrupt in possession of all the region beyond.

Proceedings of the assembly's commission against unsound ministers.

The commission appointed by the assembly to purge out scandalous and immoral ministers does not appear upon the whole to have been actuated by a disposition to undue severity. The task, indeed, confided to them was one of a very delicate kind, and it was not possible for them to enter upon it at all without exposing themselves to odium. With the very best intentions, they might sometimes be so swayed by their prejudices as to exclude some individuals on insufficient grounds; and even where exclusion was merited, the consequences to individuals and families might often involve extreme hardship.* Nor were the episcopal clergy slow to proclaim their sufferings to the world. They raised a furious outcry against the proceedings of the new establishment, and branded the presbyterians as cruel and relentless persecutors. The recollection of the atrocious cruelties which they themselves had inflicted upon these same presbyterians during a long course of years, not by simple deprivation of office, but by imprisonment, and torture, and death, should have led them to remain silent under the comparatively trifling reprisals which were now made upon them, and which did not touch a hair of their heads. But there are some parties who seem to think it right that they should be allowed to chastise their opponents with scorpions, while if they are in turn scourged with whips it is denounced as a scandalous outrage. It was in this spirit that the episcopal clergy regarded the proceedings of the assembly's commission; their complaints filled the land;† they resounded from the pulpit; they were made the subject of many a pamphlet from the press; and they were carried, both orally and by letter, into England.‡ William's great desire with regard to the settlement of ecclesiastical affairs in Scotland had all along been that neither party should be allowed to enjoy an exclusive triumph, but that as many as possible of both parties should be comprehended within the new establishment; and, therefore, when the complaints of the episcopalians excited the fear that his policy might be defeated, he became extremely irritated against the presbyterians, and charged them with applying too rigid a test to their opponents. A General Assembly had been appointed to take place in November, 1691, but it was adjourned by the king till January, 1692. One ground of this delay might be that his majesty wished to manifest his displeasure against the presbyterians by interrupting the operations of a court to which they attached so much importance, and making them sensible to what extent they were in his power; but probably the main reason for the adjournment was that he was so much engrossed with political affairs, continental as well as domestic, that he could not give that attention to the proceedings of the assembly, which he considered indispensable. Matters were in a critical position in Scotland, and he could not trust to the discretion and forbearance of an ecclesiastical meeting, unless he had ample opportunity of considering every question himself, and preparing detailed instructions for the guidance of his commissioner. Some of the numerous interruptions of the assembly's meetings which took place during several years subsequent to the Revolution, were undoubtedly designed as manifestations of the royal displeasure; while others of them were occasioned by the determination of his majesty to allow nothing to be done, unless he were so circumstanced as to have ample opportunity for watching and controlling the proceedings.

Meeting of the General Assembly.

At length the time named by the king for holding a General Assembly arrived, and the ministers gathered with gladness to attend a court which was always considered indispensable to the completeness of their Church's organisation, and the interruption of whose meetings, from any cause, filled them with so much sorrow. The list of members present, being arranged according to presbyteries, exhibits at a glance how small the influence of presbyterianism was in the northern parts of the kingdom, many of the presbyteries in that quarter being altogether unrepresented.* The Earl of Lothian appeared as royal commissioner, and he produced a letter from the king, in which the ministers were blamed for continuing to exclude the episcopalians from all share in the rule of the Church; and it was declared to be his majesty's pleasure that they should admit to a seat in their presbyteries, synods, and assembly, those of that body who should sign the Confession of Faith, and promise to submit to the authority of

* Burnet's Own Times, vol. iv. pp. 92, 93; Cook's History, vol. iii. p. 453.

† Carstairs' State Papers, p. 51.

‡ Burnet, adverting to the proceedings of the presbyterians against the episcopalians at this time, makes a remark which, with a great appearance of candour, does not really meet the case at all. "So apt," says he, "are all parties in their turns of power to fall into those very excesses, of which they did formerly make such tragical complaints." But the fact is, that the presbyterians did not commit "those very excesses" against the episcopalians of which they themselves had been the victims. What were the grounds of the complaints formerly made by the presbyterians? That for twenty-eight years they had been driven out, ministers and people, from their homes, apprehended, and cast into prison, hanged, and drowned, and shot. What was it the episcopalians had now to complain of? That some of their ministers were tried on charges of immorality, and suspended from their functions. No doubt there might be undue severity in some cases, but the things are so different in kind, that they ought not to be weighed against one another. (Burnet, vol. iv. p. 93.)

* Burton, vol. i. p. 226.

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the Church judicatories. Nor was this all; it was proposed by his majesty that any commissions which might be appointed by the assembly, for the trial of individuals, applying to be admitted into the Church, who were charged either with unsoundness or immorality, should be composed one half of the old presbyterian ministers, and the other half of ministers who had formerly conformed to episcopacy.*

After his majesty's letter was read, the commissioner addressed the assembly, with the view of persuading them to comply with the advice from the throne. He acknowledged that the presbyterians had met with hard usage from their opponents in days gone by, but he urged the propriety of forgetting old jealousies; and he argued that men "who were already in the exercise of the more essentials," that is, who were permitted to retain their parishes, and to preach and dispense ordinances, should be admitted also to a share in the government of the Church.† But the ministers were not at all disposed to accede to these views. It was true, they had already agreed that those of the curates or episcopalian clergy, who were found to be sound in doctrine and blameless in life, should be permitted to retain their benefices; and many of them, accordingly, having been declared fit and suitable by the commission, were preaching in their parishes without molestation, and enjoying their full emoluments. But these very facts were viewed by the assembly as proving that they had already made sufficient concessions to their opponents; nor is it surprising that they felt an extreme aversion to place upon a level with themselves, in guiding the counsels of the Church, men who had never for a moment dreamed during their day of power of lowering the pretensions of episcopacy in order to accommodate them. Their scruples, too, and fears were greatly strengthened by the conduct of the curates at this very time. The spirit which they manifested was by no means conciliatory. They appeared at the bar of the assembly to urge their claims by petition, alleging that they had his majesty's authority for taking this step; and when asked to produce this authority they refused to present it to the assembly, though they expressed their willingness to lay it before the commissioner. Indeed, Bishop Burnet acknowledges that "the episcopal party carried it high."‡ They were persuaded that the king was disgusted with the presbyterians, and had now come round entirely to their views; and they anticipated that by gaining admission into the assembly they should soon be able to acquire the ascendancy, and have the opportunity of regulating all matters according to their own opinions. It was not a share of the government of the Church which they wanted, but the whole direction of its affairs. It is not to be wondered at, therefore, that the assembly remained deaf to all the arguments of the commissioner, and all the appeals of the curates themselves.* They busied themselves with a multitude of details relating to particular parishes; but they studiously shunned all serious consideration of the great business for which the king had summoned them together. At length, after a month had been spent in transacting what seemed to the commissioner business of no moment, his patience was quite exhausted; and, reproaching the assembly for their disregard of the king's wishes and refusal to be reconciled to their brethren, he dissolved the meeting with great displeasure, and named no day for another. The moderator at once drew attention to this omission, but the commissioner replied that his majesty would appoint a day in due season, of which timely notice should be given. This was not satisfactory to the moderator, who was proceeding to remonstrate, when the commissioner assured him, that he could only speak now as a private person, and was no longer competent to take any steps as moderator. He did speak, complaining that no day had been named for the next meeting of the General Assembly, and craving that the dissolution which had just taken place should not be to the prejudice of those yearly meetings which custom and the laws of the kingdom sanctioned; and, being urged by the members present to name some day himself, he announced the third Wednesday of August, 1693, as the time when they should again meet for the transaction of business, and then concluded with the usual religious services.†

Dissatisfaction of the adherents of the Kirk.

This abrupt dissolution of the General Assembly by the commissioner, without any provision being made for holding another meeting, occasioned extreme dissatisfaction to the whole presbyterian body in Scotland.‡ For although the right of convening ecclesiastical courts without the concurrence of the civil power had never been conceded to the Presbyterian Church, still it had been the practice in former days when one meeting was dissolved to name the time and place for the one that was to follow; but now the continuity of the series of assemblies was destroyed, the chain designed to secure their regular succession was broken, and no man knew when another meeting might be summoned by royal authority. The ecclesiastical court, so much prized by the presbyterians, was thus threatened with extinction.§ It seems to have been the determination for some time of the zealous adherents of the Kirk, to hold a meeting of the General Assembly at the time which the moderator had ventured to announce; while, on the other hand, it was the purpose of his majesty, neither to summon a meeting himself, nor to sanction the one which they proposed to hold; and thus there was every appearance of a conflict between the Church and the State, the consequences of which might have greatly and permanently

* Aikman's Buchanan, vol. v. p. 305.
† Burton, vol. i. p. 228.
‡ Burnet's Own Times, vol. iv. p 127.

* Brown's Compendious History, vol. ii. p. 388.
† Aikman's Buchanan, vol. v. p. 306; Willison's Impartial Testimony, p. 303.
‡ Hetherington, p. 184.
§ Aikman's Buchanan, vol. v. p. 320.

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altered the position of affairs in Scotland. The dreaded collision, however, was prevented. A parliament was held in the year 1693, and secretary Johnston, son of the celebrated Warriston, who was entrusted with the chief management of affairs by William, exerted all his influence to prevail upon the ministers to forego their purpose of holding an assembly on the day named by their moderator. The position which he occupied in parliament, coupled with the respect paid by the presbyterians to the family to which he belonged, gave weight to his advice;* and the plan which he proposed of procuring from the Estates a petition to his majesty, to summon a meeting of assembly for the settlement of the question which the last assembly had left unfinished, both saved the honour of the crown, and afforded sufficient apology to the ministers for delay.†

Oath of assurance appointed by parliament.

At this parliament two measures were adopted, which had an intimate bearing upon the state of the Church, and were attended with important consequences both immediate and remote. An oath of allegiance had already been enacted, which many were in the habit of swearing in an evasive manner, and, therefore, an oath of assurance was conjoined with it, the object of which was to exclude from office all who did not acknowledge the lawfulness of William and Mary's authority.‡ The Jacobites still cherished strong hopes of a restoration of the exiled family, and for them they reserved their allegiance. It was only an outward submission which they rendered to the government of the Revolution; its legality they denied, and they were watching for an opportunity to subvert it.§ But the oath of assurance was so constructed as to embody the acknowledgment, both technically expressed in Latin and translated into English, that William and Mary were sovereigns "as well *de jure*, that is, of right king and queen, as *de facto*, that is, in the possession and exercise of the government;" and thus it could not be taken without perjury by those who were still disposed to plot for the restoration of James.‖ It was also ordained that the oaths of allegiance and assurance should be sworn, not only by all lords and their eldest sons, by magistrates and burgesses, by collectors of taxes, keepers of prisons, and masters of ships, but also by all ministers and preachers, under pain of being degraded from office and forfeiting their emoluments. This enactment was most offensive to the episcopalians, who still ardently longed for the restoration of James; and it was nearly as much disliked by the presbyterians, but on very different grounds. Although they were warm supporters of the present government, yet many of them considered it an Erastian encroachment upon their liberty to make the tenure of ministerial office, and the right of sitting in church courts, dependent upon the taking of an oath prescribed by parliament; and others of them complained not only that the oath involved the settlement of many difficult political questions, about which jurists were still divided,—such as the right of a people to depose their king,—but also that it was obscure, as it did not define whether the right of sovereignty claimed for William was the right of inheritance, or of election, or of conquest. Thus all parties considered the new oath as a heavy grievance, and instead of answering its ostensible purpose of strengthening the government, it seemed more calculated to strengthen the discontent of the nation, and to stir up strife and sedition.*

Act for the peace and quiet of the Church.

The other act, to which reference has been made, was described as one "for settling the quiet and peace of the Church;" and the immediate object of it was to promote the success of the scheme, which the king had so much at heart, of including the episcopalian clergy within the pale of the Established Church, and investing them with all the rights and privileges which government could confer.† The act ordained that no person should be admitted as a member of the Church till he should first take the oaths of allegiance and assurance, subscribe the Confession of Faith, and conform to the worship and discipline established by law; and then it embodied an humble address to his majesty requesting him to call an assembly for the general business of the Church, and also for admitting to a share in its government all ministers having churches who were disposed to conform. It was possible, however, that the assembly when actually convened might pursue the same course which they had done in 1692, and thus defeat the views of parliament and of his majesty. This contingency, though not by any means prominently brought into view, is still effectually provided for; and it is declared that "if any of the said ministers who have not been hitherto received into the government of the Church shall offer to qualify themselves, and to apply in manner aforesaid, they shall have their majesties full protection, aye, and until they shall be admitted in manner foresaid."‡ The assembly might refuse to admit the curates on the terms pointed out by parliament, but in this case they could not deprive them of their churches, and benefices, and manses. They were to be protected in the possession of these by the arm of government, and they were to be viewed as in all respects legally entitled to discharge the duties of the ministerial office in their several parishes. Thus a constraining influence of a very powerful kind was brought to bear upon the assembly. Parliament did not command them to admit the episcopalians—this would have been too outrageous a violation of all the most cherished principles of spiritual independence; but parliament threw

* Carstairs' State Papers, p. 160.
† Burton, vol. i. p. 231.
‡ Brown's Compendious History, vol. ii. p. 389.
§ Carstairs' State Papers, p. 171.
‖ Burnet's Own Times, vol. iv. p. 175; Carstairs' State Papers, p. 178.

* Aikman's Buchanan, vol. v. p. 332.
† Brown's Compendious History, vol. ii. p. 389.
‡ Carstairs' State Papers, p. 201.

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its shield over the curates in such a manner that the effect of the assembly's refusal to admit them would have been the curtailment of the boundaries of the Established Church, certainly for the whole of that generation, perhaps permanently; for the same parliament which maintained the existing generation of episcopalian ministers in their parishes might have authorised them to appoint their successors,—and the probability is that they would have done so, as episcopacy was not scattered over the country, but had its stronghold in one definite region—the country north of the Tay. In consequence of these measures, the presbyterians felt themselves under the necessity of opening the doors of their Church to the episcopalians; and, although at first the hope of a counter revolution prevented many of that body from applying, still from time to time they did present themselves for admission; and thus an element was introduced into the Church which proved the source of discord in subsequent times. There is reason to believe that the moderatism, which for so many years obtained the supremacy in the General Assembly, and which not only strove to crush all popular rights, but also infused a leaven of unsound doctrine, owed its parentage to the episcopal curates incorporated with the establishment after the Revolution.

Increasing aversion to the new oaths.

In compliance with the request of parliament, William appointed that a meeting of the General Assembly should be held in 1693. His absence upon the Continent, however, and the important affairs which at the time engaged his whole attention, led him to adjourn the meeting, as he wished nothing to be done unless he himself could superintend its progress, and mould it into a shape suitable to his views. No assembly, therefore, was held till March, 1694. Meanwhile, the time for taking the oaths of allegiance and assurance, which had been postponed to the 10th of July, 1693, passed away; and the ministers, the more they reflected upon the substance of these oaths, conceived the greater aversion for them, and became the more reluctant to follow the course prescribed by law. When the period, therefore, approached for the meeting of the General Assembly, they made application to the privy council requesting them to dispense with administering the oaths, more particularly as they had not been enforced upon the episcopalians, whose loyalty to the reigning sovereign could not bear comparison with theirs; but the council, disregarding this most reasonable application, and overlooking the serious difficulties which they were needlessly throwing in the way of the king's administration, determined that no individual should be allowed to sit in the assembly without first taking the oaths. On the other hand, the ministers, provoked by the ill-timed obstinacy of the council, became equally resolute, and they also determined that, as they could neither see it to be consistent with their principles to take the oaths, nor safe for the interests of the Church to delay holding an assembly any longer, they would set the decision of the council at defiance, and meet at all hazards.* Thus a collision between the civil and ecclesiastical authorities seemed inevitable; and there is reason to believe that there were some men connected with the council who rather wished such a conflict, that they might profit by the confusion to which it must necessarily lead.† At least, it is strange that oaths, whose sole use was to strengthen the existing government, should be dispensed with in the case of persons whose attachment to the exiled king was notorious, and yet enforced in the case of others who were the ardent friends of the new sovereign, and whose interests and privileges were all dependent upon the continuance of his sway. The idea that the presbyterians would strive to undermine the government of William, and combine to bring back James, which was the only alternative, was so monstrous that no sane mind could for a moment entertain it; and, therefore, if the oaths might be dispensed with in the case of any, if the episcopalians were actually exempted from the necessity of taking them, with far more safety might the same privilege have been conceded to their opponents. The conduct of the council manifested the same want of wisdom and consideration, as if they had instructed the officers of justice to leave highwaymen and robbers to themselves, but to watch with careful eye the proceedings of the honest part of the people.

Imminent hazard of a collision between the Church and the State.

When Lord Carmichael, the king's commissioner, arrived in Edinburgh with the view of attending the General Assembly, he at once perceived the critical posture of affairs, and, dreading the dangers which might ensue from a conflict between the civil and ecclesiastical courts, he dispatched a messenger to London to communicate his apprehensions to the king, and to obtain additional instructions adapted to the new and more threatening aspect of affairs.‡ At the same time, too, the ministers sent intelligence of their perplexities and difficulties to Carstairs, and besought him to strain to the very uttermost the great influence which he was known to possess with the king, that the evils might be warded off, which could not fail to spring from the enforcement of the council's demands. Unfortunately it happened that when the commissioner's express reached the king, craving immediate instructions, Carstairs was absent from court; and his majesty, having consulted with Lord Stair and Lord Tarbet, was advised by them not to abate in the slightest degree the rigour of the demands which the council in Scotland had made. Accordingly instructions to this effect were prepared for the commissioner, and duly signed by his majesty, and actually put into the hands of the messenger, that he might carry them back with all speed to Scotland. Meanwhile, Carstairs returned,

* Burton, vol. i. p. 233. † Hetherington, p. 185.
‡ Aikman's Buchanan, vol. v. p. 332

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and having ascertained the nature of the instructions which had been prepared for the guidance of Lord Carmichael, he took the bold resolution of intercepting the messenger, and demanding from him, in the king's name, the packet with which he was entrusted.* Every moment was precious; and, although it was now a late hour, he hurried to the king's apartment, and, having obtained admission on the plea that he came on a matter of vital importance, which brooked no delay, he threw himself on his knees before his majesty, who was in bed, and awoke him. "I come," he answered in reply to a demand for explanation, "I come to beg my life."—"And is it possible that you can be guilty of a crime which deserves death?" The intercepted packet was produced as the answer, at sight of which William manifested great displeasure, and exclaimed, "Have you indeed presumed to countermand my orders?" Carstairs craved permission to say a few words in explanation of what he had done; and entering upon an exposition of the state of affairs in Scotland, and of the views and feelings by which the different parties were actuated, he convinced the king that, as the presbyterians were the only body in the country who were heartily attached to his person and government, true policy dictated that some concession should be made to them in the present emergency. There could be no wisdom in demanding, what it was obvious they were not prepared to yield, and what was not at all requisite in order to secure their allegiance. The certain consequence of enforcing the measures proposed would be to alienate their affections, and not one single counterbalancing advantage would be gained. They might be too scrupulous about the oaths; and, without any good grounds, they might be regarding them as inconsistent with their principles; but their scruples rested on no disaffection to his majesty's government; and as the sole use of the oaths was to protect and fortify his authority, it was obvious that the end in this particular case would be far more effectually attained by dispensing with them. Concession at the present moment would be hailed by the whole presbyterian body in Scotland as the greatest possible favour, and would indissolubly knit to his majesty their hearts, already loyal and true; whereas the enforcement of the oaths would certainly lead, without the slightest necessity, to a conflict between the civil and ecclesiastical authorities, which might be attended with very grave results.†

Success of Carstairs' interposition.

The representations of Carstairs, of whose devotion to his interests the king was fully persuaded, and of whose wisdom and integrity he had witnessed many decisive proofs in trying circumstances, convinced his majesty that the course suggested by Stair and Tarbet was by no means the wisest in the present emergency. Returning the packet of instructions, therefore, to his midnight visitor, he told him to cast it into the fire, and then authorised the presbyterian minister to draw up new instructions—such as might appear to him suitable to the present posture of affairs, to which he would affix the royal signature, and which should be immediately transmitted to the commissioner in Edinburgh. The new instructions, which were prepared in these singular circumstances, were to the effect that it was his majesty's pleasure to allow the General Assembly to meet, without insisting that the members should take the oaths prescribed by law. The delay occasioned by the steps requisite to secure this change of counsels, prevented the messenger from reaching Edinburgh so soon as the royal commissioner expected. He did not arrive till the very morning of the day when the assembly was to meet. Meanwhile, intense anxiety was experienced by the friends of the Presbyterian Church, and by all to whom the peace and well-being of the community were dear. It was known that the ministers were determined neither to take the oaths, nor yet to desist from holding an assembly; and it was equally known that the commissioner considered himself bound to prohibit any meeting unless the oaths were taken. These conflicting elements, which might have been productive of most disastrous consequences, were happily prevented from coming into actual collision by the arrival, at the very last moment, of the messenger from London with the new instructions. The dreaded storm passed away, and the sky became once more serene and peaceful.

Beneficial influence of the king's concession.

The graceful manner in which the king receded from the rigid demands which had excited so much dissatisfaction among the ministers and their friends, exerted a most favourable influence upon the members of the General Assembly, and when they met the disposition was manifested on all hands to make every sacrifice with the view of gratifying his majesty. They proceeded without delay to the consideration of the question which had originated all the strife, and they consented to admit to the enjoyment of all the privileges of the national Church those of the episcopalian clergy who would subscribe the Confession of Faith, acknowledge the presbyterian government of the Church in Scotland, and engage to submit to it.* This was the very measure which William had been so desirous of seeing adopted as a scheme of comprehension that would greatly extend the basis of the Established Church, but which the General Assembly two years before had considered it to be their duty to reject, as inconsistent with the principles of presbyterianism. The pressure of circumstances now constrained the ministers to recede from their former hostile attitude. The king's views and wishes were well known: parliament had given a very clear and explicit expression of opinion upon the subject; and, indeed, the main ground on which the legislature had

* Aikman's Buchanan, vol. v. pp. 333, 334; Burton, vol. i. p. 244.

† Carstairs' Life, pp. 53, 59.

* Brown's Compendious History, vol. ii. p. 391.

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with united voice, requested the king to summon a General Assembly, was that this question might be discussed anew, and that an opportunity might be afforded to the Church for coming to a different decision. And the cause which above all others operated to smooth down every difficulty, was the sudden change of feeling which the king's well-timed concession with regard to the oaths had produced.* The measure, however, did not lead to such a rapid amalgamation of the episcopalian clergy with the establishment as William had anticipated. They were restrained from seeking admission amongst the presbyterians, now the leading party in the country, by the hope which they cherished of seeing the exiled James restored to the throne, and their own church exalted to its former ascendancy. This was particularly the case in the north, where they were the decided majority, and where the singular spectacle was exhibited of parish churches occupied by individuals who disowned the established religion, and of established ministers preaching not in parish churches, but wherever they could find accommodation.† From time to time, however, some of the prelatists complied with the prescribed conditions, and were admitted as members of the church courts; and Sir James Ogilvie mentions, in a letter to Carstairs, dated October, 1695, that one hundred and sixteen had qualified themselves during the years 1694 and 1695.‡ The admission of these men might be necessary as the means of warding off what might perhaps have proved a greater evil; but, with the views which they cherished, it was not possible that they could exert any other than a disastrous influence upon the fortunes of the Presbyterian Church.

Measures employed by the Church for strengthening her position.

The act of assembly sanctioning the admission of those episcopalian ministers who might be willing to conform, gave extreme dissatisfaction to multitudes throughout the country, particularly to the covenanters, who scrupled not to charge the Church with a total dereliction of principle. The assembly, therefore, instructed its commissioner to use means for bringing those who so aspersed their proceedings to a different state of mind; but it does not appear that much success attended their efforts. The Society people continued to maintain their hostile attitude with unabated zeal. Other measures were adopted by the assembly for strengthening the ramparts of the Church in those districts where they were known to be weakest. It was agreed, with the view of supplying the deficiency of religious ordinances in the north, that the southern synods should appoint a few of their number to proceed for short periods to those quarters, and the ministers who undertook such missions were to follow one another in successive companies, preaching the Gospel, and performing all ministerial duties for periods of three months at a time. This expedient was found productive of so many advantages that it was adopted during a number of years, and was only discontinued when the augmented supply of ministers rendered it no longer necessary.* Throughout the whole Church, however, the number of individuals qualified to take the charge of congregations was still small in comparison with the extent of the field; and hence it often happened that vacant parishes attempted to secure the services of faithful ministers settled in neighbouring parishes. In particular, not a little competition took place for the services of those who had been expelled from their churches at the commencement of the prelatical persecutions in Charles's time, and who had maintained their fidelity during long years of persecution. It was, therefore, considered requisite at this time to pass an act, which, although it did not forbid the practice of translation, yet attempted so to regulate it that it might not create dissensions, but promote more effectually the general good of the Church. Not a few of the episcopal clergy, who had been ejected by the privy council in 1689, had afterwards returned and resumed possession of their churches, and manses, and revenues; and, being supported by the nobility and gentry in the north, they set the law at defiance, and expelled the presbyterian ministers appointed to succeed them. To remedy this great evil, an act was passed "anent intrusion upon kirks," and parliament concurred with the assembly in giving effect to its provisions.†

Improved position of the Church.

The Presbyterian Church had now reached a position of comparative security. She was strong in the good-will of the bulk of the people, as well as in the enjoyment of the royal favour. Her assemblies, which had hitherto been so frequently interrupted and dissolved, and adjourned without any regard to her own views and feelings, were permitted from this time to meet with greater regularity, and no attempt was made to exert the same direct and open influence over them as formerly. Thus the opportunity was afforded to her of turning her attention, without distraction, to the spiritual weil-being of the country: and the measures already adverted to for the christianisation of the Highlands and the northern parts of the kingdom were prosecuted with augmented zeal. Forty-four ministers were appointed in 1695 to proceed on a missionary tour beyond the Grampians, and it was ordained that one half of them, if congregations desired their services, might, on account of the existing scarcity of ministers, be removed from their present charges, and settled permanently in the north. At the same time parliament took into consideration the great deficiency of religious ordinances beyond the Forth, and enacted that "the first end of the stipends of vacant parishes in those quarters" should be set apart for the support of preachers, and missionaries

* Burton, vol. i. 235.
† Acts of Assembly, 1694, p. 11; Memoirs of the Church of Scotland, p. 321.
‡ Carstairs' State Papers, p. 263.

* Brown's Compendious History, vol. ii. p. 393.
† Hetherington, p. 187.

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appointed, whether by presbyteries in the north, or by presbyteries and synods in any part of the kingdom, to supply the vacant churches of the north.*

Further concessions to the episcopalians.

Another measure adopted by parliament in 1695 tended considerably to modify the hostility cherished against the Established Church by the episcopalian clergy. There were still several hundreds adherents of the prelatical Church who had neither conformed to the new establishment, nor taken the oaths of allegiance and assurance prescribed by government in 1693.† They might now have been deprived of their benefices, but another opportunity was afforded to them of taking the presented oaths; and it was provided that, if they did so, they should be allowed to retain their official position and emoluments, whether they conformed to the Established Church or not. If they chose to conform, and if the church courts were pleased to admit them, then they would become constituent parts of the new establishment, and all distinction between them and others would vanish; but if they could not overcome their scruples against conforming, they were to be allowed nevertheless, on taking the oaths to government and maintaining a suitable Christian deportment, to retain possession of their kirks and benefices, and were assured of his majesty's protection:‡ only in this case they were to be debarred from exercising any of the functions of a corporate body. They were neither to license nor ordain ministers, nor to meet in assemblies, synods, or presbyteries, but were merely to discharge the duties of the pastorate within their respective parishes.§

The effect of this measure was to introduce division among the episcopalian clergy. Some of them had already conformed, and more did so now, and were thus amalgamated with the presbyterians.‖ Others, availing themselves of the permission granted by parliament, continued in separation from the Established Church, but took the oaths of submission to government, and thus, in return for his majesty's promised protection, bound themselves not to disturb the existing order of things either in Church or State. But there were others who would neither apply for admission to the Presbyterian Church, nor swear allegiance to the sovereign, and who thus exposed themselves to the charge of treason. These men were influenced by political rather than religious considerations; they were zealous adherents of the exiled royal family; and they were living in hope of a time when they should be able to displace the presbyterians, and regain all their honours and power under their ancient sovereign. Their conduct exposed them to the denunciations of the privy council, but in the majority of cases they were permitted, unless guilty of some very flagrant misconduct, to maintain their position. They were clustered together in the northern parts of the kingdom, and, being supported by the public feeling of their neighbourhood and the countenance of powerful individuals, they defied every effort of the council to remove them. Their adherents did not scruple to take up arms in their defence; and when any of them died, years often elapsed before it was found practicable to effect the settlement of a presbyterian successor. So late as the year 1710 there were still one hundred and thirteen of the episcopalian clergy enjoying benefices north of the Tay. Gradually, however, their number declined, and slowly, but surely, the new establishment spread itself over the length and breadth of the land.*

Position and efforts of the Church during the rest of William's reign.

During the remainder of William's reign, the Presbyterian Church was not exposed to any serious dangers or encroachments. The chief business which engaged the attention of successive assemblies was the means of strengthening the religious institutions of the country, and rendering them more efficacious for the great ends which they contemplated. The attention of ministers was drawn to the necessity of catechising their people, and preaching so as to make their instructions level to the capacities of all; and they were admonished to resist to the utmost of their ability the spread of deistical views and of every other opinion inconsistent with the principles of the Gospel, as exhibited in the Confession of Faith. The revolutionary excitement through which the country had passed had shaken the convictions of many minds. The long period, too, of discord and wretchedness which had preceded the Revolution seems to have operated unfavourably upon the national intellect, for there were now no men in the ministerial office possessed of such commanding talents and varied learning as Knox and Melville had displayed in former times; and thus the Church was deficient in the means of exerting a salutary and restraining influence upon minds that were disposed to break loose from old ideas. Many students were becoming infected with crude, undigested notions. An example is furnished in the case of Thomas Aikenhead, who said that the doctrine of an incarnate God was as great a contradiction as the idea of a goat-stag, or a round square. For such heretical opinions, very offensively and publicly expressed, he might with the utmost propriety have been brought to account by the presbytery to which he belonged; but the high court of justiciary, not yet prepared to act upon the principles of toleration, summoned him to its bar on a charge of blasphemy, for which he was condemned and executed.† This was a foul blot upon the civil administration of Scotland; and although the Church took no part in the proceedings, yet something of the disgrace attaches to her,

* Acts of Parliament, 1695, chapters xv. and xxvii. p. 490.
† Carstairs' State Papers, p. 255.
‡ Burnet's Own Times, vol. iv. p. 229; Acts of Parliament, 1695, ch. xxvii.
§ Burton, vol. i. p. 244; Acts of Parliament, 1695, ch. xxvii.
‖ Burnet's History of His Own Times, vol. iv. p. 229.

* Burton's History, vol. i. p. 248.
† State Trials, vol. xiii. p. 917; see Appendix M

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for many of her ministers approved of the sentence, and none of them made any effort to stay its execution. A more efficient and Christian method of checking the growth of loose and erroneous views, was that adopted by the assembly when they admonished presbyteries to proceed with the utmost caution in ordaining ministers, and granting licence to students to preach the Gospel. Thorough inquiry was to be made in regard to the abilities, the piety, and the general good conduct of all who applied for office. It was considered indispensable that they should be acquainted with the original languages of Scripture, and desirable that they should know something of Syriac and Chaldee; and they were to be subjected to a searching examination on the leading controversies regarding doctrine, worship, discipline, and government.* Preachers, too, not settled in churches were to be under the care of presbyteries; and ministers were to exercise great caution with regard to the recommendations they gave to individuals applying for office. The elders and deacons of the Church also engaged the attention of the assembly. If they neglected to worship God daily in their families, they were to be seriously admonished; and if they persisted in the neglect, they were to be excluded from office. The act relating to this subject was to be read from all the pulpits of the Church on the first Sabbath of May every year. Another act of assembly was passed against swearing, Sabbath-breaking, profanity, drunkenness, and other abominable vices, which was to be read from every pulpit at the half-yearly terms of Whitsunday and Martinmas. Presbyteries, too, were admonished to proceed with extreme caution in either censuring the episcopalian clergy, who continued in a state of separation, or in admitting them to the privileges of the Established Church. The assembly was manifestly afraid, alike of their hostility, and of their friendship. She could neither venture to provoke them by pressing her claims to all the extent which the law warranted, nor was she greatly desirous of receiving them into close union. Hence so many clergymen retained possession of benefices legally belonging to the establishment, who had neither conformed to the Church, nor taken the oath of allegiance to government.

Effort of the assembly to gain over the covenanters.

It was with very different feelings that the General Assembly contemplated the continued separation of the Covenanters', or Society people, from the Established Church. With the view of smoothing down their hostility, and securing their accession to the great body of their presbyterian brethren, the commission of the assembly, in 1698, published a document designated "a Seasonable Admonition," in which they affirmed the doctrine of Christ's sole headship over the Church; and, referring to the language employed by parliament, with his majesty's sanction, at the time of the ecclesiastical change in Scotland, which had given extreme offence to all the more zealous presbyterians, they expressed the conviction that they had a better foundation for their church polity than the inclinations of the people or the laws of men.* Here there was no inconsistency. A regard to the inclinations and views of the people, considered as a whole, might be the very best reason which government could have for resolving to establish a particular scheme of church polity; and yet these inclinations and views might, in the estimation of those who constituted the Established Church, be grounded upon the solid basis of God's Word. The adherents of presbytery believed its divine right, and therefore claimed its establishment; but the government established it simply because it was agreeable to the nation. The sovereign of the British Isles could not have subscribed to the dogma of the exclusive scriptural authority of presbytery without placing himself in direct collision with the church of the more numerous or powerful portion of his subjects. The "seasonable admonition," however, of the assembly's commission was not felt to be either seasonable or satisfactory by those to whom it was addressed, and was attended with very little effect. The Cameronians were proof against its logic. They persisted in maintaining that the divine right of presbytery should have been acknowledged by the king as the sole ground of the legal support given to it; and, therefore, instead of following the advice of the commission, they flourished their pens in reply to them, which many of them could handle with as masterly skill as they did their swords.†

Act of parliament against "rabbling."

The same year which witnessed the publication of the "Seasonable Admonition," gave birth to an act of parliament commonly known under the designation of the "Rabbling Act," which, as it was afterwards frequently appealed to in proof of the necessity of restoring patronage, it may be proper here to describe. Reference has already been made to the difficulties experienced by the Church in settling presbyterian ministers in the northern parts of the kingdom, when the episcopalian incumbents were either removed by death, or when, having refused the government oaths, they rendered themselves liable to deprivation. Armed resistance was frequently offered to the church courts, and to ministers and preachers acting under their authority. Riotous mobs were collected together by the episcopal clergy and their friends, composed in many cases not so much of the people of the parish, as of idle vagrants gathered from the surrounding country. Churches were found locked when presbyterian ministers made their appearance, and the keys which parliament had authorised presbyteries to claim were concealed, so that they could not be found when needed. And thus the church courts were excluded from many churches which legally belonged to them; the individuals whom they sent to preach could not obtain a hearing, and settle-

* Willison's Testimony, vol. iv. p. 304; Brown's Compendious History, vol. ii. pp. 395, 396.

* Brown's Compendious History, vol. ii. p. 397.

† Aikman's Buchanan, vol. v. p. 410.

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ments which it was their purpose to effect were obstructed. Now the object of the act of parliament already referred to was to check these illegal and violent proceedings, and to secure the Presbyterian Church in the peaceable enjoyment of those rights which had already been conceded to her by the states of the realm. The act denounces punishment against all who offer factious opposition to presbyteries in any of the ways specified; and where churches have been locked up, it enjoins the nearest magistrate, or any justice of the peace, when applied to by a presbytery, to force open the doors, to put new locks upon them, and to deliver up the keys to the recognised ecclesiastical authorities.* Such an act was not rendered necessary by any thing which had occurred in those parts of the country where the presbyterian system was in full operation. It was neither designed nor needed as a protection of the church courts against the proceedings of congregations which owned their away: it was meant to protect them from the illegal opposition of the episcopalians, who retained the national pulpits after parliament had ratified the presbyterian scheme of ecclesiastical government. Yet some years afterwards, when new views and principles rose into the ascendancy, this act was appealed to, as furnishing decisive evidence that patronage was indispensable as a means of preventing the confusions, heats, and contentions which every approach to popular election was said inevitably to produce. As well might the measures requisite for defending a country against a foreign enemy, be adduced to prove that the inhabitants themselves were of a rebellious disposition, and needed some peculiar restraints.

Case of Garden, minister at Aberdeen.

Another case of heretical departure from the standards of the Church occurred about this time, which was dealt with in a much more satisfactory manner than had been followed in the case of Aikenhead. The views of Antonia Bourignon, a French lady—who denied God's foreknowledge of future events, ascribed two human natures to Christ, conceived that our Lord had a will in rebellion against God's will, maintained that all men had a good and an evil spirit in them before their birth, argued that man had something of infinity in him by which he was rendered susceptible of union to God, and taught that natural generation would continue to take place in heaven as a means of augmenting the inhabitants—had been espoused by Dr. George Garden, one of the ministers of Aberdeen, who published a book in defence of them. Garden was brought to trial before the church courts on a charge of heresy, and when the case came under the consideration of the General Assembly, they condemned his opinions as altogether inconsistent with the doctrines of the Gospel. Wedded to his own views, however, he defended the book which he had published, and maintained that none of its positions were opposed to the Christian religion.* Nay, he even declared that he considered it an "honour to be singled out for owning the principles of Mademoiselle Bourignon, which had such a tendency to promote love and charity." As he thus persisted in defending opinions subversive of the fundamental principles of the Church, no alternative was left to the assembly but to depose him.† And it is satisfactory to know that exclusion from the privileges of the Church was the only punishment inflicted upon him—a conclusive proof that, however violently some parties might continue to declaim against toleration, sound views of religious liberty were making progress in the country. The circumstance, too, that without any civil pains and penalties the reveries defended by Garden soon died away after his deposition, must have strengthened the convictions of those who repudiated force as a means of suppressing error. The likelihood is that, if the champion of the visionary French lady had been imprisoned or executed, the sympathies excited in favour of his person might have been extended to his views. It is as impolitic as it is unjust, to persecute men for mere opinions.

Meeting of assembly at the time of the king's death.

When the assembly met, on the 6th of March, his majesty was suffering under illness, occasioned by a fall from his horse, which within two days was to terminate his career. The Earl of Marchmont was royal commissioner. This nobleman had faithfully adhered to the presbyterian cause during the dark days of persecution, and had narrowly escaped with his life. On one occasion he had been obliged to conceal himself in a box sunk under the floor of his bedroom, of size sufficient to receive his person along with bed-clothes, and pierced with holes for the admission of air. This hiding-place he was compelled to exchange for a burial vault at Polwarth Church, where he lay concealed for a month supplied with food by his daughter, who carried it to the burying-ground at midnight. And at length he had been obliged, in order to save himself from destruction, to leave his native land.‡ By these sufferings he had been greatly endeared to the whole presbyterian body, and it gave the assembly the highest gratification when he was appointed commissioner by the king. Their feelings of satisfaction they expressed in the answer which they returned to the royal letter read to them at the commencement of their proceedings. This letter contained renewed assurances of his majesty's determination to uphold the Presbyterian Church in Scotland, and recommended that all their proceedings should be conducted with calmness and harmony. The assembly's answer expressed the warmest gratitude for the benefits conferred by his majesty upon the Church, and promised a dutiful and cordial submission to his authority as the rightful sovereign of the country. But, during the transaction of these preliminary matters, intelligence of the king's extreme danger reached the

* Acts of Scottish Parliament, vol. x. p. 148; Hetherington, p. 188.

* Wodrow's Correspondence, vol. i. p. 169.
† Aikman's Buchanan, vol. v. p. 410.
‡ Lady Murray's Memoirs, pp. 35—43; *supra*, p. 724.

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commissioner. He at once communicated the melancholy tidings to the assembly, and admonished them to transact with all possible speed the most urgent and necessary business that claimed their attention, as it was not unlikely that their meeting might soon be brought to an abrupt termination. He also advised them, in consideration of the dangers to which any change in the political circumstances of the country might expose the cause so dear to their hearts, to appoint a commission for the special purpose of watching over the interests of the Church. The advice was a sound one. It was well known that the episcopalians were expecting a great revolution in their favour, when the crown should be placed upon another head, and there was reason to dread that the education, and prejudices, and bigotry of Anne might lead her to sacrifice the peace of the country to the gratification of those who agreed with her in religious sentiments. The assembly accordingly appointed a commission for the purpose indicated by the Earl of Marchmont. They nominated, in the first place, all the aged ministers who still survived from the period of the abolition of presbytery at the Restoration, and who had manifested their faithfulness and integrity by enduring all sorts of persecution for many long years. These were men in whose experience, and fidelity, and judgment, the utmost confidence could be placed. Along with them a number of others of acknowledged ability and trustworthy character were named from the several presbyteries; and the assembly broke up, after having thus stationed watchful sentinels to give warning of the approach of danger, and appointed counsellors to devise measures of defence.*

Accession of Queen Anne.

Although many fears were entertained with regard to the security of the Presbyterian Church, on account of the religious views and narrow bigotry of Anne, yet her first letter to parliament after her accession contained an express declaration that it was her purpose to act upon the principles of the late king, and in particular to maintain the Church as at present constituted in all its rights and privileges. This was very satisfactory to parliament, and they likewise passed an act in support of the existing government of the Church. Her majesty's letter contained also a recommendation to the Estates to consider the question, which had been the object of so much interest to William, of a union between the two kingdoms.† The royal commissioner, Queensberry, spoke warmly of the advantages which could not fail to accrue from a closer connection between England and Scotland, and parliament received the proposals most favourably. Accordingly, an act was passed expressing the conviction of the Estates, that a union between the two kingdoms would be advantageous to the interests of the Protestant religion, and conducive to the prosperity, peace, and happiness of both countries; and her majesty was empowered to appoint commissioners to treat with commissioners in England with regard to this important question. Still there were not a few who apprehended that the queen's strong prepossessions in favour of episcopacy, and the superior power and wealth of England, might, if the kingdoms were united under one parliament, prove highly dangerous to the Presbyterian Church in Scotland. It was, therefore, desired by some that a clause should be inserted in the act, prohibiting those commissioners who might be appointed by her majesty, from allowing the question of the restoration of prelacy in any shape or form to enter into their deliberations at all. But the house, although quite sincere in their desire to maintain the presbyterian cause, were more deeply concerned at present about sharing the commercial advantages enjoyed by England, and obtaining redress for the injuries sustained in connection with the Darien Company; and, therefore, instead of embodying any such restriction in the act, they conceived it sufficient to transmit to her majesty, along with the act, a letter explanatory of their views. This letter expressed the conviction that the Presbyterian Church, as now constituted, was indispensable to the peace and prosperity of Scotland. It reminded her majesty that the form of government existing in this Church was founded upon the Claim of Right, and could not now be disturbed without a violation of justice. It also drew attention to the fact that, when commissioners were formerly named in the days of William to consider the question of union,* it had been expressly stipulated that the Scottish Church should not be affected in any shape by any measure which might be adopted. The confident expectation was, therefore, expressed that, during the whole course of the proceedings now to be entered upon, nothing would be done inconsistent with these fundamental principles, and with the act in favour of the Established Church, which her majesty had been graciously pleased to ratify this very session.†

Proposals for a union.

Apprehension of danger to the Presbyterian Church from a union.

The discussions carried on regarding the union during the year 1702 terminated without leading to any practical results. Not a few of the most influential presbyterians rejoiced at the failure of the scheme, because they were afraid that the interests of their Church might be compromised by its success. Probably their efforts were employed to defeat the measure, for they lost favour with her majesty, and their friends were no longer allowed to retain the chief place in the administration of affairs. When the next assembly met, not the Earl of Marchmont, but Lord Seafield appeared as royal commissioner; and, although he brought assurances of the queen's unchanged determination to protect the Presbyterian Church, yet the description which her letter gave of the Scottish establishment, "as that which

Meeting of assembly—

* Aikman's Buchanan, vol. v. pp. 413, 419.
† Lockhart's Memoirs, p. 49.

* Aikman's Buchanan, vol. v. p. 421.
† Burton, vol. i. p. 341.

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she found most acceptable to the inclinations of the people and the laws of the kingdom," occasioned much uneasiness. The phraseology was conceived as designedly selected with the view of insinuating that the position of ecclesiastical affairs in Scotland was not at all agreeable to her mind, but was only tolerated as an evil of which she would gladly rid herself, if there were any prospect of doing so with safety. The assembly, therefore, while thanking her majesty for her gracious promise to protect their religious institutions, took occasion, with allusion to the words of her letter, to describe the Presbyterian Church of Scotland as an establishment "agreeable to the Word of God." Nay, there was a disposition manifested by many in the assembly to go a step farther, and to copy the example of some synods, which, dissatisfied with the restrictions imposed upon the Church, had claimed for her the power to regulate her own times of meeting, as invested with authority from Christ, her only head; but her majesty's commissioner was determined to put an end to such troublesome discussions, and, therefore, he abruptly rose and dissolved the meeting by virtue of the queen's authority.

—abruptly dissolved.

Protestations against this dissolution were poured in from all parts of the house, but Mr. Meldrum, the moderator, either thrown into confusion by the sudden announcement, or afraid to expose himself to the resentment of the queen, paid no regard to them, but hastily closed the meeting with prayer. A similar scene had been exhibited at the close of one of the early assemblies in William's reign, though in that case the moderator had ventured to name a day for the next meeting. Nothing of the kind has occurred since. By means of a compromise the two authorities are prevented from coming into collision. The time of dissolution is fixed by usage to a particular day; and on that day the moderator dissolves the meeting in the name of Christ, and the commissioner dissolves it in the name of the sovereign. The business may not indeed be finished when the time for closing arrives; but an effort is made to have the most material part of it concluded, and whatever remains unfinished is handed over to a commission.*

Effort to extend the privileges of the episcopalians.

The views and inclinations of the queen, somewhat obscurely indicated in the letter which she had sent to the assembly, were more fully exhibited in a communication to the privy council, in which she declared it to be her pleasure that protection should be extended to those who were living in separation from the Established Church.† It was well enough understood that it was not the covenanters, nor any other separatists, to whom her majesty referred, but the episcopalians. Now, as a compromise had already been made with the episcopal incumbents, and protection had been granted to them on one or other of two conditions, it was at once concluded that the words of the queen were designed to suggest some additional privilege which she was desirous of granting them. On the one hand, therefore, much alarm was excited among the presbyterians, who dreaded that their old persecutors were about to be restored to power; and on the other, the hopes of the episcopalians were so much elevated, that they began to anticipate the recovery of their former sway, and actually seized some of the vacant pulpits already in the hands of the Established Church. In pursuance of the same views, a motion was made in parliament, by the Earl of Strathmore, for a free toleration of all Protestants; but this motion was vehemently opposed by the great body of the friends of the establishment.* Opposition to such a proposal assumes, in our view, the aspect of outrageous bigotry, and doubtless the ideas of religious liberty then prevalent were exceedingly defective. It was a common notion that to tolerate the existence of erroneous doctrines involved a participation of their guilt. Still it must be remembered that the question of toleration, as it shaped itself in the view of our ancestors, was altogether different from what it is now. It was not what we call toleration that the episcopalians wanted. They had no idea of being satisfied with the permission to build churches for themselves, and to worship God according to the dictates of their own consciences. Their seizure of the vacant churches belonging to the establishment, on the slight encouragement of the kindly words contained in the queen's letter, shows that they aimed at supplanting the presbyterians, and regaining their old predominance, which had been the source of such woes to the country. Toleration was a mere outwork, which they did not value for itself, but which they sought to gain as the means of enabling them to take possession of the citadel; and this was the true ground of the opposition which was given to Strathmore's motion. This is obvious from the representation presented to parliament by the commission of the General Assembly, which contains these remarkable words:—"that to enact a toleration for those of that way, considering the present case and circumstances of the Church and nation, would be to establish iniquity by a law." The motion was not pressed by its friends, and it fell to the ground.†

Measures for strengthening the presbyterian interest.

While the hopes of the episcopalians were thus meeting with disappointment in parliament, the presbyterians, on the other hand, were strong in the house, and their cause, apparently exposed to danger from the inclinations of the queen, emerged from the conflict which ensued with an accession of security. Measures were introduced by the Duke of Argyll and the Earl of Marchmont for the protection of the Presbyterian Church. One act which was passed, ratified and

* Aikman's Buchanan, vol. v. p. 425.
† Burton, vol. i. pp. 355, 356.

* Struthers' History of Scotland, vol. i. p. 149.
† Lockhart's Memoirs of Scotland, p. 51; Burnet's Own Times, vol. v. p. 160.

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confirmed all laws and statutes made against popery and papists, and also confirmed presbyterian church government and discipline by kirk sessions, presbyteries, provincial synods, and assemblies. Another act declared it to be high-treason to question the authority of the convention, which had altered the succession by calling William to the throne, or to attempt making any change upon the Claim of Right which was the groundwork of the existing ecclesiastical arrangements.* This was a strong measure, which partook too much of the character of trying to bind the hands of posterity. It was understood by its friends to mean that any person would be guilty of treason who should declare that he considered the presbyterian establishment wrong, and that episcopacy ought to be restored. A similar measure had often been proposed to the late king, but he had uniformly refused to sanction its being passed into a law, declaring that as he himself had accepted the crown on the principles of the Claim of Right, he would never allow them to be violated, but that he would not attempt to bind his successors by making it treason even to consider the propriety of effecting any change.† Legislation of this extreme character attempts what is impossible, for let laws against innovation be made ever so stringent, they become mere gossamer so soon as changes in society have altered the distribution of effective influence; and they are not needed in support of institutions which really have a foundation in the affections and judgments of the people. The only apology for the friends of the Presbyterian Church, on this occasion, in trying to make security doubly sure, is that they had a subtle foe to contend with, who was watching every opportunity for their overthrow, and whose previous conduct showed that he would scruple at nothing to gain his ends. It is not very wonderful that in these circumstances they should have declared it to be treason to propose any change of the principles embodied in the Claim of Right. It was noticed, however, by the Jacobites, that when this question was just in the act of being decided, an extraordinary rain fell, which made so much noise upon the roof of the parliament-house that no voice could be heard, and the clerks were obliged to desist, which was interpreted as a declaration of Heaven against the proceedings.‡

Origin and nature of the Act of Security.

Meanwhile, there arose an important question, of which England and Scotland took different views, and which consequently was every day assuming a more portentous aspect. After the death of the Duke of Gloucester, Anne's last child, the southern legislature, passing over the descendants of Charles I., who were all popish, had carried an act settling the crown upon the Princess Sophia, of Germany, a Protestant, and granddaughter of James I.; but the parliament of Scotland refused either to concur in this arrangement, or to nominate any successor at all in the meantime. A very general feeling prevailed throughout the country that, ever since the union of the two crowns, after the death of Elizabeth, Scotland had greatly declined in prosperity. Governed by an absent sovereign, who was armed with the power and the wealth of a much greater kingdom, she had found her parliaments unable to resist encroachments upon her liberties. Their privilege of withholding supplies availed nothing against princes who derived but a trifling portion of their revenues from Scotland: indeed, the very attempt to use this constitutional weapon only provoked greater aggressions; and, prior to the Revolution, the royal prerogative had been pushed to an extent much more destructive of liberty than in England. Now, therefore, it was felt was the time, when the reigning sovereign had no heir, and when those who stood next in succession were acknowledged by England to be objectionable on account of their religion, to make a stand for the liberties of their country by separating the two crowns. The Scottish Estates refused, therefore, to concur in settling the succession as England had done. An act was passed for the security of the kingdom, which named no successor, but prescribed the course parliament was to pursue on the demise of the queen without issue.* The Estates were to assemble on the twentieth day after that event, and they were to select a successor to the throne from amongst the Protestant descendants of the royal family of Scotland. They were debarred, however, from choosing the same sovereign as England had done, unless, previously to her majesty's death, there should be such conditions of government settled and enacted as might secure the honour and sovereignty of the crown and kingdom of Scotland, the freedom, frequency, and power of parliaments, and the religion, freedom, and trade of the nation; and, to guard against any foreign opposition which might be given to the execution of this act, it was also decreed that the whole able-bodied Protestant population of the kingdom should immediately be armed and trained.

Question of the union again taken up.

These measures presented no agreeable prospect to the government in London. They pointed either to a separation of the two crowns, or, if this should be opposed, to a war of deadly animosity, such as had baffled all the power of England in the days of Edward. The difficulties of the case, while they led the English rulers to put their country into a posture of defence, at the same time suggested that an entire union of the two kingdoms was the only effectual remedy; and thus this question, which had been a favourite measure with William, and which had received ample discussion during the first year of Anne's reign, was again brought upon the field, and more seriously considered than before.† England was now deeply in earnest, and for several

* Lockhart's Memoirs of Scotland, p. 53; Aikman's Buchanan, vol. v. p. 431.
† Burnet's Own Times, vol. v. p. 160.
‡ Lockhart's Memoirs of Scotland, p. 54.

* Burton, vol. i. pp. 358, 359.
† Ker of Kersland's Memoirs, pp. 16—19.

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years the question of the union took precedence of all others.

Bearing of the union upon the religious institutions of Scotland.

While this question had a bearing upon all the interests of the country, and was considered in its relation to civil liberty, commercial pursuits, and material prosperity, its religious aspects were by no means overlooked. It might have been expected that the episcopalians would appear as the warm friends of the measure, in the hope that the episcopacy of England, predominating in a united parliament, would secure and extend their privileges—nay, perhaps raise them to their old supremacy; but they conceived that they had more to hope for from the exiled family, and all their thoughts being turned to a restoration, they opposed the union as ruinous to this darling project.* The Cameronians, in like manner, who, although comparatively few in number, were men of much spirit and enterprise, and had vindicated their importance at the time of the Revolution, appeared upon the same platform with the episcopalians, and thus presented a singular conjunction of extremes. Their reasons, however, were altogether different from those by which the episcopalians were influenced. They abhorred episcopacy; they hated the moderate presbytery of the Revolution; they took their stand upon the presbyterianism of the solemn league and covenant; and they opposed a union with prelatic England, on the ground that it was inconsistent with the oaths sworn by their forefathers, and still obligatory upon their descendants.† The Established Church, again, were by no means warmly favourable to this measure, nor yet were they violently opposed to it. On the one hand, they could not but be sensible that, if Scotland were eventually separated from England, they might have a hard battle to fight with the Jacobites. The exiled house might be restored. Their restoration, indeed, was not the object of all who supported the Act of Security; but it certainly was the object of many. In the case of a vacant throne and a disputed succession, it was impossible to say what numbers might rally round their standard; and one thing was certain, that if the exiled family were restored, the Presbyterian Church would speedily be overthrown, and episcopacy, perhaps even popery, would be established in its room. On the other hand, however, they were naturally afraid, and not without considerable appearance of reason, that a union with England, which was so much larger and wealthier a kingdom, might be the source of danger to their religious institutions. She must have a predominance in the united parliament, and thus a way might be prepared for the introduction of episcopacy. Against the former danger no precautions or conditional arrangements could prove of any avail: the inevitable consequence would be a return of the days of persecution which had preceded the expulsion of James. But, against the dangers to be apprehended from the predominating influence of English episcopacy, it might be possible to guard by making the continuance of the Scottish establishment a fundamental article of the treaty of union.* Upon the whole, therefore, it appeared to the more cool and moderate of the presbyterians that a union with England, if fenced with sufficient safeguards, might rather turn out for the advantage and security of their Church.

* Burton, vol. i. p. 432. † Ker's Memoirs, p. 21.

Feelings of the Church with regard to the union.

As a body, however, the ministers of the establishment were far from being zealous for the union. Not a few of them were violently opposed to it, and the majority were averse to it. But the counsels of the more moderate so far prevailed that no united action was taken against it.† The apprehensions which naturally enough suggested themselves on either view of the subject made the Church take up something of a passive position, and thus the question was left mainly to turn upon the material interests of the country. The idea of a fast having been suggested in parliament, by some who hoped that in this way the religious zeal of the country might be awakened against the union, the house refused to make any such appointment, leaving it to the Church judicatories to proceed in the matter as they should judge expedient.‡ Presbyterial fasts accordingly were appointed, but they were observed with the same quietness and decorum as the ordinary services of the Sabbath-day, and there was but little reference to political matters in any pulpit. The only topic handled in addition to the common elements of religious instruction was the dangers of popery; and the prayers that were offered up were to the effect that the deliberations of parliament might be so directed as to conduce to the glory of God, the prosperity of religion, and the well-being of the Church of Scotland. The commission of the General Assembly narrowly watched the progress of the negotiations, and made some suggestions. One provision in regard to the proposed treaty of union was "that the commissioners should not treat of or concerning any alteration of the worship, discipline, or government of the Church of this kingdom, as now by law established."§ The assembly's commission, while so far satisfied, yet recommended that the interests of the Presbyterian Church should not be left to depend upon a mere negative provision like this, but that some positive enactment should be embodied in the treaty of union, providing for the permanency and security of the Church of Scotland. This suggestion was not forgotten when the articles of the union were finally sanctioned. Before the act ratifying the treaty of union was passed, a separate act was adopted, providing that the presbyterian church government, with its confession of faith, discipline, and ecclesiastical judicatories, should be the only government of the Church within the

* Burton, vol. i. p. 445.
† Lockhart's Memoirs, pp. 217, 240; Burnet's Own Times, vol. v. pp. 319—322.
‡ Aikman's Buchanan, vol. v. pp. 474, 475.
§ Burton, vol. i. p. 392.

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kingdom of Scotland; and it was stipulated that this act should be embodied in whatever act might sanction the treaty of union, whether in Scotland or in England.* The commission having also, in a second address, represented the danger to which they might be exposed of having oaths imposed upon them inconsistent with their principles,† it was decreed that "none of the subjects of the kingdom should be subjected, within the bounds of Scotland, to any oath, test, or subscription contrary to or inconsistent with the Protestant religion and presbyterian church government, worship, and discipline, as above established." Another complaint of the commission, that Scotland, in the event of the union being consummated, would be subject to a parliament composed in part of prelates, while it was the belief of the country that no churchman should be invested with civil office, was passed over in silence, for it raised a question which admitted of no satisfactory settlement. It was hardly to be expected that England would modify her institutions to so great an extent as these views of her Scottish associates would have required. The sacramental test also was left in force,‡ to the great and just dissatisfaction of all who had any proper sense of the sanctity of one of the most solemn ordinances of the Gospel.§

Objections started both in Scotland and England to the mutual toleration of the two churches.

Parliament having thus made all necessary arrangements to secure the permanency of the presbyterian institutions of Scotland, agreed that England should be left to regulate her own ecclesiastical establishments according to her own views. Not a few of the ministers were violently opposed to this as inconsistent with the solemn league and covenant; and the commission of the assembly, although greatly divided in opinion, presented a remonstrance against this decision, on the ground that a formal agreement of the Scottish parliament to the existence of prelacy in England, would involve the whole country in the guilt of upholding an unscriptural system. This was a frivolous objection, and one that came with a bad grace from men who were obliging England to stipulate that she would not interfere with the existence of presbytery in Scotland. If it had really been sinful in Scotland to agree to the existence of prelacy in England, because she disapproved of it, it must have been equally sinful in England to tolerate presbytery in Scotland, which was as much disrelished south of the Tweed. But the truth is, neither nation became responsible for the religious procedure of the other. They only bound themselves not to interfere with one another's convictions in religious matters. The objection of the commission was at once overruled by parliament; and it is obvious that if there had been any weight in it, the parties who urged it were bound to offer uncompromising hostility to the whole project of the union. Union was impossible, unless the two nations agreed to allow each other to maintain their own religious institutions.* The same objection was started in the English parliament against acceding to the continued existence of presbytery in Scotland. "If those reverend prelates," said an English peer, "do not believe the religion of the Church of England to be the purest and most agreeable to the Scriptures, and her constitution and government most conformable to the primitive church,—if they have changed their opinions, let them tell me so,—let them undeceive me." The Bishop of Oxford's reply was quite conclusive: "It is true the Scotch, for the security of the Kirk, which is to be an essential condition of any union between the two kingdoms, have called their presbyterian religion the true Protestant religion; but do I acknowledge their religion to be such by acceding to this bill? What is it that I, or any lord should consent to, by saying, Content, when the question for this bill shall be put? Why, that the bill shall pass into a law. And what passes into a law but what the bill enacts? Does the bill enact that their religion is the true Protestant religion? No such thing. I would suppose we were treating upon articles with the French king; those who should act for him would be sure to give him the style of the most Christian king; but would it follow that, if we were to ratify the treaty agreed on in some part whereof he was to be so styled, that we consented to this proposition, that Louis XIV. is most Christian?"†

Reflections on the treaty of union.

Thus was the great measure of the union brought to a satisfactory conclusion in the face of formidable obstacles. The leading danger to which Scotland as the inferior country was exposed, of having an ecclesiastical system which she abhorred imposed upon her at some future time by the parliament of the United Kingdom, was effectually guarded against; and her Church was secured against danger from the quarter whence it was mainly to be apprehended. It would have been a serious calamity, if it had been left in the power of the united parliament to modify the religious institutions of Scotland, as they pleased. In all probability the attempt would soon have been made to introduce episcopacy; and, as resistance would certainly have been offered, the dark and gloomy days of Claverhouse might have again returned to desolate the country. These frightful evils have been avoided by the simple expedient of securing the permanency of presbyterian institutions; and the articles of the union with regard to this matter are still in force. The parliament of Great Britain has no power to introduce fundamental changes into the ecclesiastical affairs of Scotland. They are prohibited by express stipulations. They are debarred with regard to Scotland, in a way in which they are not debarred with regard to England; because England was by no means exposed to the same danger from Scot-

* Burton, vol. i. pp. 466—468.
† Lockhart's Memoirs, p. 240.
‡ Lockhart's Memoirs, p. 243; Brown's Compendious History, vol. ii. p. 401.
§ Aikman's Buchanan, vol. v. pp. 487, 572.

* Carstairs' State Papers, p. 750.
† Burton, vol. i. pp. 504, 505.

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land, as Scotland, with her small number of representatives, might encounter from England; and therefore there was not felt to be the same need of stringently excluding the legislation of the imperial parliament. Yet very wrong views are sometimes taken of the obligations connected with the treaty of union. These obligations are frequently represented, in discussions relating to ecclesiastical affairs, as if the permanency of the religious institutions of Scotland were so guaranteed that they could not be changed, even although Scotland herself were demanding an alteration. This is a transparent absurdity. The safeguards thrown around the Presbyterian Church were designed to protect Scotland from the encroachments of England; but they were not designed to prevent Scotland from changing her own views, if further consideration should lead her to the conclusion that in some respects she had been wrong. If Scotland were now convinced that civil establishments of religion were really injurious to the well-being of the church of Christ, there is nothing in the articles of the union that would oblige her to maintain the existing establishment. So long as she wishes to preserve this institution, the imperial parliament cannot deprive her of it, but the union does not bind her to maintain it contrary to her own convictions. The articles of the union are a valid argument against all changes sought to be enforced from without, but they are no argument at all against the propriety of changes when demanded by the Scottish nation itself. So with regard to the principles embodied in the Claim of Right at the Revolution, William had no power to alter them; but it was a measure that could not be defended on constitutional principles, when the Scottish parliament declared it to be treason for any one of its own members even to propose a change.*

The union undoubtedly has proved a copious source of benefits to both countries, and certainly not less to Scotland than to England. The British islands never could have acquired the influence which they now wield under the designation of the British Empire, if separate legislatures had continued to meet in London and Edinburgh. Nor could Scotland by her own energies alone ever have risen to the position which she occupies among the nations of the earth. Yet the immediate consequences of the union were such as to spread alarm and bitter disappointment through the country; and the Scottish nation were made to feel that they had come under the influence of a nation which had little sympathy with them, and which was disposed to encroach upon their most valued privileges. If the union was unpopular before its consummation, it became, during many years afterwards, the object of deep abhorrence, and it was the custom to ascribe to it all the calamities and distresses of the nation. Doubtless there were some real grounds of complaint, but there were others which had no solid foundation. The departed glory of a separate existence assumed the dimensions of an incalculable loss, and advantage of undoubted and permanent value obtained instead, appeared small in the comparison. Besides, there were not a few of the blessings of the union of which the seeds were only sown at the time, and the enjoyment of the ripened fruit was reserved for subsequent generations.

* *Supra*, vol. ii. p. 770.

Immediate effects of the union painful to the Church.

The Presbyterian Church had offered no united opposition to the union, but had rather assumed a position which helped it forward. Yet very soon after its consummation, she began to feel that she was in hands disposed to treat her as an alien institution. Her peculiarities were not understood by English statesmen, and, although her permanency was guaranteed by the most solemn sanctions, yet there were many who desired her overthrow, and who would not have scrupled to go any lengths against her, if they could have hoped for success. The Jacobites entertained high hopes, either that they might be able immediately to restore the exiled royal family by force of arms, or that, at least, they might see the pretender recognised by parliament as the successor of her majesty. The queen herself was understood now to look with disfavour upon the principles of the Revolution, though to them she owed her throne; and there is some ground for believing that she was not indisposed to the scheme of acknowledging her brother as heir to the crown. It is certain that she received letters from him, in which the advantages of this arrangement were urged upon her attention; and it is known that his friends in England were instructed at this time to support her administration with all their power.* That the success of these measures would have involved the destruction of the Church of Scotland does not admit of any doubt. For several successive years, indeed, after the union, the usual assurances of royal support were conveyed to the assembly by her majesty's commissioner, and acknowledgments of her majesty's gracious kindness were made by the assembly, though with trembling and doubtful hearts. But at length sundry indications began to appear of approaching danger, and the Church was made to feel how helpless she was.

Sundry threatenings of danger.

Difficulties connected with a fast.

It had long been the practice of the General Assembly to appoint days of fasting and humiliation, as the circumstances of the country seemed to require, and there had never been much difficulty in obtaining the sanction of the civil courts for these solemnities.† But now, when the Scottish privy council no longer existed, and the seat of government was transferred to London, great inconvenience attended the application for a sanction, and the likelihood of meeting with a refusal on the part of the civil authorities was much increased. It was suggested that some local functionary in Edinburgh might be empowered to grant the requisite autho-

* Burnet's Own Times, vol. vi. pp. 47, 48; Struthers' History of Scotland, vol. i. p. 144.

† Burnet's Own Times, vol. vi. p. 39.

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rity; but although this plan was not positively rejected, yet no serious intention was ever entertained of really carrying it into effect. During the time of the great agitation connected with Sacheverell, the General Assembly took upon them to appoint a day of fasting and humiliation on account of national sins,* and the moderator was instructed to apply for the sanction of government in the customary form. This sanction was granted, though with very great reluctance. Much displeasure was expressed with the conduct of those who had proposed such a measure, at a time when it could only tend to increase the existing ferment; and it was insinuated that its most zealous supporters were probably actuated by very different views from those which they professed. At the same time it was intimated that the assembly must not rashly do the like again, otherwise they would probably find themselves in the painful position of having their deed disallowed; and they were counselled to abstain from all unnecessary assertion of their privileges and authority, as this might bring upon them the very evils which they had apprehended as likely to result from the union.† Thus was the Presbyterian Church made to feel that she occupied a very different position from that which had formerly belonged to her. Her liberty of action was trammelled to a far greater extent than formerly.

Extension of episcopal forms in Scotland.

Another source of annoyance to the presbyterian establishment was the countenance now given to episcopalian forms of worship. After the union, some English families came to reside in Scotland, on account of offices which they held under government, and for other reasons. They were naturally desirous of observing the religious forms to which they had been accustomed at home, and conceived that, as the two countries were now under one legislature, ministers episcopally ordained in England had a right to exercise all the functions of their office in Scotland.‡ They were encouraged in these views by the Scottish Jacobites, whose object was not the simple establishment of religious liberty, but the overthrow of the Presbyterian Church; and in forming a judgment of the events that followed, we must beware of looking merely to abstract principles, and leaving out of view the struggle for superiority which was the real marrow of the question at that time. The forms of worship observed by the episcopalians from England were most offensive to the presbyterians, both because they came from England, which was regarded with an eye of jealousy, and because they embodied several elements that were abhorred by the mass of the Scottish people. From the days of Laud, when a liturgy, conceived to wear a peculiarly popish aspect, had been forced upon the nation, everything in this shape had been the object of increasing detestation. That episcopacy should be maintained in England was conceived by many to be bad enough, but that it should be permitted to raise its hated front in Scotland was considered a positive breach of the articles of the union, which had provided that only one form of church government should be there recognised. New elements of dissatisfaction also were speedily developed, when the question, first brought under the cognizance of the Scottish courts, was carried by appeal from them to the house of lords in England.

* Carstairs' State Papers, p. 786.
† Sunderland's Letter.
‡ Burton, vol. ii. p. 30; Struthers' History of Scotland, vol. i. p. 12.

Case of Greenshields.

An English clergyman named Greenshields ministered to a small congregation in Edinburgh, where the liturgy was used. First the Dean of Guild interfered on the ground that a private house was used without authority as a place of worship, and then the presbytery prohibited Greenshields from continuing his ministerial functions; and when the decision thus pronounced against Greenshields was brought under the review of the Court of Session, it was confirmed. Here, it was imagined by the presbyterians, the case must necessarily terminate. But the episcopalians saw that by transferring the consideration of the question to London, they were likely to obtain a different decision; and, therefore, they appealed to the house of lords as the highest judicial tribunal in the kingdom. The case encountered some delay on account of the proceedings against Sacheverell, and the extraordinary ferment which convulsed England at this time; but at length, in March, 1711, after the Tories had obtained possession of the reins of government, the decision of the Court of Session was overturned.*

This judgment of the house of lords was calculated to give a severe shock to the prejudices of the presbyterians in Scotland. It imparted a public sanction to the observance of episcopal forms of worship, with all their most offensive peculiarities; and this, taken in connection with the recent change of administration, and the principles hostile to the Revolution, which were so openly proclaimed, excited fears for the stability of the Scottish Church. There was another circumstance which alarmed and offended many, who would have been quite prepared to concede freedom of worship to the episcopalians, and that was the jurisdiction exercised by the house of lords, as a judicial court, over the highest tribunal in Scotland. At the time of the union nothing had been said regarding any such judicial authority.† It was contrary to the practice which had prevailed in Scotland, where no appeal lay to the peers of the realm as such; and it was therefore conceived that the Scottish courts of law were not placed under the judicial control of the British house of peers, acting as a court of review. And more especially the idea that questions relating to the religion of Scotland should be carried by appeal to a tribunal where English prelates occupied a place, seemed to put the liberties of the Presbyterian Church in constant jeopardy. How, it was asked,

* Struthers' History of Scotland, vol. i. p. 129.
† Burton, vol. ii. p. 36.

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would the English Church relish to have decisions regarding her affairs brought under the review of an assembly where Scottish peers predominated, and where presbyterian ministers were entitled to vote?

Toleration of episcopacy in Scotland.

Very soon afterwards, and quite in conformity with the decision in Greenshields' case, an act was passed for the toleration of episcopal churches in Scotland. There was a deputation from the presbyterians at the time in London, consisting of Carstairs, Blackwell, and Baillie, who had been sent up with reference to the question of fasts and other matters pertaining to the privileges of the Church. They were filled with astonishment when they heard of the blow which was meditated against their ecclesiastical system, and they put forth every effort in their power to ward it off. They urged upon the consideration of her majesty's government the argument, that the contemplated measure was a breach of the act of security, which was embodied in the treaty of union, and which declared that presbyterianism was the only government of Christ's church within this kingdom of Scotland. They therefore denied the right of the British legislature to sanction the establishment of any other forms of worship there. But their efforts were unavailing. The Jacobites of Scotland, combined with the episcopalians of England, were too powerful for them, and the act in favour of toleration was passed. Episcopalians, whether belonging to the Church of England or to the episcopacy of native growth in Scotland, were equally protected by the new law; and they were exempted from all claim of jurisdiction on the part of the Established Church, whose power of inflicting ecclesiastical censures was described as confined to those of her own communion.*

Offence taken at the toleration.

The new law excited great dismay in Scotland. It was viewed by the General Assembly as not only threatening the overthrow of their Church, but as giving "a large licence to all errors and blasphemies, and throwing up all godly discipline to the dishonour of God, and the scandal and ruin of the true Christian religion." These fears now appear to us altogether visionary; and we have no sympathy with the narrow views which would suppress all forms of worship but one; but we are apt to forget that many of the generation were still living, to whom episcopacy had only been known as the most desolating scourge which had ever distressed a suffering country. Besides, it was not an enlightened regard to the rights of conscience which prompted the measure of toleration; but it was urged on by men who were labouring to prepare the way for a return of the exiled royal family, and whose bygone history made it plain that, if they succeeded in their purpose, they would have no regard at all to the religious scruples of others. It is no wonder that the remembrance of the bloody days of Claverhouse, and the unceasing efforts made by the Jacobites to bring back the house of Stewart, excited the strenuous opposition of our forefathers to the toleration of episcopal worship. The ulterior objects, however, of the episcopalians were defeated, and the toleration, surviving by itself, has proved a blessing to the country. Out of the evil conflicts of human passions divine Providence frequently brings real and permanent good, though the words of Scripture may be applied to such cases, that the parties "meant not so, neither did their heart think so."

Oath of abjuration enacted.

Coupled with the toleration of episcopacy, there was an oath of abjuration prescribed by parliament, which was designed to protect the country against the machinations of the pretender's friends.* The Jacobites would have preferred that no such appendage had been connected with the boon offered to them; but when they found that they could not obtain it alone, they were constrained to submit to the disagreeable condition. However, they took revenge upon their opponents by proposing and securing the enactment, that the same oath should be extended to the presbyterians. Now it so happened that, although the presbyterians were devoted friends of the Protestant succession, and therefore most cordially approved of the object of the oath, yet it was thrown into such a shape that it was doubtful whether it could be taken, consistently with his principles, by any member of the Church of Scotland. The oath exacted approbation of the English Act of Settlement, which required that the sovereign should be a member of the Church of England, and it was argued, both that the imposition of such an oath upon presbyterians was an insult to them, and also that it was a violation of the articles of the union, which provided that no oaths should be imposed in Scotland inconsistent with the principles of the Presbyterian Church. Was it not enough that the members of this Church swore allegiance to the reigning prince? Why oblige them to declare with all the solemnity of an oath, that they considered it requisite he should be an episcopalian? The change of one little word in the oath, viz., of *as* into *which*, which was suggested by Carstairs, would have obviated the scruples of many; but, although this alteration was agreed to in the house of peers, the original term was restored when the bill came back to the house of commons. The "logical lie," as the clause was designated by the presbyterian nonjurors, was perpetuated, and thus a fertile source of discord and dissension, which might have been effectually closed by one trifling monosyllable, was left open. The oath gave rise to fierce contentions in Scotland. It nearly rent the Presbyterian Church asunder; and after all, it was not enforced upon the episcopalians, for whom it had been mainly designed, and from whom alone the abjuration of the pretender was at all required. Only one of the episcopalian clergy ever took the oath, although they all availed themselves of the toleration, of which it was conceived to be a necessary safeguard.†

* Struthers' History of Scotland, vol. i. pp. 148, 149; Burton, vol. ii. p. 48.

* Burton, vol. ii. pp. 47—49.

† Struthers' History of Scotland, vol. i. p. 149.

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Restoration of patronage.

But there was another measure adopted against the Church of Scotland, which, although not exciting so much opposition at the time, has been far more frequently referred to since, and has been attended with consequences of a permanent and wide-spread character. This was the restoration of patronage, or the repeal of the act of 1691, which has already come under our notice.* This act, we have seen, was far from being of a satisfactory character.† It made no distinct recognition of the rights of the members or communicants of the Church. It did not even invest the heads of families with the election of ministers. It merely transferred the rights of patrons to the heritors and kirk sessions of parishes, though the word *propose* was substituted in the room of the word *present;* and it fixed a compensation to which patrons should be entitled, and for which they might sue at law. These different provisions, however, were so intermingled as to exhibit something of a contradictory character; and while some have described the measure as designed for the abolition of patronage, others have viewed it as simply authorising the transfer of the right from one quarter to another. Whether in consequence of these features of the act, or of some other cause, it so happened that but few of the parishes had paid to their patrons the amount prescribed by parliament; and few of the patrons had made any demand for the price due to them. These facts were now adduced as an argument in favour of the repeal of the measure, and the restoration of the old law. The heats and divisions, also, which were alleged to have taken place at the appointment of ministers were appealed to as rendering a change indispensable. In vain the deputation of the assembly, who had immediately returned to London, which they had newly left, petitioned government to leave the existing arrangement undisturbed. They argued, that as the present mode of appointing ministers had existed from a period prior to the union, it must necessarily be viewed as one of those rights and privileges of the Presbyterian Church which the British legislature had bound itself to leave untouched. There was great force in this argument, and Lockhart of Carnwath avows that he thought so; but he mentions that he strained every nerve to help on the change, just that the presbyterians might feel of how little value the stipulations of the union were, to which they trusted so much. "I pressed the toleration and patronage acts more earnestly," he says "that I thought the presbyterian clergy would be from thence convinced that the establishment of their Kirk would in time be overturned, as it was obvious that the security thereof was not so thoroughly established by the union as they imagined."‡ And, in spite of all the efforts which the friends of the Presbyterian Church could make, the measure restoring patronage was passed with astonishing celerity. The Church of Scotland was deprived of the scanty amount of liberty which she had enjoyed for about twenty years. The ostensible reasons for the change were a regard to the peace and quiet of society, and justice to the patrons, who had never yet received their stipulated compensation; but the real ground, undoubtedly, of the measure was a desire to secure as much control as possible over the proceedings of the Established Church, and thus to mould it into an institution which might prove subservient to the designs of government.

Effects of the act of 1712.

It is common to ascribe all the divisions which have rent the Church of Scotland, with regard to patronage, to the act of 1712. This is not altogether just. It admits of question whether even the law of 1691, which vested in heritors and kirk sessions the right of appointing ministers, would have permanently satisfied the people of Scotland. There was manifestly the same room for difference of opinion between the people of a parish and the heritors and session, as between the people and an individual patron; and if the General Assembly had afterwards enforced the dictate of the heritors and session against the people, as they did so unscrupulously that of the patron, there would certainly have arisen the same occasion for dissenting from the Established Church. The immediate cause of the separations which actually took place was the rigid enforcement of patronage in opposition to the wish of the parishioners; and it seems probable that the same spirit would have led to the equally rigid enforcement of the choice or proposal of the heritors and elders where the people were disposed to resist. It may be alleged, indeed, that the heritors, or at least the session, as being more identified with the people, would probably have better represented their views, and, consequently, that there would have been less likelihood of collision. Perhaps this might have been the case; and yet it is possible that their being nearer to the people, both in station and in residence, might have led to greater disagreements between them, where they happened to take different views of the qualifications of candidates.

The mode of appointing ministers is a point of the highest moment with reference to the well-being of a church. It seems as if this question admitted of a satisfactory adjustment only in those churches which, dissociated from the State, maintain and regulate their own religious institutions. In them there is no pretence for any other method than that of vesting the election in those who are recognised as members; and experience has amply shown that, although no scheme administered by human beings is secure against mismanagement, yet this method, while it certainly secures the liberties and privileges of the church, seldom issues in any other than happy results.

* Willison's Impartial Statement, vol. iv. p. 195.
† *Supra*, vol. ii. p. 754. ‡ Lockhart, vol. i. p. 418.

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CHAPTER LV.

WILLIAM AND MARY.

A.D. 1688—1694.

Difficulties of the new sovereign—

THE difficulties with which the new sovereign had to contend in settling the affairs of Scotland were numerous and formidable, and the most embarrassing of these arose not out of the pertinacious opposition of his enemies, but from the selfish ambition and unreasonable expectations of his professed friends. The claimants for office were so numerous and insatiable, and their demands became so troublesome, that it was found necessary to forbid the resort of members of the convention to London; and permission to repair to the court was granted reluctantly, and only as matter of special favour. It was, of course, impossible to satisfy the claims of one tenth of those needy and greedy politicians, who so eagerly obtruded their services and claims on the attention of the king; but William seems to have done his best to avoid giving needless offence, and to have selected his

—his selection of his ministers.

councillors with a due regard both to their own qualifications, and to the security of his throne. The Duke of Hamilton, who had been elected president of the convention, was naturally appointed lord High Commissioner when the convention was turned into a parliament. Lord Melville, a man of moderate abilities, but good character, who had been persecuted by James for his adherence to the presbyterian party, was appointed Secretary of State and chief official adviser of the king; Lord Crawford, a stern presbyterian, was made President of the parliament; Sir James Dalrymple, the celebrated jurist, was created Viscount Stair and restored to the presidency of the Court of Session, an office which the assassination of President Lockhart by Chiesly of Dalry had rendered vacant.* Sir John Dalrymple, his son, was reappointed lord advocate; and Sir Willian Lockhart, an able lawyer, became solicitor general. The treasury and the seals were put into commission. The real

Character of Carstairs.

prime minister of Scotland, however, and confidential adviser of the king was the celebrated William Carstairs, afterward sprincipal of the University of Edinburgh. Cardinal Carstairs, as he was significantly named, from his vast influence, was one of the most remarkable Scotchmen of that age, and exhibited the rare combination of great learning and piety with the shrewdness, knowledge of the world, and practical talent of a sagacious statesman. He had given singular proofs of courage and fidelity in his resolute endurance of imprisonment and torture, rather than betray the secrets entrusted to him by Pensionary Fagel respecting the policy of the Prince of Orange. Though a staunch presbyterian, he was distinguished for his benevolence and liberality towards the members of other religious bodies, and contributed greatly by his advice to the establishment of the presbyterian polity on a moderate basis. Amid all the intrigues and treacheries of that period, the integrity of Carstairs was unquestioned, and his simplicity of character remained uninjured either by the possession of great power or the courtly adulation that was paid to him. He was much about the person of William, and enjoyed a larger share of his confidence and esteem than any other Scotchman, or indeed than any other of his councillors except Bentinck.*

Formation of "the Club."

The disappointed aspirants after office, of course, bitterly resented their exclusion, and imagining that they were the authors of a revolution in which they had been only casual and subordinate actors, they considered themselves powerful enough to overthrow the government, and to dictate to the throne. Foremost among these malcontents was Sir James Montgomery, who had taken a leading part in the debates concerning the forfeiture of James, and had been one of the three commissioners appointed to tender the crown to William and Mary. He thought himself entitled to the office of secretary, and keenly resented the preference given to Sir John Dalrymple. Under the guidance of this able but unprincipled leader, a large number of discontented and factious politicians formed themselves into a society called "the Club," and met twice a day at a tavern to concert their measures.† With these men were associated such perverse pragmatical busybodies as Sir Patrick Hume; oligarchical republicans, like Fletcher of Saltoun; Jacobites, who sought by embroiling still more the public affairs to bring about the restoration of the banished king; "waiters on providence," who embraced what they considered the strongest side; and "Malignants," who hoped by paying court to the extreme presbyterians among the chiefs of the Club, to escape merited punishment for their base subserviency to James.‡

Convention turned into a parliament.

When the Estates reassembled on the 5th of June, the convention was turned into a parliament, and an act was passed recognising William and Mary as sovereigns of Scotland. The premeditated conflict between the government and the Club

* Lockhart had pronounced a decree in a suit between Chiesly and his wife, and had assigned to the latter about £93 a year, a larger provision than her husband deemed just or necessary. Chiesly, a man of furious passions, threatened vengeance, and, having dogged the president home from Greyfriars Church, where he heard divine service, shot him dead as he turned into the President's Close, in which his house stood. Chiesly, after undergoing the torture, by a special act of the Estates, was tried and executed for this barbarous and cold-blooded murder. His body was hung in chains, but it was stolen from the gibbet and buried beneath the hearthstone of Dalry House near Edinburgh, where the skeleton was discovered only a few years ago.

* See Life and Correspondence of Principal Carstairs, 4to. 1774.

† Leven and Melville Papers, p. 83.

‡ "All the Malignants, for fear, are come into the club, and they all vote alike."—*Leven and Melville Papers*, p. 83, Sir John Dalrymple to Lord Melville, 25th June, 1689.

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immediately began, and it soon became evident that the latter had secured the support of a great majority of the Estates. The first ground of quarrel arose out of the constitution of the Committee of Articles, which the parliament denounced as "a great grievance to the realm." Though nominally elective, it was really nominated by the crown, and had gradually usurped nearly all the rights and privileges of the legislature. The Estates had in fact, under the Stewarts, been virtually deprived of their functions as a legislative body, and had been reduced to the condition of mere registrars of the acts prepared and recommended by the Lords of Articles.* It was not to be expected that this arbitrary and offensive system would be allowed to remain unchanged after the expulsion of the late dynasty, and accordingly it was placed at the head of the list of grievances which imperatively demanded redress. William, however, was reluctant to surrender any of the royal prerogatives; and, therefore, desired to modify and reform the existing system rather than wholly to abrogate it. His sagacious adviser, Sir John Dalrymple, was of opinion that as the three Estates of Scotland, unlike the English parliament, sat in one assembly, and there was no second house to revise their proceedings, or to act as a check upon rash legislation, the existence of a permanent committee with defined powers was requisite to moderate their action, and to prevent collision between the crown and the parliament. The government could in this way most safely exert its influence on the legislature, and the necessity of a final veto on its proceedings would be superseded. William, therefore, sent instructions to his commissioner that he should intimate to the parliament that it was his royal pleasure that in future the members of the Committee of Articles should be freely elected by their respective Estates; and that, as a remedy against their absolute veto on any proposals, whatever measures they rejected might be revived by a motion in full parliament. The draft of an act in accordance with these instructions was brought in next day. But the opposition would be satisfied with nothing less than the entire abolition of the obnoxious committee; and a counter motion was immediately put and carried, that "there ought to be no committees of parliament, but such as are freely chosen by the Estates to prepare motions and overtures that are first made in the house." Another and still more liberal plan proposed by the government, offering to enlarge the committee and to allow the members to be chosen monthly, or even at shorter intervals, shared the same fate; and the opposition, flushed with victory, proceeded to vote that the officers of state who had hitherto been members of the Committee of Articles by right of office should be excluded from the committee unless they were elected by the Estates. The commissioner, however, intimated to the house, to their great dissatisfaction, that he could not give the royal assent to their proposal without communicating with the king.

Dispute about the Committee of Articles.

The breach between the government and the opposition daily widened. The chiefs of the Club, finding themselves at the head of a compact and powerful majority, soon made it evident that they were determined to strip the crown of its most valuable prerogatives, and to leave the sovereign little more than the shadow of authority. While they refused to the officers of the crown the usual means of concerting and arranging their measures, they held daily meetings for the purpose of discussing their own plans, and settling by a regular vote the course they should adopt. One of their most cherished projects was to exclude permanently from office all who had taken any part in the illegal and arbitrary proceedings of the two preceding reigns, and a law prohibiting the sovereign from employing these unpopular persons in any public office was brought into the house, and passed by a large majority; but William, in accordance with his usual moderate and prudent policy, refused to give it his sanction.

Factious conduct of the Club.

Act of Incapacitation passed.

It was well known that this blow was aimed at Lord President Stair and his son, Sir John, who were on various grounds peculiarly obnoxious to the leaders of the opposition. The elder Dalrymple, the undisputed head of the Scottish law, had long held a conspicuous place among the statesmen of that age. In his youth he had been an officer in the covenanting army; he had then been a professor of philosophy in the University of Glasgow; he had finally adopted the legal profession, and had attained to unrivalled pre-eminence, both in the knowledge and application of its principles. During the Protectorate he had been appointed a judge by Cromwell. At the Restoration he was allowed to retain his place, though he refused to take the oath against resistance and the declaration condemning the Covenant. In 1676 he was appointed Lord President of the Court of Session, and discharged the duties of that office with transcendent ability and success. As a member of the privy council he was indirectly implicated in the wretched administration of Lauderdale; but he cautiously avoided taking any active part in the flagrant misdeeds that disgraced the reign of Charles II. and his brother. His moderation gave offence to James, and he was deprived of his office and compelled to take refuge in Holland. He was privy to the unfortunate attempt of Argyll, which had nearly involved him in utter ruin; and, in spite of his habitual caution, he unhesitatingly perilled his fortune on the success of William's enterprise. This circumstance,

Attack on the Dalrymples—their character.

* The following is all that is recorded in the minutes of the whole proceedings before the house, in one of the most memorable enactments of Charles II.: "13th August, 1670. An act brought in from the Articles against conventicles twice read, approven, and touched with the sceptre."—*Minutes of Estates.* (Burton, vol. i. p. 58.)

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together with his great sagacity and profound erudition, gained him the esteem and confidence of the prince, who loaded him with honours and listened with respectful attention to his advice.* His son John, during the President's exile, had accepted the office of Lord Advocate under James VII., and by his services in persecuting the covenanters and supporting the dispensing power of the king, had, it was believed, obtained a remission of the forfeiture which his father had incurred by his accession to the enterprise of Argyll. Though not equal to his father, John was a very able man and a skilful lawyer, and was possessed of remarkable powers of eloquence. His memory has been loaded with infamy in consequence of his connection with the massacre of Glencoe; but even before that shocking affair, immediately on the opening of the parliament, he was the object of deep and universal hatred. The President shared to a certain extent in the unpopularity of his son. Both were bitterly envied by that numerous class who can forgive anything but success; they were despised as upstarts by the proud and needy aristocracy, and abhorred by the stern presbyterians, who regarded them as instruments of the bloody and idolatrous Stewarts in persecuting and murdering the saints. Against these obnoxious advisers of the crown, therefore, the whole energies of the Club were directed. The commissioner endeavoured, but in vain, to divert them from their purpose by recommending that the parliament should proceed to the settlement of the Church, which was virtually in a state of anarchy, as episcopacy had been abolished without any other system being established in its room. But this inducement, though coupled with the tempting proposal that all the forfeitures which had been made since the year 1665 should be restored, utterly failed in drawing aside the opposition from their vindictive policy. As Sir John Dalrymple bitterly remarked, they preferred the destruction of the State to the settlement of the Church.† Not contented with passing the Act of Incapacitation by a majority of three to one, the Estates resumed an inquiry, which they had previously begun and dropped, into the conduct of the commissioners sent to offer the crown, and who, it was alleged, had betrayed their country, and given the king advice which had led him to resist the desires of the parliament. It was resolved that each of the three commissioners should be interrogated apart and alone; and a list of searching questions was drawn up, to which they were enjoined to give a direct reply.* As Sir James Montgomery, the commissioner chosen to represent the counties, was the founder and mainspring of the Club, and the Earl of Argyll, the representative of the nobles, begged earnestly that the house would examine into the manner in which the commissioners had discharged their duty, there can be no doubt that this blow also was levelled at the younger Dalrymple, the remaining commissioner. The investigation, however, was broken off by adjournment of the house, and never resumed.

Settlement of the Church postponed.

Inquiry into the conduct of the commissioners.

Various other attempts were made by the government to induce the Estates to forward the public business, and to vote the necessary supplies, but the chiefs of the Club resolutely refused either to accept the compromises offered by the king, or to turn to other objects. In pursuance of their factious policy, the parliament next laid claim to a large share in the appointment of the judges, for the purpose of excluding Lord Stair from the office of President. They admitted that in the case of ordinary vacancies the right of nomination rested with the crown, but now that the whole court required to be reconstructed, as well as the entire machinery of government, they affirmed that the authority of parliament was requisite to give validity to the settlement.† The sovereign, it was alleged, never possessed the absolute right to appoint a judge, as the existing members of the court had authority to examine the person nominated, and to reject him if they were dissatisfied with his qualifications. But since the court required to be entirely reconstructed, and there was no existing bench to examine the nominees, it was right and proper that a veto upon the appointments should be entrusted to the Estates. They accordingly passed an act declaring that the judges nominated by the crown should be examined, approved, or rejected by the parliament; and, to show their determination to carry their point, they ordered the signet to be shut, as it was technically termed—in other words, they suspended the whole administration of justice till their claim should be allowed. The commissioner, however, refused to touch this act with the sceptre in token of the royal assent; and, a few months later, after the

The Estates claim the appointment of the judges.

* Sir George Mackenzie, though a political opponent of Lord Stair, has borne valuable testimony to his great qualities. He says, "Really, Stair was a gentleman of excellent parts, of an equal wit, and of unusual learning, but most considerable for being so free from passions, that most men thought this equality of spirit a mere hypocrisy in him. This meekness fitted him extremely to be a president, for he thereby received calmly all men's informations, and by it he was capable to hear without disorder or confusion what the advocates represented. But that which I admire most in him was that in ten years' intimacy I never heard him speak unkindly of those who had injured him."—*Memoirs*, pp. 214—215. In the family of Lord Stair occurred the tragic incident commemorated in "The Bride of Lammermoor." See Appendix N.

† Leven and Melville Papers, p. 181.

* Leven and Melville Papers, pp. 167, 168. The following may be taken as a specimen of the interrogations addressed to the commissioners:—"Did you, or did any person for you, put any gloss or interpretation upon any article or point of the Claim of Right or of the Grievances, not leaving them to the plain and literal sense?—Did you offer any advice to his majesty upon the first grievance concerning the committee called the Articles, or concerning choosing committees of parliament, or concerning the officers of state—their being supernumeraries: if you did, what was your advice?—Did you advise or draw the instruction to the commissioner relative to the grievance anent the Articles?"—*Minutes of Estates.* (Burton, vol. i. p. 69).

† Leven and Melville Papers, p. 179.

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parliament had adjourned, the king re-opened the signet, and appointed new judges without opposition.

Factious conduct of the Estates.

In consequence of the refusal of the commissioner to assent to the various measures insisted on by the Estates, they obstinately refused to grant any supply, and the troops had to be maintained on the English establishment, with the assistance of occasional loans from corporations or private persons. But, as the English parliament continued to vote without hesitation the sums of money necessary for the public service, the refusal of supplies by the Scottish Estates was a matter of very little importance to William. At length, finding the opposition utterly intractable, and that, as Sir John Dalrymple expressed it, each day the parliament was kept together, it was at the expense to the king of a prerogative,* Hamilton abruptly adjourned the parliament on the 2nd of August, leaving no fewer than six important acts which had passed the Estates, but had not been touched by the sceptre.† The king took the unprecedented step of publishing his private instructions to the commissioner, in order to show his anxiety to co-operate with the parliament in promoting the public welfare; while, on the other hand, the leaders of the opposition presented a "humble representation" to the king, complaining bitterly of the policy adopted by his Scottish advisers, and of the refusal of the commissioner to give the royal assent to the various acts which had been passed by the Estates.‡

Proceedings of Dundee—

While this conflict of rival factions was raging in the parliament-house, a civil war had broken out in the Highlands. The hopes of James and his adherents were now fixed upon Dundee, who, after his flight from Edinburgh, had retired to his country-seat of Dudhope, near Dundee. He professed his intention to live in quiet, and to offer no opposition to the new government, but he was in truth busily corresponding both with King James and with the Highland chiefs, and waited only the arrival of a promised reinforcement from Ireland to take the field. On the 18th of March, the convention summoned him to appear in his place in parliament, and, a few days after, a herald was sent to require him to lay down his arms under the penalty of being denounced and treated as a traitor. He refused to obey these instructions, alleging that the hostility of his enemies made it unsafe for him to return to Edinburgh, but that he was willing to give security to keep the peace. At this juncture, however, one Brady, an emissary of the exiled king, crossed over from Ireland to Scotland with letters addressed to Dundee and Balcarres. The object of his mission transpired, and he was arrested, and through an associate who accompanied him the letters were discovered. Some of them were found to have been written by Secretary Melfort, and expressed in strong terms the confident hopes of success entertained by James, and his determination to inflict condign punishment upon his enemies. "We dealt too leniently with them," he said, "when we were in power, and possessed means of crushing them: but now, when they shall be once more conquered by us, and subjected once more to our authority, we will reduce them to hewers of wood and drawers of water." *

—letters to him from James intercepted.

These vindictive threats excited deep indignation among the leading members of the parliament. The Earl of Leven was immediately dispatched with a force of two hundred men to apprehend Balcarres and Dundee. The former was seized at his country-seat and confined in the Tolbooth of Edinburgh, but Dundee, who was protected by a strong body-guard of his old soldiers, received timely notice that a warrant was out against him, and retired to a small remote house in Glen Ogilvie. On the approach of a body of dragoons, he abandoned this retreat, and, crossing the Dee with his followers, took refuge in the Duke of Gordon's country, and made arrangements with his Highland supporters about his intended rising.

Attempt to arrest Dundee.

It is impossible to say at what time the project of embodying the clans in favour of King James first occurred to the mind of Dundee; but it is evident that he had entertained some notion of such scheme before any attempt was made to arrest him. The state of the Highlands at this juncture was peculiarly favourable to the project of a coalition of clans in support of the exiled dynasty. As far as abstract political opinions were concerned, indeed, the Highland chiefs took little or no interest in the contest. It mattered nothing to them whether the principle of the divine right of kings or the constitutional rights of subjects prevailed; but their personal objects and interests were hostile to those of the industrious and comparatively civilised and peaceful inhabitants of the Lowlands, and therefore naturally led them to take the opposite side in this civil broil. They hated and feared a strong and settled government, because it was certain to prove ruinous both to their power and to their marauding pursuits, and were therefore forward to lend their aid to overturn the revolution settlement, which they instinctively perceived boded them no good. Above all, the chief of the great whig clan Campbell, which had suffered such shameful injustice and oppression at the hands of the Stewarts, had adopted the cause of King William, and been restored to the honours and estates of his ancestors—the Macdonalds, Camerons, Macleans, Stewarts, and other hereditary enemies of his house, therefore, at once ranged themselves on the opposite side. Some of them had been enriched by the forfeiture of the Argyll estates, and, if the revolution settlement held good, not only would they be compelled to disgorge their plunder, but to pay up the heavy arrears of rent and tribute which

State of the Highlands.

* Burton, vol. ii. p. 95.
† Leven and Melville Papers, p. 181.
‡ State Tracts, vol. iii. p. 469.

* Balcarres' Memoirs.

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they owed him as their feudal superior, to say nothing of the vengeance the restored earl would doubtless exact for all the injuries inflicted on his family in the day of their calamity. The fact, too, must not be lost sight of that the Jacobite chiefs were to a man Roman Catholics or Episcopalians, and had readily lent themselves to the expelled government as tools to oppress and plunder the covenanters of the western shires. They had reason, therefore, to dread that triumphant presbyterianism would exact severe retribution for the barbarities of the Highland host if the new government should hold its ground.

Errors of the government.

The administration seem, unfortunately, to have entirely misunderstood the position and prejudices of the clans at this crisis, although they were quite well aware that the peace of the country was exposed to serious danger from the existence in the Highlands of such combustible materials. One statesman, indeed, the Viscount Tarbet, pointed out both to Melville and to General Mackay the source of this danger, and the mode by which it might be averted. The Highlanders, he alleged, cared little either for James or for William, but they were jealous of Argyll, and apprehensive of his claims on their estates; and he recommended that the government should advance the money required to discharge the arrears which they owed to the earl as their feudal superior, and that a separate offer should be made to the chief of the Macleans to confirm an arrangement which had been partly made between him and the late earl for adjusting their differences. The sum of five thousand pounds, he believed, would be sufficient to buy up all the dreaded claims of Argyll, and to quiet the fears of his neighbours. The government approved of the plan recommended by this experienced politician, but it was unfortunately marred in the execution. The agent chosen to open negotiations with the disaffected clans was Campbell of Cawdor, who was not only a scion of the house of Argyll, but, it is said, also personally obnoxious to the chiefs. Offers of assistance coming from such a quarter were naturally regarded as a delusion and a snare. The attempt to conciliate the disaffected clans proved an entire failure. Mackay attempted to open a correspondence with Lochiel on the subject, but that wary and politic chief took no notice of the communication; and Glengarry, to whom he also wrote, advised him in return to imitate the example of Monk, by employing his army to restore King James.*

Dundee, after spending a short time in the Highlands, returned to his place of refuge in Glen Ogilvie, and remained there until the approach of a considerable body of troops under Sir Thomas Livingston compelled him once more to betake himself to the mountains. Proceeding northward through Strathdon and Strathbogie, accompanied by a small band of his old troopers, he crossed the Spey, and arrived on the first of May at Inverness.

* Mackay's Memoirs; Burton, vol. i. chap. 3; Macaulay, vol. iii. chap. 13.

Macdonald of Keppoch threatens Inverness.

He there found Colin Macdonald of Keppoch, one of his Highland allies, blockading the town, and threatening to plunder and destroy it. This fiery chief, usually called Coll of the Cows from his great skill in tracing stolen or strayed cattle, had a long-breathed feud with Mackintosh of Moy, the chief of the famous clan Chattan; and a few weeks before the Revolution he had encountered, and had worsted, after an obstinate struggle, the retainers of Moy, though supported by a body of royal troops commanded by Captain Mackenzie of Suddie, who was killed in the fight. Keppoch was immediately proclaimed a rebel; letters of fire and sword were issued against him; his estates were laid waste; he was himself, for a time, obliged to fly; and ultimately one of his kinsmen had to purchase his peace by the payment of a heavy fine.

The cupidity of the Macdonalds had long been excited by the wealth of the town of Inverness, though at that period comparatively very small; and they had at different times fastened a quarrel on the townsmen, and sought a pretext to plunder them during the confusion which followed the expulsion of the Stewart dynasty. Keppoch availed himself of the favourable opportunity to renew hostilities with his old enemies, the Mackintoshes and their allies, and, after spoiling the lands of Moy, he marched to Inverness, and threatened to sack the town, on the plea that the inhabitants had taken part with Mackintosh against his clan. The citizens, however, were accustomed to such visits, and they immediately mustered an army, and, showing a bold front, kept the plunderers at bay.

Dundee acts as mediator.

At this critical moment Dundee appeared, and undertook to act as a mediator between the townsmen and their marauding assailants. They agreed to buy off the hostility of Keppoch by the payment of two thousand dollars, as compensation for the losses and injuries which that chief alleged he had suffered from the attacks of the Mackintoshes. One half the sum was immediately collected by subscription among the inhabitants, and paid over to the freebooters, and Dundee is said to have pledged his word for the payment of the remainder. Encouraged by the result of this attempt at pacification, the enterprising Jacobite leader next tried to reconcile the Mackintoshes and Macdonalds, with the view of enlisting both clans under his banner, but without success. Mackintosh declined even to attend the friendly meeting which the viscount solicited, and, to punish him for his refusal, his cattle were driven away by Keppoch, at the instigation of Dundee.*

Dundee proposes to raise the clans.

Leaving Inverness, Dundee marched through Badenoch on his way to Athol, using every effort to induce the Highland chieftains to take up arms in behalf of King James. Having fixed upon Lochaber as the most central and convenient trysting place, he caused the fiery cross to be sent throughout the whole territories of the friendly

* Dundee's Memoirs.

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clans, summoning them to take the field on the 18th of May. Moving southward through Athol, he learned that the lairds of Blair and Pollock were lying in Perth with a troop of horse, which they had raised for the government. He immediately pounced upon the city, and seized the sum of nine thousand marks, which he found in the office of the collector, alleging that it was fair to take the king's money for the king's service; and, dispersing the royal troops, carried off their commanding officers prisoners to the mountains. The luckless lairds were dragged about for some time with Dundee's forces in their hurried marches, and ultimately sent for security to the Isle of Mull.

After this exploit, Dundee marched through Perthshire and Angus, for the purpose of recruiting his small body of cavalry. He lingered for a day or two in the neighbourhood of the seaport town from which he derived his title, but finding it well garrisoned by two troops of dragoons under Sir Thomas Livingston, he relinquished the intention of attacking the place, and marched back to the Highlands to meet his associates. On reaching the place of rendezvous, near the residence of Lochiel, he found a strong body already assembled, whom the dislike to a settled and powerful government, or the fear and hatred of the Campbells, had induced to rise in arms. The Macdonalds of Sleat, Glengarry, Clanranald, and Keppoch, the Camerons under their chief, the renowned Lochiel, the Macleans of Duart and Lochbuy, and other popish and Jacobite clans, mustered in great numbers. Dundee, however, seemed reluctant to rely exclusively on his Celtic allies, and resolved to delay the commencement of active measures until the arrival of the reinforcements which James had promised to send him from Ireland.

The muster in Lochaber.

Meanwhile, Mackay, on learning that Dundee had taken refuge in the Highlands, and was endeavouring to form a coalition of the clans against the government, resolved to march northward and crush the projected insurrection in the bud. He established his head-quarters at Dundee, and leaving there a considerable garrison under Sir Thomas Livingston, he set out with a body of dragoons, amounting to about four hundred and fifty men, in search of the Jacobite leader. But his followers were ill-fitted to cope in speed with the fleet and unencumbered Highlanders. For several weeks Mackay marched and countermarched among the mountains, following the traces of his nimble adversary, and occasionally skirmishing with him; but was ultimately compelled to retreat with all haste, when Dundee, having collected an overwhelming force, turned upon his pursuer, and had nearly succeeded in crushing him before he was aware of his danger. Both men and horses were completely worn out in this harassing, yet ineffective mode of warfare. Mackay endeavoured, but with little success, to obtain assistance from the influential northern clans which were friendly to the government.

Mackay's proceedings.

The chief of the Grants, indeed, who had been a sufferer from the tyranny of the exiled dynasty, joined the whig general at the head of his retainers, and two hundred Mackays came from the wilds of Sutherland to the aid of their kinsman; but he complains that he found even the Mackenzies, Frasers, Munros, and other whig and Protestant clans, very lukewarm and indifferent, and that they were, with few exceptions, endowed with no "true sense of the deliverance which God had sent them."* Finding it hopeless without the aid of a strong body of Highlanders to overtake his active adversaries, or to bring them to bay, Mackay dispatched an express to the Duke of Hamilton, urging upon him the necessity of placing "a formidable garrison" in Inverness, and smaller ones in other fortresses in the north, for the purpose of overawing the hostile clans. Without the adoption of this measure he declared that it would be utterly impossible to subdue the Highlanders, or to keep them in check. A fortnight's provisions for an invading army could not be found among these barren heaths, and on the approach of an enemy the active mountaineers could easily retire to difficult passes and broken morasses inaccessible to regular troops.†

Indecisive campaign in the Highlands.

While engaged in this harassing and unsatisfactory warfare, Mackay narrowly escaped destruction from a conspiracy among his own troops. He had occupied, and partially fortified, Inverness after it was abandoned by Dundee; and learning that a body of six hundred men, under Colonel Ramsay, were on their way to join him, he started with a portion of his little army to meet these auxiliaries at Ruthven, in Badenoch. Dundee, however, by means of an intercepted despatch, discovered this movement, and resolved to take advantage of it to destroy his enemies in detail before their junction. When Mackay had advanced about half way to the appointed rendezvous, he learned that his active opponent, with upwards of two thousand men, had posted himself within a few miles of Ruthven, and that Ramsay, having discovered his danger, had fallen back to Perth. Mackay felt himself in a very perilous position, as the force under his command amounted to only six hundred men, and he was in the midst of a warlike and hostile population; but with great promptitude he turned eastward towards Strathspey, the country of his allies, the Grants, marching all night, closely followed by Dundee, and took up a strong position on a haugh or plain formed by the windings of the river Spey, which protected his rear, while his front was covered by some marshes and a wood. The place was favourable to the operations of his cavalry, of which the Highlanders stood in great awe; and it was probably owing to his consciousness of this fact that Dundee, in spite of his great superiority in arms, did not venture to attack the royal forces. While

* Mackay's Memoirs.
† Leven and Melville Papers.

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lying in this position, Mackay received the alarming information that there were traitors in his camp. A regiment of dragoons now serving under him, had formerly been commanded by Dundee. Both officers and men were willing to take service again under their old leader, and were in secret communication with him. They had for some time past regularly betrayed the plans and movements of the royal general to his opponent, and were evidently only waiting for a favourable opportunity to desert in a body. While engaged in the investigation of this conspiracy, Mackay received intelligence that two of his dragoons had been seen in the vicinity of Dundee's camp, in circumstances which left no doubt that they had been sent by their fellow-conspirators to communicate with the enemy; and, shortly after, the scouts brought notice that the Highlanders were on their march towards Mackay's position. To have waited the attack of the enemy with treason thus at work in his own camp would have been perilous in the extreme. Mackay, therefore, lost not a minute in making preparations for a retreat. Cautiously concealing his knowledge of the plot, he placed the most disaffected portion of the dragoons in the van, and, therefore, farthest from the enemy, with his trusty Dutch infantry immediately behind them. He began his march at nightfall, when Dundee was within three miles of his camp; and, hurrying across the ranges of mountains on the north-east, he succeeded in reaching the plains of Aberdeenshire, his troops almost worn out by the rapidity of his march and the want of provisions. Here he was joined by two regiments of dragoons under Barclay and Leslie, and resolved immediately to turn the chase upon Dundee before he should be aware of the arrival of these reinforcements. But this project was frustrated by the treachery of the disaffected officers in Livingston's regiment, who sent notice to the viscount of their commander's movement. The Jacobite leader, whose force had become greatly diminished by the dispersion of the Highlanders in search of plunder, found it necessary to make a rapid retreat into the wilds of Lochaber. As it was impossible to keep the mountaineers together in a state of inaction with no store of provisions for their support, he dismissed them to their homes, with an injunction to reassemble as soon as he should send them notice that he was ready again to take the field. Mackay, on the other hand, was now satisfied that it was in vain to attempt the reduction of the Highlands by the mode of warfare he had hitherto pursued; and leaving one half of his army under Livingston to occupy Inverness, he returned with the remainder to Edinburgh about the beginning of July, for the purpose of urging the government to lose no time in carrying out the project he had recommended to bridle the mountaineers, by the establishment of a chain of fortresses in the most important avenues of the country.

Conspiracy among the royal troops discovered.

Mackay's prompt proceedings.

Suspension of the war.

The general found that the government, harassed by the factious opposition of the Club, had taken no steps for carrying his design into execution, or for putting the country into a posture of defence. A body of infantry, indeed, had been raised, not without difficulty, among the Cameronians of the west. The majority of these stern presbyterians, in spite of their bitter hatred of Dundee, and of the cause which he espoused, stood aloof from the struggle; and at a great meeting held on the 30th of April, in the parish church of Douglas, had declared that to take military service along with malignants and latitudinarians, and under a commander "whom they knew not, nor what he was for nor against," would be a sinful association.* A large minority, however, were of opinion that they might lawfully enlist in defence of the king and country at a time when war was raging in the land, and an invasion of a savage horde from Ireland was expected; but they stipulated for certain very unusual terms as the condition of their taking military service under the government. First of all they insisted that all their officers of every grade should be such as they could in conscience obey—such as had not served the enemy, nor persecuted the good cause, nor taken the test, nor any other sinful oath binding them to oppose the covenant—but such as had given proof of their fidelity, integrity, and affection to the cause of the Reformation, and were willing to sign the covenant; and secondly, they demanded that if a sufficient number of officers thus qualified could not be obtained, and it should be found necessary to employ any officer guilty of sinful compliances with the orders of the forfeited dynasty, he should make a public confession of his sins at the head of his regiment, and engage to submit to the censures of the Church. They farther stipulated that the great object of their taking up arms should be the furtherance of the covenant and the overthrow of popery, prelacy, and other systems of error; that they and their officers should co-operate in purifying the army from all sinful practices; and that until this end were accomplished every precaution should be taken to keep the covenanting regiment from the contamination of ungodly associates, "and to this effect that our officers endeavour to provide and procure that we go not out in promiscuous detachments with them, nor be mixed in encampments with the foresaid criminals."† By another stipulation, still more at variance with the usual military discipline, they demanded the choice of their officers, or at least a veto upon their appointment, as well as upon the admission of the new recruits who were to fill up any vacancies in their ranks. They were also to have the right to elect their own minister, as well as an elder, from each company, who were to form a "session," or ecclesiastical court, for the administration of their spiritual affairs. By the dextrous management of

Policy of the Cameronians.

Cameronian regiment raised.

* Faithful Contendings, p. 393.
† Ibid., p. 395; Burton, vol. i. p. 48.

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Sir Patrick Hume, the Cameronians were induced to substitute for these specific stipulations a general declaration that the object for which they engaged in the military service was "to resist popery, prelacy, and arbitrary power, and to recover and establish the work of reformation in Scotland in all the branches and steps thereof, till the government in Church and State be brought to that lustre and integrity which it had in the best times."

In this way was formed the celebrated Cameronian, or 26th Regiment, whose exploits have rendered the name famous in every quarter of the globe. Their first colonel was the young Earl of Angus, who fell fighting bravely at their head, at the bloody battle of Steinkirk, in 1692, where they fought with a desperate courage and stubbornness which nearly turned the fortunes of that fatal day. Their lieutenant-colonel and actual commander was the gallant William Cleland, who was killed in their first exploit—the successful defence of Dunkeld, which virtually extinguished the Jacobite rebellion. Their enlistment in the service of the government was from the outset mourned over by the majority of their body as "a sinful and scandalous association in war with the enemies of Christ both at home and abroad;" and it is probable that they soon ceased to receive any recruits from the stern presbyterians, whose name they bore. Their brethren, however, continued for a considerable period to hold correspondence with them; and from their letters it appears that, in spite of their zealous precautions, the example of military profligacy which they were compelled to witness began in the course of time to exercise its influence even upon this select regiment, and that some of their number lapsed into card-playing, dice, and other similar practices, to the great grief and perplexity of their chaplain, Alexander Shields, a famous hill preacher.

Surrender of Edinburgh Castle.

Meanwhile, the Castle of Edinburgh surrendered on the 14th of June. That this fortress had held out so long was owing much less to the strength of the place than to the unskilfulness of the besiegers. Some batteries were, indeed, raised and trenches opened, but the Cameronians, who invested the castle, were entirely unacquainted with the method of attacking fortified places, and made little or no progress in the siege. On the other hand, it was the object of the Duke of Gordon, with his small garrison and ill-supplied magazine, merely to maintain his position until the issue of the Highland insurrection should be determined; he therefore contented himself with returning the fire of the attacking batteries, and carefully avoided doing any injury to the persons or property of the citizens. In the end the siege was turned into a mere blockade. For some time the Jacobites in the city contrived to convey occasional supplies to their friends within the citadel, but in the end the provisions of the garrison were completely exhausted, and they were compelled to surrender. They readily received an indemnity for themselves and their friends who had aided them, and were allowed to march out with their arms and baggage.*

Renewal of the war in the Highlands.

Dundee had now for some time been engaged in maturing his plans and making preparations for another campaign. About the middle of June he had begun to reassemble the clans, having fixed his head-quarters at Moy, the seat of the Mackintoshes, on the eastern border of Inverness. He had just received his commission of lieutenant-general from James, accompanied by a letter promising a liberal reward for his services out of the forfeited estates of King William's supporters. He was now anxiously expecting large reinforcements from Ireland; and intelligence was brought to him about this time that a body of Irish troops, under an officer named Cannon, had reached Mull. Dundee lost no time in proceeding to Inverlochy to make arrangements for their landing. To his great annoyance, he found that instead of an efficient force of five or six thousand men, as he had been led to expect, the succours which had been sent consisted only of about three hundred infantry, insufficiently armed and clothed, and badly disciplined. The arrival of this contemptible reinforcement, according to Balcarres, "did more harm than good;" and Mackay seems to have been of the same opinion. To add to the bitterness of Dundee's disappointment, the ships which conveyed the stores of this half-naked rabble lingered so long at Mull, that they had all been captured by some English cruisers.

Disturbances in Athol.

While Dundee was thus busily engaged in mustering his forces, his opponent, Mackay, was occupied in filling up his three Dutch regiments, and in carefully training his recruits, to prepare them for the impending struggle. His departure from the capital was hastened by intelligence which at this juncture reached him from the estates of the Marquis of Athol. That fickle and treacherous nobleman was in a great strait as to the course he should follow. He had repeatedly joined and deserted both parties, and now, at this crisis of the civil war, on which the fate of his country depended, with characteristic pusillanimity and selfishness, he quitted Scotland, and under the pretence of ill-health took up his residence at Bath. His eldest son, Lord Murray, who was married to a daughter of the Duke of Hamilton, and was on bad terms with his father,† had declared for King William; but his earnestness in the cause was evidently doubted by Mackay, and not without reason. The retainers of Athol, perplexed by the doubtful character of their chief, were at a loss what course to follow. On the one hand, Stewart of Ballechin,

* Siege of the Castle of Edinburgh, printed for the Bannatyne Club in 1817.

† Mackay gives as his reason for originally trusting Lord James—"That for some years he had not lived on good understanding with the marquis, his father, of whom, at this time, the general had no favourable opinion."—*Memoirs*, p. 48.

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the manager of the Athol estates, and the representative of the marquis, called upon them to declare for King James; while on the other, the eldest son of their chief demanded their allegiance in behalf of King William. The bewildered clans knew not which authority to obey. Their inclinations were generally on the Jacobite side; and Lord Murray frankly acknowledged to Mackay that he had no hope of inducing them to unite with the royal forces against Dundee; but he offered to proceed immediately to Athol for the purpose of taking possession of the Castle of Blair before the arrival of the viscount, and of collecting his father's vassals, so as to prevent them from joining the enemy. To this proposal Mackay gave a ready assent, and his lordship immediately set out for Athol, where he arrived about the beginning of July. He lost no time in summoning his father's retainers to arms, and about twelve hundred of them readily obeyed the call, though it soon became evident that their fidelity to the cause of the government could not be relied on. Lord Murray then demanded admission into the Castle of Blair, but met with a decided refusal from Stewart of Ballechin, who, both as the representative of the marquis, and by virtue of a commission from Dundee, held that important fortalice for King James.*

Conduct of the Marquis of Athol, and of his son.

When Dundee returned from Inverlochy, about the middle of July, he received intelligence of Lord Murray's proceedings; and similar information reached Mackay about the same time. Both parties at once felt the importance of securing possession of Blair Castle, which, from its position, commanded in front the vale of the Garry, with the pass of Killiecrankie, through which alone the royal army could march into the district of Athol; while on the north it covered the narrow passes leading to the Spey and the Dee. Dundee immediately sent the fiery cross in all haste to summon his Highland allies to rejoin his standard, and, with a force of about three thousand men, began his march in the direction of Athol. Mackay hastened with equal promptitude toward the scene of conflict. His forces were somewhat superior in number to the Highland army,† but they consisted largely of fresh levies, who were peculiarly unfitted for the kind of warfare in which they were about to engage. On the 23rd of July he reached Perth, and there learned that Dundee was already marching through Badenoch, and that if the royal forces did not reach Athol before him, it would be impossible for Lord Murray to maintain his position, or even to prevent his retainers from joining the enemy. These tidings induced Mackay to hasten his march northward with all speed, although four troops of his dragoons and two of cavalry had not yet arrived. He states, as the grounds of this resolution, that if he had remained at Perth the Athol men, fifteen hundred in number, "as reputed men for arms as any in the kingdom," would have immediately joined Dundee; that the enemy would have had time to get up his expected reinforcements from the isles, to collect forces in Badenoch, Menteith, and Mar, and to obtain reinforcements of cavalry among the Jacobite gentry of Angus and the adjacent Lowlands; that he had advanced too far to retrace his steps with honour; and that, as his forces were superior in number to those of Dundee, if he had shown any backwardness to meet the enemy, "the ill-affected of the nation" would have been emboldened, and the loyal and peaceable discouraged. For these reasons, which undoubtedly had considerable weight, Mackay resolved to adhere to his original plan. He left Perth on the 26th of July, and on reaching Dunkeld that night he received an express from Lord Murray announcing that the object of his march northward was already frustrated; that Dundee had entered Athol; that Murray had judged it prudent to raise the blockade of Blair Castle, and retire to the southern extremity of the defile of Killiecrankie, with the three or four hundred men who still adhered to him. On the approach of the Jacobite clans his lordship's followers had exhibited unequivocal indications that they could not be relied on to fight in the cause of King William against their fellow mountaineers. Some of them had returned home under the plea that they must secure their cattle, and other valuable things, from the depredations of the enemy; while others, in spite of his remonstrances, had openly deserted in a body, having previously filled their bonnets with water from the brook of Banovy, near Blair, and drank a health to King James.*

Blair Castle.

Mackay's march to the north.

Wavering conduct of the Athol men.

Notwithstanding this discouraging intelligence, Mackay still determined to persevere in his march; and putting his army in motion next morning (27th) at daybreak, he proceeded in the direction of Killiecrankie. On approaching the pass he met his ally, Lord James Murray, with the remnant of his retainers, and was assured by him that he had left a sufficient force to occupy and secure the defile. But when Mackay's advanced guard reached the pass they could find no traces of these Athol men, who, it afterwards appeared, had concealed themselves among the neighbouring rocks and thickets, in the hope of obtaining a rich booty by plundering the fugitives and the slain in the impending battle.

The character of the ground over which the royal forces now marched exercised an important influence

* Dundee had previously written successive letters to Lord Murray, calling upon him to hold his paternal mansion for "the king," in a tone which implied that he had reason to believe that the command would be obeyed, but his lordship sent these letters to Lord Melville. After Dundee had issued his commission to Stewart to hold the castle, he wrote to Lord Murray claiming credit for the step he had taken in thus relieving his lordship from the painful dilemma of either refusing to give up the castle or appearing to side with the "rebels,"—meaning the government.

† They seem to have amounted to a little above three thousand men, while Dundee's army numbered two thousand five hundred

* Balcarres' Memoirs, p. 68.

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both on the nature of the conflict, and on its results. At this spot the rapid river Garry forces its way through the range of mountains in front by a narrow and rugged defile, which forms the only passage from the low country to the mountainous district above. The only road was a steep and narrow path, which barely afforded room for two men to walk abreast. It was much lower than the present broad and smooth highway, and ran along by the base of the rocks, having on the one hand a succession of steep precipices, with here and there scrubby patches of oak and birch; and on the other, the furious river raging along its deep and rocky bed, and tumbling over huge stones into deep pools of inky blackness, so overhung with natural wood as to be almost invisible. Along this perilous path the royal forces moved slowly, and with difficulty, for the baggage horses had to be led up one by one, and even the infantry could mount only by twos and threes at a time. On emerging from the pass they found a haugh or small alluvial plain, on which they formed and rested, while their general proceeded to survey the ground. Directly in front of the narrow strip of meadow, on which the royal army now lay, was an abrupt knoll covered with shrubs and trees, of which a few still remain. Mackay perceived at a glance that if the enemy were to occupy this ascent they would easily force his troops, as he expressed it, "with confusion over the river." He, therefore, at once "made every battalion form by a '*quart de conversion*' to the right upon the ground where they stood,"* and then marched them in succession straight up the woody eminence. On the north of this new position there lay a piece of level ground, which gradually ascended to the height of about six or eight hundred feet immediately above the house of Urrard—a small mansion surrounded by a garden. Along the summit of this eminence, which was less than a mile distant from Mackay's position, the Highlanders were already ranging themselves. As soon as the general perceived their approach, he proceeded to arrange his men on the plain which intervened between them and the enemy. He drew them up in one line three deep, without any reserve, dividing each battalion into two parts, and leaving a small distance between each division. In the centre, between the two wings, there was a considerable interval, caused by a piece of marshy ground, behind which Mackay placed the two troops of horse, in order that they might not be exposed to the charge of Dundee's veteran cavalry, which these raw levies would not be able to resist, and that they might attack the Highlanders in flank after the fire of the line had been spent. On the right he placed Leven's regiment, which had been lately raised on the Borders, and is still styled the King's Own Borderers; and on the left, the Scotch Fusileers, now the twenty-first regiment of the line. The left wing was committed to the charge of Brigadier Balfour. Mackay's artillery consisted of only three small leathern guns, which proved of very little use.

Pass of Killiecrankie.

Position of the royal army.

* Mackay's Memoirs, p. 51.

Let us now turn to the operations of his opponent. When Dundee reached the Castle of Blair, on the morning of Saturday, the 27th of July, he learned that the royal forces had reached the pass of Killiecrankie. A council of war was immediately held. The regular officers strongly recommended that the enemy should not be allowed to pass the defile, and that a battle should be avoided until the arrival of the reinforcements which were expected to come up in the course of two or three days. The Highland chiefs, on the other hand, were clamorous for an immediate engagement. Lochiel, especially, urged that victory was certain if an attack were made while the mountaineers were eager for the conflict and confident of success, while, if they were kept on the defensive, they would speedily disperse and return to their homes.* Dundee at once resolved to adopt the advice of his sagacious ally, and he pointed out to the council that by allowing Mackay to advance through the pass without hindrance, they would gain the advantage of fighting him on open ground before he was joined by his English cavalry, of whom the Highlanders stood in great dread.† Besides, if, as he confidently expected, the enemy should sustain a defeat in this position, his army would be destroyed, as his retreat would be completely cut off.‡ These cogent reasons silenced opposition, and the council broke up with the unanimous resolution to fight.

March of Dundee to Blair—

—his resolution to fight.

Having made himself acquainted with the nature of the ground in the neighbourhood of Killiecrankie, Dundee resolved to make a *détour* round the hill on which the Castle of Lude stands, and to attack the royal forces as soon as they emerged from the defile. Advancing rapidly from Blair Castle along the present line of road till he reached the Tilt, he turned off to the east round the back of the hill, and crossing that river near its confluence with a rivulet called Ald-Chluan, he took up his position on the slope of the hill which overlooked the plain occupied by Mackay's army. He immediately drew up his men in battle array. Each clan, large or small, formed a separate battalion. On the right were the clansmen of Sir John Maclean; on the left were another body of Macleans, with the retainers of Macdonald of Sleat. In the centre were stationed the Irish regiment under Cannon, the Macdonalds of Glengarry and Clanranald, the Camerons, and a small body of cavalry, commanded by a gentleman named Sir William Wallace, who had that morning, to the great displeasure of the other officers, produced a commission from James superseding their former commander, the Earl of Dunfermline. The object of Dundee in making this arrangement was, by a

* Memoirs of Sir Ewen Cameron.
† Balcarres, p. 69.
‡ Dalrymple's Mem., vol. i. part ii. p. 56.

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THE VALE OF [illegible]

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furious charge of the Highlanders in columns, to cut through in several places at once the extended line of the royal forces, and thus to throw them into irremediable confusion. Mackay, though an experienced officer, and a cool and brave man, had misgivings as to the result of the impending conflict. The mountaineers had the advantage of the ground, and could attack or retire at pleasure, and had a secure refuge in the mountains in the event of a defeat;* while he, on the other hand, could not without the utmost peril either attack them on the hill, or quit his own position. To have attempted a retreat through the pass in the presence of an enemy on the surrounding heights would have been certain destruction; while to have crossed the river, as he at first thought of doing, would have not only exposed him to an attack in flank while engaged in the movement, but, even if it had been safely accomplished, his position would not have been improved, as the Highlanders, who moved with much greater celerity than his heavy-armed troops, would have crossed the river higher up, and have taken up a new position on the heights above him. He resolved, therefore, at all hazards to remain in his present position, "though with impatience," as he remarks, till the enemy should either attack him or retire.

Battle of Killiecrankie.

The hostile armies had now faced each other for more than two hours. It was within half an hour of sunset when the Highlanders were ordered to prepare for action. In spite of the prudent remonstrance of Lochiel, Dundee resolved to lead the charge in person, in order, as he alleged, to gain the confidence of his men by exhibiting a conspicuous example of courage. He took the precaution, however, to exchange the scarlet cassock and bright cuirass which he had worn during the day for a dark-coloured buff-coat, in order to render his person less distinguishable. The signal to charge was now given. The Highlanders raised a great shout, which resounded far and loud from the hills around, while the royal forces, discouraged by the position in which they were placed, and probably exhausted by fatigue, returned a dull and spiritless cheer—a circumstance which did not escape the notice of Lochiel, who immediately interpreted it as an omen of victory. The mountaineers stripped themselves to their shirts and doublets, and advanced down the hill firing their pieces. The right wing of the royal army returned the fire briskly, and did considerable execution, especially among the Macdonalds of Glengarry. Continuing to advance, however, till they were close upon the hostile ranks, the clansmen suddenly threw down their guns, drew their broadswords, and, with a dreadful yell, rushed upon the enemy before they had time to screw on their bayonets to the end of their muskets.* The charge was like a torrent—fierce, rapid, and irresistible. The weight of the columns and the fury of the onset at once broke through the ranks of their opponents, who had no means of defence against the tremendous strokes of the double-edged Highland broadswords. A general panic seized the royal troops, who, according to their own general, "behaved, with the exception of Hasting's and Leven's regiments, like the vilest cowards in nature," and fled down the valley in irretrievable disorder.

Defeat of the royal army.

At the commencement of the battle, Dundee put himself at the head of his small troop of cavalry, and rode towards the enemy. Owing to some misapprehension, however, the men did not advance, and Dundee, on looking back, perceived their hesitation, and, rising in his stirrups, waved his hat to invite them to follow him. As he raised his arm a musket-ball struck him under the armpit on the right side, and inflicted a mortal wound. A soldier named Johnston caught him as he fell from his horse. The dying man asked how the day went. "Well for the king," was the answer, "but I am sorry for your lordship."—"Since the day goes well for my master," replied Dundee, "it is less matter for me." These were his last words. A short time after some of his friends, on reaching the spot, found him just breathing his last, and endeavoured to remove him, but were driven off by the fire of Leven's regiment, which still remained on the field. His body was subsequently stripped by some of his own followers, and left naked on the spot where he fell. In this state it was found after the battle was over, and, wrapped in two plaids, was carried to the Castle of Blair.† A short time afterwards, it was buried in the church of Blair Athol; but no monument marks the spot where his ashes rest, and the church itself has long ago disappeared. A certain class of writers have mourned Dundee as "the last of the Scots, the

Death of Dundee.

* "Dundee had his back to a very high hill, which is the ordinary maxim of Highlanders, who never fight against regular forces upon anything of equal terms without a sure retreat at their back, particularly if their enemies are provided with horse."—*Mackay's Memoirs*, p. 51.

* The process of fixing the bayonet was at this time tedious and awkward. In consequence of his defeat at Killiecrankie, Mackay invented the present plan, which renders the musket available as a pike—one of the greatest improvements in modern warfare. He says, "All our officers and soldiers were strangers to the Highlanders' way of fighting, which mainly occasioned the consternation they were in. Having taken notice on this occasion that the Highlanders are of such a quick motion that if a battalion keep up firing till they be near, to make sure of them they rush upon it before one man can come to their second defence, which is with the bayonet, the general, to remedy this for the future, invented the way to fasten the bayonet to the muzzle on the outside by two rings, that the soldiers might safely keep up their fire till they pour it into the enemy's hearts, and then have no other motion to make but to push it, as with a pike."

† Balcarres' Memoirs, p. 108; MS. note on do., in Library of Christchurch, Oxford; Memoirs of Sir Ewen Cameron; Acts of Parl., 1690; Appendix, pp. 56—58. McPherson printed a speech of Dundee to his troops before the battle, and a letter from him to James, dated the day after. Both documents are spurious. Balcarres states that on the spot where Dundee was stripped there was found next day a bundle of papers, among which was a letter from Melfort, explaining "that notwithstanding what was promised in his majesty's declaration, indemnity and indulgence, yet he had couched his words so that the king could elude them where he pleased, nor would think himself obliged to stand to them."

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last of the Grahams, and the last of all that was great in his native country," and have sought to emblazon his character with the colourings of poetry and romance, but the memory of this cruel and rapacious tool of tyranny, in spite of his courage and ability as a soldier, will continue to be held in merited abhorrence by the people of Scotland to the latest generation.

The victory of the Highlanders was most complete. The baggage, cannon, and stores of the defeated army fell into their hands. About two thousand of the royal forces were slain or taken prisoners. Among those who fell was Mackay's own brother, who was killed by a stroke from a claymore while gallantly exerting himself to rally his broken troops, and Brigadier Balfour, who, according to tradition, was cut down by a Roman Catholic priest named Stewart, brother of the governor of Blair Castle. It is stated in the Jacobite accounts of the battle, that the most terrific blows were struck by the Highland broadswords: heads were cleft down to the throat, skulls were cut off just above the ears; both the bodies and the cross-belts of some of the slain were found to have been cut through at one blow, and pikes and small swords were severed like willows.* The victors lost about nine hundred men, including the brother and son of Glengarry, Haliburton of Pitcur, and various other chiefs and gentlemen of note.

Intrepid conduct of Mackay—

It is probable that but for the coolness and intrepidity of Mackay scarcely a man of the royal army would have escaped. As soon as he perceived Dundee's method of attack, he hastened to charge the Highlanders in flank with the cavalry, in the hope that the day might still be retrieved; and he himself led Belhaven's troop round his left wing to assail the enemy on their right flank, while he ordered Annandale's troop to attack them on the left. But the horse were panic-stricken by the sudden rout of the infantry, and, after some confused firing, took to flight, and rushed wildly down the pass. Accompanied by one faithful servant, whose horse was shot under him, Mackay spurred through the thickest of the enemy, but not a single horseman attempted to follow their general. On turning round to observe the state of matters, Mackay found, to his great surprise, that both armies had disappeared. "In the twinkling of an eye," he says, "our men, as well as the enemy, were out of sight, having gone down pellmell to the river, where the baggage stood." A part of the Earl of Leven's regiment, however, still kept its ground, together with Hasting's infantry, who had repulsed the enemy immediately opposed to them. Putting himself at the head of these men, and accompanied by his nephew,—who, though he had received eight wounds, was still able to ride his horse,—and by Lords Leven, Belhaven, and a few other officers, Mackay marched deliberately down the hill, and crossed the Garry without molestation from the enemy, who were too busily engaged in plundering the baggage of the defeated army to waste a thought on completing their victory.* The situation of the unfortunate general was embarrassing in the extreme. He had with him only about four hundred men, the wreck of a beaten and disorganised army; a victorious enemy had already secured his direct line of retreat; he was ignorant of the country, surrounded by a hostile population, and must have been well aware that if an immediate attack had been made upon his handful of bewildered and disheartened followers, they would have been cut off to a man. But Mackay's courage was sustained by fervent piety and a strong sense of duty, and in the midst of his humiliating defeat and domestic sufferings, he "bated not a jot of heart or hope," but set himself with the greatest coolness and deliberation to extricate his men from their perilous position. His officers recommended a retreat through the pass of Killiecrankie; but rejecting this advice, which would have led to inevitable destruction, the general resolved to strike across the hills towards Strath Tay, and thence to Stirling. He is said to have expressed his conviction that Dundee must have fallen, otherwise he would not have been allowed to leave the field unmolested. Proceeding westward along the bank of the Garry, about two miles from the field of battle, Mackay overtook a party of about a hundred and fifty unarmed fugitives, belonging to Ramsay's regiment. He then continued his march along the edge of a rivulet which falls into the Garry, till he reached a Highland hut. Here he obtained some information from the inmates respecting the country, and by the help of a pocket map was able to find his route over the mountains which separate the Garry and Tummel from the Tay. When daylight broke, it became evident that the news of his defeat had everywhere preceded him. The inhabitants all along the route were in a state of great excitement, and were preparing to join the victorious army. The people of Strath Tay, on the approach of the fugitives, hastily gathered together and set up a loud shout, which so terrified Ramsay's men that a number of them, imagining that their dreaded adversaries were at hand, fled to the hills, where they were killed and stripped by the country people. The remainder of these terror-stricken runaways would have followed their example, but for the promptitude of Mackay and his officers, who, presenting their pistols, threatened to blow out the brains of any man who should attempt to desert.†

—his coolness and presence of mind—

Early in the morning the weary fugitives reached Weems Castle, the seat of the chief of clan Menzies, whose son had fought on the royal side at Killiecrankie, at the

—his retreat to Stirling.

* Memoirs of Viscount Dundee.

* In a conversation between General Wade and an old Highlander who had fought at Killiecrankie, the latter called Mackay a great fool because he did not put his baggage in front of his army. If this had been done, said the old man, Mackay would have gained the battle, as the Highlanders would first have attacked the baggage, and would thus have fallen an easy prey to their enemies.

† Mackay's Memoirs, p. 61.

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head of a company of his retainers. Here Mackay and his men obtained some refreshment, of which they stood greatly in need, having since the preceding morning marched forty miles through a broken and desolate country. After a brief interval of repose they resumed their march, and late at night arrived at Castle Drummond, which was held for the government by a small garrison. Next day (July 29th) they reached Stirling in safety.*

Effect of the news in Edinburgh.

The tidings of the defeat of the royal forces at Killiecrankie reached Edinburgh the day after the battle, and excited the greatest consternation among the adherents of the government. In the absence of official details or authentic information, the disaster was greatly exaggerated. It was reported that Mackay had been killed, and his whole army destroyed; that Dundee was already master of the entire country beyond the Forth, and was advancing by rapid marches to take possession of the capital. A meeting of the privy-council was immediately held, at which orders were issued to raise all the fencible men in the west, and to concentrate all the troops in Scotland at Stirling for the purpose of defending the passage of the Forth. Some of the members of parliament were so much alarmed that they proposed to transfer the seat of government to Glasgow, or to retire for safety into England. Some recommended that the state prisoners should be set at liberty, others advised that they should be sent on board a man-of-war which lay off Leith. Balcarres says that he and his friends, who were confined in the castle and the Tolbooth, received numerous visits from their enemies, making excuses for their past conduct, and protesting they had always wished them well. An express was sent to urge Lanier's regiment, which lay at Alnwick and Morpeth, to hasten down to Scotland; and earnest entreaties were addressed to the king that every soldier who could be spared should instantly be dispatched to the seat of war. During two days this ferment continued, but on the third intelligence was received of the death of Dundee, which was hailed with the greatest joy by the friends of the government, and seems to have been regarded both in Edinburgh and London as a complete set-off against the defeat of the royal army, and as an irreparable blow to the cause of the exiled monarch.

Increase of the Highland army.

At first, indeed, it seemed as if the blow was little felt. The Highland army rapidly increased in number. The Stewarts of Appin, the Macphersons, Farquharsons, and Frasers, attracted by the love of war or of plunder, flocked to the rebel camp at Blair. The Athol men, who, though they had no part in the honour of the victory at Killiecrankie, had obtained a large share of the booty, now hastened to join the stronger side; and ere long Cannon, who, as the officer next in rank, had succeeded to the command, found himself at the head of an army nearly double in number to that which had been commanded by Dundee.

Inefficiency of Cannon, the new commander.

But it speedily became apparent to all that the new general was utterly unfit for his difficult position. He was a stranger to the character and the manners of the Highlanders, as well as to their peculiar mode of warfare, and destitute both of the abilities and the military experience indispensably necessary to secure their respect and obedience: by his timidity and indecision he allowed time to the government to recover from their panic, and to adopt measures which speedily neutralised the victory gained by his predecessor.

Prompt and judicious conduct of Mackay—

The ministers of the crown, in their consternation at the defeat of the royal army, had at first proposed to abandon all the country north of the Forth to the victorious mountaineers. But this injudicious and pusillanimous step met with the strong disapprobation of Mackay, and was given up in consequence of his remonstrances. Collecting with the utmost celerity all the forces that were at hand, together with the remains of his routed army, he determined to take the field at once, and to prevent the descent of the enemy into the low country. He quitted Stirling on Wednesday, the 31st of July, only four days after his defeat, at the head of a body of dragoons, and advanced towards Perth, where he intended to place a garrison. On approaching the town, he learned that Cannon had dispatched a body of his men for the purpose of carrying off some provisions which the council had sent to Perth for the use of the royal troops, and resolved instantly to attack them.

—he defeats a body of Highlanders.

The Highlanders, who had no idea that there was any enemy nearer than Stirling, were completely taken by surprise, and fled in the utmost confusion. A hundred and twenty of them were killed, and thirty taken prisoners, while Mackay lost only a single soldier.

Dissensions among the Highlanders.

This casual rencounter had an astonishing effect in reviving the courage and expectations of the supporters of the government, while it proportionally damped the hopes of the Jacobites. Dissensions soon broke out in the camp of the Highlanders, which their general was utterly unable to repress. He seems to have been quite at a loss what course to pursue; and after lingering some days at Dunkeld, he raised his camp and marched northward, apparently with no distinct object, along the slopes of the Grampians to Braemar, closely followed by Mackay, who moved on in a parallel line on the plain. He then proceeded towards Strathbogie, and at the Castle of Auchindown he called a council of war to consider the expediency of giving battle to the enemy, who was only six miles distant. But before the council could proceed to business, a preliminary question was raised as to the right of the Lowland and Irish officers to give an opinion or a vote on this matter. The Highland chiefs contended that as these

* Mackay's Memoirs; Memoirs of Lochiel; Melville Papers, p. 203, *et seq.*; McPherson Papers, vol. i.

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officers, though holding King James's commission, had no troops under their command, and were wholly unacquainted with the discipline and habits of the Highlanders, of whom the army was almost exclusively composed, they were incompetent to form a correct opinion on the question which the council was called upon to discuss, and were not entitled to be consulted on the subject. But Cannon, by the advice of the Earl of Dunfermline, overruled the objections of the chiefs, to their great displeasure, and decided that the votes of the Lowland officers should be received.

The council then proceeded to consider whether a battle should be hazarded. The chieftains were eager for fighting, and urged that unless this course were adapted the clans would speedily disperse to their homes. But their advice was disregarded, and the majority of the council resolved to return to Athol. This decision excited great dissatisfaction among the Highlanders. Lochiel quitted the camp in disgust, and retired to Lochaber; and Macdonald of Sleat, the most powerful of the confederate chiefs, followed his example, and returned to Skye.

The Cameronian regiment sent to Dunkeld—

The march of the Highland army towards Athol was caused by a most injudicious step on the part of the Scottish privy-council, who had in various ways interfered with and thwarted Mackay's plans. For some reason or other, which does not appear, they had thought fit to order the Cameronian regiment to garrison Dunkeld, in spite of the remonstrances of Mackay, who in vain pointed out the danger of stationing in an open town, commanded on all sides by hills, and in the midst of a hostile population, at a distance from all aid, a body of men so "generally hated and feared in the northern counties." No sooner had the Cameronians taken up the position assigned them, than, as Mackay had foretold, a plan was formed to cut them off. Notice was immediately sent to Cannon by some of the Atholmen, and he was urged to lose no time in striking a decisive blow at the obnoxious covenanters. On receiving this intelligence, the Highlanders broke up their camp in Strathbogie, and marched southward with all haste.

—their perilous position—

On the morning after the arrival of the Cameronians at Dunkeld (August 18), small parties of country people appeared on the neighbouring hills, and the regiment, about twelve hundred strong, apprehensive of an attack, began to intrench themselves in the enclosures around the Marquis of Athol's house at Dunkeld, and took possession of the massive old cathedral tower. In the course of the afternoon, a body of about three hundred men drew up on a hill to the north of the town, and sent the following message to Colonel Cleland, who commanded the Cameronian regiment: "We, the gentlemen assembled, being informed that ye intend to burn the town, desire to know whether ye come for peace or war, and do certify you, that if ye burn any house we will destroy you." To this communication Cleland immediately replied, "We are faithful subjects to King William and Queen Mary, and enemies to their enemies; and if you who send these threats shall make any hostile appearance, we will burn all that belongs to you, and otherwise destroy you as you deserve." On Monday two troops of horse and three of dragoons, under Lord Cardross, were sent up from Perth to the assistance of the garrison; but on the evening of Tuesday, the 20th of August, they were recalled by Colonel Ramsay, from an absurd notion that they could be of little use in defending the position occupied by the Cameronians. The latter imagining, not unnaturally, that they were betrayed and perfidiously abandoned to destruction, remonstrated with their gallant commander, and hinted that their officers, who were provided with horses, might easily save themselves by flight, while the common soldiers had no means of escape. Cleland declared his resolution, and that of his officers, to stand by his men to the last, and instantly ordered all the horses to be brought out and shot. This declaration produced an immediate reaction in the minds of the soldiers. They refused to allow the horses to be destroyed, and assured their intrepid leader that they would defend themselves to the last extremity.

—they are attacked by the Highlanders.

Next morning (August 21) the Highland army, amounting to between four and five thousand men, appeared in battle array on the hills around Dunkeld. They rushed furiously down upon the Cameronians, drove in their outposts, and entered the town at four different points at once. The defenders, however, resolutely maintained their ground within the church-yard and the old cathedral, and behind a wall which surrounded the Marquis of Athol's house. The assailants took possession of the neighbouring houses, from which they kept up a galling fire upon the Cameronians. Within an hour after the engagement commenced, the gallant Cleland, while encouraging his men to stand firm, fell mortally wounded by two bullets, which pierced one his head, and the other his liver, at the same moment.* Henderson, the major of the regiment, immediately after shared the same fate; but the place of these officers was well supplied by Captain Munro, on whom the command now devolved, and the battle continued to rage for three hours with undiminished fury. A party of the Cameronians, annoyed by the fire from the houses, sallied out for the purpose of dislodging the assailants, which they accomplished in a manner as daring as it was effective, by setting fire to the buildings by means of blazing fagots affixed

Death of Cleland.

* Cleland, though a zealous Cameronian, was possessed of respectable literary and scientific attainments. He was the author of a number of hymns and satires, and other poems, which display considerable vigour of mind. He fought at Bothwell Bridge when he was only sixteen years of age, and was in his twenty-sixth year at the time of his death.

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to the points of their pikes. In a short time the whole town was in a blaze. The Cameronians had locked the doors of some of the houses in which the Highlanders were posted, and the piercing shrieks of the unfortunate sufferers who were perishing in the flames added new horror to the scene. No less than sixteen of the assailants were burned to death in one dwelling, and, with the exception of three houses held by the Cameronians, the whole town was consumed.

This desperate conflict, which began at seven o'clock, had now lasted till eleven. The bullets of the Cameronians had some time before been all expended, and they had been reduced to the necessity of stripping the lead from the roof of the marquis's house and forming it into slugs. Their powder now began to fail, and they were revolving the desperate project of retiring into Dunkeld House, and defending it with sword and pike to the last extremity, and burning it over their heads rather than yield. At this critical moment the fury of the attack began to slacken. The ammunition of the assailants also was all spent.* In spite of their immense superiority in numbers, they had failed to make any impression upon their indomitable adversaries, whose courage was sustained by a principle of which the Highlanders knew nothing.

Repulse of the Highlanders.

The latter could no longer maintain themselves among the smoking ruins of the town, and believing the struggle to be hopeless they began to retire to the hills, and in spite of the urgent remonstrances of their general, were soon in full retreat towards Blair, leaving three hundred of their fellow clansmen dead on the spot. They were ready, they declared to Cannon, to fight with men, but they would not again encounter devils.† The victorious Cameronians threw their caps into the air with a loud shout; and to show their gratitude to God for "so miraculous a victory," they spent a considerable part of the afternoon in singing psalms of thanksgiving and triumph.‡

The Highland army break up.

The mortifying repulse which the Highlanders sustained at Dunkeld filled up the measure of their dissatisfaction with their incompetent commander. Victory and defeat were alike fatal to their long continuance in the field; and, according to their custom, they now deserted by hundreds. On reaching Blair, the chiefs signed a bond of association, promising to support the cause of King James, and to meet again on a future day.§ They then dispersed, and returned each to his own home, leaving the Irish and Lowland officers to shift for themselves. Cannon retired to the Isle of Mull, and took up his residence with the chief of the Macleans. Thus, in spite of the brilliant victory gained by his adherents at the commencement of the campaign, its results were most unfavourable to the cause of James. In no part of the country were his supporters able to keep the field. The Castle of Blair fell into the hands of the government without a blow. Finlarig Castle, at the head of Loch Tay, also received a royal garrison; and Mackay was at length enabled to carry into execution his long-cherished project, of establishing a chain of military posts to keep the Highlanders in check.

Arrival of General Buchan.

After the defeat at Dunkeld, the Highland chiefs represented to the exiled monarch the precarious state of his affairs in Scotland, and earnestly solicited from him a supply of money and arms to enable them to continue the war. Very little attention, however, was paid to their demands; but in the spring of 1690 a vessel was sent from Ireland with a small supply of provisions, ammunition, and money, accompanied by Major-general Buchan, who bore a commission appointing him commander-in-chief of all the Jacobite forces in Scotland. Cannon was nominated second in command. The new general, however, proved as inefficient, and as ignorant of Highland tactics, as his predecessor. On his arrival, a meeting of the chiefs was held at Keppoch, to deliberate upon the course they should pursue. Many of them were exceedingly averse to the renewal of hostilities, and but for the influence of Lochiel the cause of James would have been abandoned in despair. He had adhered, he said, to the cause of Charles II. at a time when it was more hopeless than that of his royal brother now was, and for his own part he would neither listen to terms from the government, nor lay down his arms, without an express order from King James. In consequence of the urgent remonstrance of this brave and powerful adviser, the assembled chieftains resolved that before the end of summer they would muster their clans and renew the war. In the meantime, a body of about twelve hundred men were placed at the disposal of Buchan, in order that he might employ the interval in beating up the enemy's quarters along the borders of the Lowlands, and keeping them in a state of constant alarm.

The chiefs resolve to renew the war.

Incompetency of Buchan—

With this view the Jacobite general marched down Strathspey, and, with singular want of judgment and caution, encamped, on the 30th of April, on a haugh or level plain, called Cromdale, on the right bank of the river, a short distance below Grantown, a spot where troops like the Highlanders are most open to attack, and least capable of making a successful resistance. Information of Buchan's having taken the field had been sent by Mackay to Sir Thomas Livingston, an able and experienced officer, whom he had stationed at Inverness with his regiment, to watch the proceedings of the Highlanders. At the head of a select body of twelve hundred men, including about four hundred Highlanders, chiefly of the clan Grant, and several troops of cavalry and dragoons, Livingston immediately marched in search of the enemy; and

* Balcarres' Memoirs.
† Life and Diary of Colonel Blackadder.
‡ Ibid.; Exact Narrative of the Conflict at Dunkeld between the Earl of Angus's regiment and the rebels, &c.
§ Records of parliament.

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on arriving within eight miles of Strathspey, he received notice from the captain of Castle Grant of the position they had taken up. He resolved at once to avail himself of the favourable opportunity to attack them, while they were reposing in fancied security, "just," says Mackay, "as if they had been led thither by the hand as an ox to the slaughter." Under cover of night, and guided by a gentleman of the name of Grant, Livingston's forces marched down a defile called Auchinarrow to the bank of the river. Here he found a ford guarded by a small body of Highlanders, and leaving a detachment of his men to distract their attention, he crossed the river, about daybreak, with the remaining body by another ford, which was unprotected. The slumbering mountaineers started from sleep in great confusion on finding the dragoons galloping through their encampment, and with the instinct of their race instantly fled for refuge to the hills. A number of them, on finding their retreat cut off by the cavalry, turned on their pursuers, and defended themselves with great bravery, but with little effect. Buchan ran away bareheaded, and without his coat and sword. Cannon escaped in his shirt. The royalists, according to Mackay, did not lose one man, while three hundred of the Jacobites were killed and a hundred taken. The remainder escaped under cover of a thick mist, which, as frequently happens in the Highlands at dawn, covered the summits of the mountains, while all was clear below.*

—his total defeat.

This ignominious defeat, together with the disastrous result of the Irish campaign, satisfied the Jacobite chiefs that it was impossible any longer to continue the war in the Highlands, and a number of them hastened to make terms with the government. Buchan and a few of his officers took refuge with Glengarry, while Cannon with the remainder retired to the western isles. Mackay was at length enabled to carry into effect his sagacious plan for the pacification of the Highlands, by the erection of a fortress in a central district of the country. The spot selected was Inverlochy, where a fort had been erected by Cromwell, which commanded both the passage along the chain of lakes that now form the Caledonian Canal, and the communication by sea with the western isles and with Ireland. Accordingly, on the 15th of May, some ships were sent thither from Greenock, under Major Ferguson, while on the 18th of June Mackay himself quitted Perth at the head of about three thousand men, and marched into Lochaber without meeting any resistance. The work commenced on the 5th of July, and in a few days the erection of the fort was completed. It was protected by palisades and a fosse, and armed with some demi-culverins from one of the ships of war, and received the name of Fort William in honour of the king. Mackay then took his departure for the south on the 18th, leaving a garrison of a thousand men in the new stronghold, under the command of an officer named Hill.

Dispersion of the Highlanders.

Erection of Fort William.

We must now return to the proceedings of Montgomery and the other unprincipled and factious leaders of the Club. The public morality of the Scottish statesmen at this period was of the lowest kind, and the situation of the country in the midst of these base and selfish contests was calculated to inspire the gravest apprehensions. The conduct of both parties was regarded by the honest and upright Mackay with profound disgust. He saw parliament and the council divided into hostile factions, utterly neglecting the public welfare in their selfish struggles for office and power; the nobility discontented; the people oppressed; the army unpaid, disorderly, and mutinous; the "Church divided into two more irreconcilable factions, though both calling themselves Protestants, than Rome and Geneva;" matters which the first reformers regarded as of the most trivial character preferred by the "religious zealots" among the extreme presbyterians to the wellbeing of the Protestant faith; and the episcopal ministers preaching "King James more than Christ, as they had been accustomed to take passive obedience more than the gospel for their text." No wonder that a man of an honourable yet conciliating disposition, like Mackay, should in these circumstances come to "look upon Scotsmen of those times in general as void of zeal for their religion, and of natural affection, seeing all men hunt after their particular advantages, and none minding sincerely and self-deniedly the common good."*

Proceedings of the Club.

Low morality of Scottish statesmen.

It is well known that William himself shared largely in these sentiments. On one occasion, when disgusted by the factious proceedings of the Club, and the perfidy and shameless greed of the commissioner, he was provoked into exclaiming, "I wish to heaven that Scotland were a thousand miles off, and that the Duke of Hamilton were king of it; then I should be rid of them both!"

Some weeks after the close of the session of parliament, the dominant party prepared a "humble representation" to the king, complaining bitterly of the course followed by the government; and accusing William himself of evading the Claim of Right, and of selecting his ministers from among the former oppressors of the country. Montgomery, with his two principal associates, Lords Ross and Annandale, went to London in opposition to his majesty's injunctions, and on the 15th of October presented this remonstrance to the king in person. The marked displeasure with which they were received convinced them that they had no hope of regaining the royal confidence or favour. Irritated by disappointed ambition and poverty, Mont-

Remonstrance presented to the king.

* Balcarres, pp. 89, 93; Livingston's Report, May 1. This defeat is commemorated by "The Haughs of Cromdale," one of the few beautiful Scotch airs associated with the victories of the whigs.

* Mackay's Memoirs, p. 77.

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gomery resolved to transfer his services to the king whom he had helped to banish; and in conjunction with Ferguson, the notorious plotter, and Neville Payne, a well-known Jacobite agent, he entered into a plot for the overthrow of the government, and the restoration of the exiled monarch.* His two associates, Annandale and Ross, who were actuated by the same base and selfish motives, readily entered into the conspiracy. They did not conceal that the objects they had in view were purely mercenary. As Annandale afterwards confessed, Montgomery came and "proposed to him that since there was no hope of doing anything with the king, we ought to apply ourselves to King James, who was our lawful prince, and who no doubt would give us what preferments and employments we pleased."† Negotiations were immediately entered into with the Jacobites, and arrangements were made for a combined attack upon the government. A correspondence was opened with James, who as we shall see readily accepted the offers of the conspirators, and conceded the whole of their demands; and Montgomery received from the Jacobites in London a considerable sum of money, which James's queen had transmitted to England to assist in carrying out the plot.‡

Plot of the leaders of the Club—

—they open a correspondence with James.

On reaching Edinburgh, Montgomery, along with his two noble accomplices, proceeded to form a coalition with the leaders of the Jacobite party, and to concert measures for the overthrow of the government. The plan they agreed upon was to propose to the Estates the adoption of certain extreme measures, with which they felt assured that William would never comply, and to refuse to grant any supplies until their demands were satisfied. They expected that in the end the king would dissolve the parliament in disgust, while in the meantime the army would necessarily be disbanded, owing to the want of money. The government would thus be left to the mercy of their enemies, and the exiled monarch might without difficulty be reinstated by an insurrection of the Highland clans, aided by a descent from Ireland. In order to secure this, however, it was necessary for the conspirators to strengthen their majority in parliament; and for this purpose the Jacobites were urged to return to their seats, and to take the oaths of allegiance to William and Mary. A few of them felt some scruples about swearing fidelity to a sovereign whom they were conspiring to dethrone, and others who had no such scruples about the matter were afraid that they might give offence to James by pledging their faith to William. Balcarres admits "that to take an oath of allegiance to an usurper, to join with their mortal enemies, and to comply with them in things which had always been against their own principles, were so hard to get over, that some had great difficulty to overcome them, nor ever could any have done it, but for the great desire they had to be instruments in the restoration of James and the ruin of his enemies."* It was alleged by those who were supposed to be in the confidence of the exiled monarch, that he wished his friends to take the oath of allegiance; and, accordingly, when the parliament opened, nearly the whole of the Jacobite leaders covered themselves with infamy by vowing fealty to the sovereign for the express purpose of betraying him. The Duke of Hamilton, who had deservedly forfeited the confidence of William, was superseded as commissioner by Lord Melville. The king had determined to open the Scottish parliament in person, but the urgency of affairs in Ireland compelled him to lay aside his intentions, and to proceed at once to that country. Melville came down to Scotland armed with the most ample authority, and opened the parliament on the 15th of April, 1690, but the dispatch of business did not commence till the 25th. During the first days of the session the commissioner was so diffident of his strength, and so afraid of the issue, that he had almost determined to dissolve the parliament, but it soon appeared that his apprehensions were unfounded. Montgomery had greatly overrated his influence in supposing that he could prevail upon his followers of the Club to coalesce with the Jacobites. The staunch presbyterians, who were kept profoundly ignorant of the motives and plans of Montgomery and his accomplices, could not be induced to unite with men who had been the abettors of the cruel and tyrannical proceedings of the banished king, and abandoned in disgust the policy of their factious and unprincipled leaders. The commissioner had been empowered to gain over the opponents of government by the distribution of office, and even, if necessary, by direct pecuniary bribes;† and it appears that several

Policy of the conspirators.

Perjury of the Jacobites.

Meeting of parliament.

* Melville Correspondence, p. 506.

† Balcarres sarcastically remarks, "Now, were there ever two better matched than Mr. Payne and Sir James Montgomery! for Mr. Payne made him believe that he could dispose both of titles of honour, employments, and money, as he pleased; and the other, in turn, made him believe he was able to twirl the whole nation round his thumb with a speed."—*Memoirs.*

‡ Balcarres states that Montgomery received from Mr. Ashton eleven hundred guineas to advance the interest of James, and that he entrusted the money to the Marquis of Athol to carry down to Scotland, and he seems to have kept it. (Memoirs, p. 82.)

* Memoirs. The Earls of Home and Lauderdale, Lords Oxenford and Stormont refused to follow their party in this perfidious and disgraceful policy.

† "You are allowed to deal with leading men in the parliament, that they may concur for redressing of the grievances, without reflecting upon some votes of parliament much insisted on last session, which upon weighty considerations we thought not fit to pass into laws; and what employment or other gratification you think fit to promise them in our name we shall fulfil the same.

"You are to deal with all other persons as you shall have occasion, whom you judge most capable to be serviceable unto us, that they may be employed as instruments of taking off these leading men, or for getting intelligence, or for influencing shires or royal boroughs, that they may instruct their commissioners cordially to comply with our instructions for redressing of the grievances; and what money or other gratifications you shall promise them shall be made good."—*Melville Papers*, p. 417.

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members of the Club had been induced by such discreditable means to change sides. The first trial of strength took place on a contested election for a borough. The government carried their point by a majority of six, and their superiority once decided, their ranks were immediately swelled by crowds of the venal and timid, who, with the low morality which characterised the Scottish statesmen of that day, hastened at once to join the stronger side.

Ignominious defeat of the Club.

Montgomery and his associates were bitterly mortified at this unexpected turn of affairs, but though they now despaired of carrying their object, they determined to remain at their post, and to exert all their influence to embarrass the government, and to obstruct its measures. With this view they made an effort to revive the disputes of the preceding session, but without effect. The commissioner had been instructed to make various concessions, which were highly popular with the great majority of the Estates. The royal assent was given at the outset to two important laws—one for repealing the obnoxious Act of Supremacy, which invested the sovereign with authority over all causes ecclesiastical as well as civil; the other for the restoration of those presbyterian divines who had been ejected since 1661, for refusing to acknowledge episcopal authority.* These acts had passed through parliament during the preceding session; but Hamilton, irritated by the factious conduct of the Club, had refused to touch them with the sceptre. The Committee of Articles, which had excited so much opposition, was prudently given up, and the right of parliament to appoint committees at pleasure was fully recognised. An attempt was made to renew the bill excluding the officers of the crown from the lords of articles, but a compromise offered by the government was agreed to, allowing them to sit and deliberate upon the measures laid before them, but not to vote. Gratified by these concessions, the Estates granted a supply, which, though small in the estimation of English statesmen, was liberal for the means of the country. The sum of a hundred and sixty-two thousand pounds sterling was voted to be raised in the course of four years, and the sixth penny of money derived from interest or annuities was granted for a year, but converted afterwards into a tax on hearths.† An important change was made in the representation of the counties, and twenty-six commissioners were added to the estate of the barons—measures which contributed to strengthen the crown and to counterbalance the recent increase of the peerage. The iniquitous forfeitures of the last reigns were reversed. Special acts were passed for the restoration to their honours and estates of such distinguished persons as Argyll, Melville, Fletcher of Saltoun, Baillie of Jerviswood, and Carstairs; but by one general act the forfeitures and fines incurred since the insurrection at Pentland, in 1665, were repealed, and upwards of four hundred attainted persons, many of them belonging to the humblest classes, were restored by name. Measures were at the same time taken to rescue their estates out of the hands of the grasping sycophants on whom they had been conferred, and recourse at common law was allowed against those who had received fines or compositions, for the recovery of the money.

Policy of the government.

Important laws passed.

Supply granted.

Forfeitures reversed.

The good understanding which now existed between the government and the great majority of the Estates was deeply galling to the Jacobites, who found when too late that they had to no purpose incurred the guilt and infamy of perjury. Montgomery, in his mortification and rage, lost all self-command, and "scolded like a waterman." "Rogue, villain, and liar," were the epithets which he interchanged with Sir John Dalrymple, his triumphant rival. Seeing his party daily diminishing, the baffled plotter resolved to make one desperate effort to divide the presbyterians and embarrass the ministry. The delicate question of church government had not yet been introduced into the house. It was known that the king was favourable to a moderate episcopacy, and that he was most unwilling to consent to the abolition of patronage. Montgomery, therefore, believed that the instructions of the commissioner did not authorise him to accede to the wishes of the presbyterians, and endeavoured to incite the more zealous members of the party to demand what he was persuaded the government would not grant. "He knew," he said, "that there were instructions for settling religion; and he thought it was a disgrace to the meeting that it was not yet done, but the reasons were very clear. Some, to flatter the court at the expense of their own principles, had delayed it, and others were divided in their opinion about it. One party were for setting up a certain kind of Erastian presbytery like that of Holland, and another for supporting civil patronage in the Kirk; but he protested against all compromise. Scotland would not tolerate any form of church government except the presbyterian, as it was settled in the memorable year 1648. That system was not only most accordant to the Word of God, but the best fitted to curb the excesses of wicked kings and arbitrary governments, under which they had so long groaned." His Jacobite associates heard this speech with surprise and disgust; but to his unspeakable mortification his proposal was approved of by the house, and a committee composed of the leading presbyterians was appointed to consider the subject. The ecclesiastical constitution of the realm was settled in accordance with the wishes of the great body of the people; the presbyterian form of government was re-established; the West-

Mortification of the Jacobites.

Question of church government, and of patronage.

* See *supra*, p. 753.
† Acts Parl., June 7, 1690.

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minster Confession of Faith was sanctioned; and by a supplementary act every office-bearer in every university of Scotland was required to sign this confession, and to promise that he would conform to the doctrine and discipline of the Presbyterian Church.* Finally the law of patronage was abolished, but it was enacted that the sum of six hundred marks, equivalent to about thirty-five pounds sterling should be given to every patron as a compensation for his rights.† The nomination of ministers to vacant charges was entrusted to the Protestant heritors and elders.‡ By these well-timed and judicious concessions, the great body of the people of Scotland were conciliated; the parliament, in the words of Melville, "was dismissed with as little discontent as might be, and the presbyterians were gratified in the business of patronage in the way that was least offensive;"§ and the session which had commenced with great apprehensions on the part of the commissioner, and with factious and turbulent opposition on the part of the Estates, was closed with mutual expressions of satisfaction.

Arrival of despatches from St. Germains.

While these proceedings were taking place in parliament, Simpson, the messenger, whom the three arch-conspirators had dispatched to St. Germains, arrived in Edinburgh, bringing with him an answer to their offers of service, and various other important documents, from the exiled monarch and his consort. James seems to have given implicit confidence to the vain boastings and promises of the chiefs of the Club, and with the characteristic ingratitude of his family, completely overlooked his old supporters in his eagerness to reward his new friends. Their names were not even mentioned in the despatches; the confidence of the foolish and cold-hearted exile was reserved for his former enemies, whose unprincipled apostasy had so completely gained his favour, that he left the management of his affairs entirely in their hands. Montgomery was to be Earl of Ayr and secretary of state for Scotland; Annandale was to be created a marquis, and was appointed governor of Edinburgh Castle, and commissioner to the parliament; Ross was to be an earl, and the commander of the guards. There was, among other documents, a commission to a council of five, which all loyal subjects were enjoined to obey. This council was composed of Annandale, Ross, Montgomery, and Arran, eldest son of the Duke of Hamilton; and it was conjectured that the duke's own name was to fill one of the places which was left blank. A general indemnity was granted, with only six exceptions: Lord Melville, and his son, Lord Leven, Generals Mackay and Douglas, Bishop Burnet, and Sir John Dalrymple. Five thousand pounds were at the same time remitted to Montgomery's order by the exiled queen, and he was informed that a further sum of equal amount would speedily follow.* Montgomery seems to have been afraid to exhibit to his Jacobite associates the commission to the council of five, and the patents for the new honours bestowed on the whig conspirators; and, if credit is to be placed in the confession of Annandale, he withdrew these, and other important documents, from the letter-bag in the presence of the latter; and then, resealing it, invited the other plotters, Queensberry, Athol, Balcarres, Breadalbane, and Livingston, to meet in Athol's lodging to examine despatches which he had just received from King James.† The suspicions of Balcarres, however, had been excited, and on examining the seals and cording of the packet, he declared that they had been tampered with. Montgomery made the most solemn protestation that this charge was unfounded, but no credit was given to his denial. Mutual recriminations followed, the unprincipled coalition was forthwith dissolved, and its members separated in disgust. Two days after, the whole papers were burned in Breadalbane's lodgings by Montgomery and his two associates, to prevent discovery.

Ungrateful behaviour of James.

Trickery of Montgomery.

The coalition is broken up.

The three original conspirators, distrustful of each other, and mutually apprehensive of treachery, hastened to purchase their own safety by betraying their associates. Ross led the way in this race of infamy. He sent for a presbyterian clergyman named Dunlop, and, with many tears and expressions of remorse, made a partial confession of the plot. He then procured a pass from Lord Melville, and, proceeding to London, repeated his story to the queen, declaring that he had been seduced into the conspiracy, which he always disliked, by Montgomery and Ferguson, but he refused to be a witness in open court against his accomplices. The moment was critical, for William was absent in Ireland; the battle of the Boyne had not been fought; the humiliating defeat of the British fleet at Beachy Head, through the incompetency and gross misconduct of Admiral Torrington, had just taken place; the French were masters of the sea; and the allied powers had been repulsed at Fleurus. Mary, however, displayed great courage and prudence. She carefully took notes of Ross's revelations, and demanded from him categorical answers to

The conspirators betray each other.

* This obnoxious act continued in force down to 1853, when it was happily repealed, mainly through the exertions of Lord-Advocate Moncrieff, to whom Scotland owes a deep debt of gratitude for his unwearied efforts to improve and extend her educational institutions.

† Burnet affirms that Melville exceeded his instructions in consenting to the abolition of patronage, and thereby lost all his credit with the king. But this is a gross mistake, for William in his private instructions to Lord Melville, dated 25th February, 1690, expressly says, "You are to pass an act for abolishing patronages, if the parliament shall desire the same." See also "His Majesty's Remarques upon the Act for Settling Church Government in Scotland." Appendix to the present work, O. Lord Melville himself affirms that "his instructions amply warranted what he did," and he adds that Scotland would probably have been lost if he had not made the concession (Preface to the Leven and Melville Papers, p. xxiv.).

‡ See *supra*, p. 754.

§ Melville and Leven Papers, Preface, p. xxiv.

* Leven and Melville Papers, pp. 483, 484.

† Ibid., p. 510.

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a series of searching questions. Meanwhile, Montgomery, having heard of Ross's confession and departure for court, determined to secure his own safety, and told his story also to Melville, promising at the same time to put into his hands the letters of the exiled king. He too obtained a pass for England, having received from Melville the assurance of an indemnity, on condition that he should make a full and ingenuous confession to the queen of all he knew of the plot. He accordingly waited upon her majesty, revealed the names of his accomplices, and stated, though cautiously, the nature and object of their conspiracy. He pleaded in extenuation his reduced circumstances, made many protestations of his anxiety to devote himself to the cause of the queen, and implored her to accept of his services. Mary seems to have been so much moved by the entreaties and adroit flatteries of this accomplished but unprincipled plotter, that she was willing to have acceded to his terms. But William refused to do more than bestow upon him a pardon on condition that he should give evidence against his accomplices. In the end, Montgomery, after lying hid for some months in London, fled to France to escape a warrant which was issued for his apprehension. The short remainder of his life was spent for the most part abroad, in constant but abortive plots against the government. He died in exile, mainly it is believed of vexation and grief. Such was the miserable end of this able, but versatile politician, who wanted nothing but honesty to have rendered him one of the most influential Scottish statesmen of his age.

Fate of Montgomery.

Annandale, the remaining member of this infamous triumvirate, on learning that Ross had turned informer, first of all retired to Bath, but hearing that a warrant was out against him, he fled to London, and was secreted for several weeks in the house of Ferguson, his fellow plotter. At length, tired of concealment, he sent for Lockhart, the Scottish solicitor-general, and on receiving a promise of indemnity, and assurance that his evidence was not to be used against the persons implicated by it, he made a full confession of his share in the plot. Like Ross, he pretended to have been seduced into treason by Montgomery, "the worst and most restless man alive," who had so arranged matters that his accomplices "had little more to do but say Amen" to his plans.

Among the persons compromised by the revelation of Annandale was Neville Payne, who does not seem to have been named as an accomplice either by Ross or Montgomery. A warrant having been issued against him on a charge of high-treason, he fled to Scotland in the disguise of a merchant, and took refuge in Annandale, in the house of one of the earl's servants. There is some reason to suspect that he was frightened into taking this imprudent step, in order that he might be subjected to torture, which the law of England did not permit. This cruel expedient for the purpose of forcing a prisoner to give evidence against himself, though denounced by the Claim of Right, was still permitted by the Scottish law in special and important cases; and, as there was no legal evidence of Payne's accession to the conspiracy of Montgomery and his associates, it was resolved to put him to the question. Lockhart, one of the Scottish law officers, wrote from London to Lord Melville, stating that Payne knew secrets that would "hang a thousand," but that he would reveal nothing except under the torture. "Pray you," he adds, "put him in such hands as will have no pity on him, for in the opinion of all men he is a desperately cowardly fellow." To the disgrace of the government, this cruel advice was adopted, and on the 6th of August, as the privy-council records show, Payne was subjected to torture on suspicion of a "treasonable and hellish plot." But the courage and constancy of the unhappy prisoner disappointed the expectations of his tormentors, and put to shame his selfish and craven accomplices. He obstinately refused to say a word which would either implicate others or criminate himself. In the hope, doubtless, that his fortitude would at length give way, instructions, signed by the king and countersigned by Lord Melville, were issued to the privy-council on the 10th of December, directing them "that in case he prove obstinate and disingenuous, they should proceed against him to torture with all the rigour that the law allows." But the firmness of Payne bade defiance alike to the thumb-screws and the boots, and "in a boasting manner," says one of the spectators, "he bade them do with his body what they pleased."

Neville Payne—

—he is put to the question—

—his refusal to confess.

The following description, which Lord Crawford, president of the council, gives of this disgraceful scene, may serve to show the low standard of morality among the statesmen of that day:—

"Yesterday, in the afternoon, Neville Payne (after near an hour's discourse I had with him in the name of the council, and in their presence, though at several times by turning him out, and then calling him in again) was questioned upon some things that were not of the deepest concern, and had but gentle torture given him, being resolved to repeat it this day;—and which, accordingly, about six this evening we inflicted on both thumbs and one of his legs, with all the severity that was consistent with humanity, even unto that pitch that we could not preserve life and have gone further,—but without the least success; for his answers to our whole interrogatories that were of any import were negatives. Yet he was so manly and resolute under his suffering, that such of the council as were not acquainted with all the evidences were brangled, and began to give him charity that he might be innocent. It was surprising to me and others, that flesh and blood could without fainting, and in contradiction to the grounds we had insinuate of our knowledge of his accession in matters, endure the heavy penance

Crawford's description of the torture scene.

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he was in for two hours; nor can I suggest any other reason than this, that by his religion and its dictates he did conceive he was acting a thing not only generous towards his friends, but likewise so meritorious, that he would thereby save his soul, and be canonised among their saints. My stomach is truly so far out of tune by being a witness to an act so far cross to my natural temper, that I am fitter for rest than anything else. Nor could any less than the danger from such conspirators to the person of our incomparable king, and the safety of his government, prevailed over me to have, in the council's name, been the prompter of the executioner to increase the torture to so high a pitch. I leave it to other hands to acquaint your lordship, how several of our number were shy to consent to the torture, and left the board, when by a vote they were overruled in this. I shall not deny them any charity that this was an effect of the gentleness of their nature; though some others, of a more jealous temper than I am, put only another construction on it."*

Payne's illegal detention.

Such was the general indignation which these infamous proceedings excited, that Payne was the last person put to the torture in Scotland. But though no legal evidence of his guilt could be obtained, the unhappy conspirator was not set at liberty. After enduring the utmost agony that his frame could sustain, he was kept a close prisoner in the Castle of Edinburgh, neglected or forgotten by his political associates. His nephew, however, on the 6th of January, 1691, presented a petition to the privy-council, representing that in the present shattered condition of his uncle's health close confinement would prove fatal to him. The council had the courage and honesty to remonstrate with his majesty on the illegal detention of Payne, and to represent that in the Claim of Right it was declared to be contrary to law to detain accused persons long in confinement without bringing them to trial; and they urged that either the lord-advocate should be instructed to prosecute Payne, or that he should be removed to England. This remonstrance, however, seems to have been wholly ineffective, for to the scandal alike of the government, and of the courts of law, Payne was detained ten years in confinement without being brought to trial.†

The agitation connected with the expulsion of the Stewart dynasty, and the remodelling of the constitution, had now in a great measure subsided in the Lowlands of Scotland, but the civil war still continued to smoulder in the mountainous districts of the country. The state of the Highlands caused considerable anxiety to the English government; and it was now at length resolved to try the expedient recommended two years before by Lord Tarbet, and to lay out a sum of money, which has been variously stated at from twelve to twenty thousand pounds, in conciliating the Jacobite chieftains.

State of the Highlands.

Character of the Earl of Breadalbane—

The agent entrusted with the distribution of this money was John Earl of Breadalbane, the head of a powerful branch of the great clan Campbell. This nobleman, who has obtained an infamous notoriety in connection with this affair, was one of the most unprincipled Scottish statesmen of that day. He had been by turns a supporter of absolute monarchy, and a friend of the Revolution settlement; had sworn allegiance to the new sovereigns, and had joined in the recent conspiracy against them. He was at once cruel, treacherous, and venal, and is described by a contemporary as being "grave as a Spaniard, as cunning as a fox, wise as a serpent, but as slippery as an eel. No government," he adds, "can trust him, but where his own private interest is in view."* The choice of such an agent for the management of this important and delicate affair was every way unfortunate. Breadalbane was obnoxious to the Jacobite chiefs, both on account of his personal character, and his connection with their hereditary enemies, the Campbells. As might have been expected, therefore, the negotiations proceeded slowly. A number of the leading chiefs were seen at different times crossing the range of lofty mountains on the north-west of Loch Awe to Kilchurn, Breadalbane's Castle, situated on that inland lake; and on the 30th of June a conference was held between the earl and the assembled body of Jacobite leaders, at a place called Achallader, in Glenorchy; but no satisfactory arrangement could be made. The chiefs were indeed quite willing to come to terms, and to accept the proffered money; and their exiled sovereign, on learning from themselves the hopelessness of further resistance in existing circumstances, had given them permission to make their peace with the government, on condition that they should be ready to take up arms again in his cause whenever a favourable opportunity should arise. But in spite of this sanction very little progress was made. The chiefs were well aware of Breadalbane's duplicity and selfishness, and, suspecting that under one pretext or other he would contrive to appropriate the greater part of the money to his own use, they refused to put any trust in his promises.† They even charged him with playing a double game, and alleged that he advised them to give in their adherence to the government for the present, but to hold themselves in readiness to take up arms again for King James when he should call upon them to do so. This accusation had, without doubt, been made known to King William's advisers, who entertained well-founded suspicions of Breadalbane's fidelity; and various letters were written to him

—his negotiations with the chiefs—

—their distrust of him.

* Melville Papers, p. 582.

† Ibid., pp. 520, 521; Burnet, vol. ii. p. 62; Burton, vol. i. p. 86.

* Memoirs of the Secret Services of John Mackay, p. 199.

† When afterwards asked by Lord Nottingham to account for the money, he answered, "The Highlands are quiet, the money is spent, and that is the best way of accounting among friends."

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by the Master of Stair and the Earl of Linlithgow, which were evidently meant to impress him with the conviction that his proceedings were narrowly watched, and that the best evidence he could give of his sincerity was to bring the matter quickly to a successful issue.* Stimulated by the urgent representations of the government, as well as by his own interest, Breadalbane exerted himself to the utmost to induce the Highlanders to submit to the government, but without effect. The authority to Breadalbane to conduct the negotiations was dated 24th April, 1690; and at the close of the autumn of 1691 the chiefs had not come to terms.

Proclamation issued by the government.

The Scottish advisers of the king, therefore, resolved to try the effect of threats, as well as of bribes; and, on the 27th of August, they issued a proclamation promising an indemnity to every rebel who should swear the oath of allegiance, in the presence of a civil magistrate, before the 1st of January, 1692, and threatening with the penalties of treason and military execution—letters of fire and sword, as they were termed—those who should hold out after that day.

Vindictive policy of the Master of Stair.

This proclamation was drawn up by the advice of Secretary Stair; and it appears from his correspondence with Breadalbane, that he cherished the hope that a number of the chiefs would refuse to take the oath, and would thus afford the government a plea for inflicting on them the punishment of traitors. "God knows," says he in a letter to the earl, dated September, 1691, "whether the twelve thousand pounds had not been better employed to settle the Highlands or to ravage them; but since we will make them desperate, I think we should root them out before they can get that help they depend upon. Their doing after they got King James's allowance is worse than their obstinacy, for those who lay down arms at his command will take them up by his warrant."

Again, in a letter dated October 27th, he says, "You have done very generously, being a Campbell, to have favoured so much for Macdonalds, who are the inveterate enemies of your clan; and both Glengarry and Keppoch are papists, and that 's the only papist clan in the Highlands. Who knows but by God's providence they are permitted to fall into this delusion that they may only be extirpate, which will vindicate their majesties' justice, and reduce the Highlands without further severity to the rest." Four days later, the Earl of Linlithgow, one of the lords commissioners of the Treasury, recommends Breadalbane to "push the clans to do one thing or other, for such as will stand it out must not expect any more offers, and in that case those who have been their friends must act with the greatest vigour against them, and delay to the last cannot be considered as frank dealing." "The last standers out," he adds, "must pay for all; and, besides, I know the king does not care that some do it, that he may make examples of them." On the 3rd of November, Stair says, "I wrote to you formerly that if the rest were willing to concur, as the crows do, to pull down Glengarry's nest this winter, so as the king be not hindered to draw four regiments from Scotland, in that case the destroying him and his clan, and garrisoning his house as a middle for communication between Inverlochy and Inverness, will be full as acceptable as if he had come in. This answers all ends, and satisfyes those who complain of the king's too great gentleness." Again, in a letter dated the 3rd of December, he says, "By the next I expect to hear either these people are come to your hand, or else your scheme for mauling them, for it will not delay." Then after mentioning the warlike preparations which were making to carry the threatenings of the proclamation into effect, he adds, "I am not changed as to the expediency of doing these things by the easiest means, and at leisure; but the madness of these people, and their ungratefulness to you, makes me plainly see there is no reckoning on them, but *delenda est Carthago*. . . Look on, and you shall be satisfied of your revenge." . . Because I breathe nothing but destruction to Glengarry, Tarbet thinks that Keppoch will be a more proper example of severity; but he hath not a house so proper for a garrison, and he hath not been so forward to ruin himself and all the rest. But I confess both 's best to be ruined." It is evident from these letters that the main object of King William and his advisers was to effect such a settlement of the Highlands as should set at liberty the troops which were stationed in that district of the country; that they were willing in the first instance to accomplish this by the offers of an indemnity, and of a sum of money to the chiefs, but that when this means had proved unsuccessful they were desirous of an opportunity to inflict summary vengeance on some of the leading offenders.

The chiefs take the oath of allegiance.

It is alleged that the chiefs received information of these hostile intentions of the government, and resolved to avert the threatened danger by giving the pledge which was demanded of them. Whatever may have been the cause, it is evident that they had taken the alarm, for towards the end of the year they flocked, with a unanimity as suspicious as it was remarkable, to take the oath of

* In a letter dated September, 1691, Secretary Dalrymple tells Breadalbane that he has been accused of arranging the cards for James. "Nobody," he says, "believes your lordship so base, or that you could believe that there could be any secrets in your treaties where there were so many ill eyes upon your proceedings; but the truth will always hold fast. . . . . I have heard there are endeavours using to make the Highlanders either own their base terms, as promised by your lordship, or else to declare their peacefulness did not proceed on your account, or for your negotiation, but because of the endeavours of others." Again, in a letter dated the 3rd of December, the secretary says, "Menzies, Glengarry, and all of them have written letters, and taken pains to make it believed, that all you did was for the interest of King James." (Dalrymple's Memoirs.) It has been seen above that Breadalbane was deeply compromised by the revelations of Montgomery and his accomplices, at the very time this negotiation with the Highland chiefs was pending.

* Dalrymple's Memoirs.

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allegiance. Strange to say, Breadalbane himself, and some other professed friends of the Revolution settlement, deemed it prudent to take the oath, no doubt for the sake of the proffered indemnity.

When the 31st of December arrived, it was found that, to the great mortification of Secretary Stair, Lochiel, Glengarry, Clanranald, Keppoch, and all the other chiefs, except one, had complied with the terms of the proclamation, and had thus baffled his project of vengeance. The solitary recusant, who thus ventured to trifle with his fate, and fell into the toils spread for Glengarry and Keppoch, was Macdonald of Glencoe, the chief of a branch of the great clan Donald. McIan of Glencoe, as this chief was termed in the Highlands,* inhabited a narrow valley watered by the Coe, a stream which falls into Lochleven near the head of Loch Etive, on the western coast of Scotland. The scenery of this valley is remarkable for its wild and gloomy character. On either side rise up a range of lofty mountains, those on the north forming a series of naked, sharp-edged, and serrated precipices, while on the south, though rounder, they are loftier and bolder, and project unequally into the glen. Rapid torrents pour down the sides of these huge inaccessible precipices, carrying along with them vast quantities of loose stones, which frequently render the road almost impassable. The whole scene, even at the present day, is barren and desolate in the extreme. A farm-house or two, and a few shepherds' huts are the only habitations which it contains. In the days of King William the population of this dreary wilderness consisted of about two hundred persons, who inhabited two or three small hamlets in the lower part of the glen. They lived almost entirely by plunder; and, confident in the strength of their mountain fastnesses, were remarkable for their daring and their predatory excesses. They were near neighbours to the Breadalbane Campbells, whose possessions suffered severely from their depredations, and who hated them "as Macdonalds, thieves, and papists."

McIan delays his submission.

Glencoe.

McIan, the aged chief of this tribe of indomitable freebooters, was a man of a venerable and majestic aspect, and was held in great respect for his courage and sagacity. He had taken a prominent part both in the campaign of Dundee, and of his successor, General Buchan, and is frequently mentioned in the evidence taken in the process of forfeiture against the Jacobites who fought at Killiecrankie. McIan had long been at bitter feud with Breadalbane, who hated him both because his vassals had often been plundered by the Macdonalds, and because the chief himself had employed all his influence to thwart the negotiation with the clans, from which the earl had hoped to gain credit with the government. At the conference in Glenorchy, high words arose between them. McIan, it is said, charged Breadalbane with the intention of appropriating to his own use a part of the money entrusted to him for the pacification of the Highlands; while the earl retorted with vehement reproaches, and demanded compensation for the robberies committed by McIan's followers. They parted in great anger, the earl threatening the chief with his vengeance, while the latter, both from the promptings of interest and of revenge, endeavoured to dissuade the other chiefs from accepting the terms which Breadalbane was instructed to offer. McIan was, therefore, quite well aware that he had rendered himself peculiarly obnoxious to his powerful and unscrupulous neighbour, and he was repeatedly heard to say, that he dreaded mischief from no man so much as from the Earl of Breadalbane. But his pride seems to have led him to brave this danger, and to postpone to the last moment his submission to the government.

McIan's feud with Breadalbane—

At length, on the 31st day of December,—the last day allowed by the proclamation,—McIan went with his principal followers to Fort William to take the prescribed oath; but Colonel Hill, the commander of the fort, was not a magistrate, and, therefore, had no power to receive it. The nearest civil officer who could administer the oath was the sheriff of Argyleshire, who lived at Inverary, eighty miles distant; and Colonel Hill, sympathising with the distress of the aged chief, advised McIan instantly to proceed to Inverary, and gave him a personal protection under his hand, together with an urgent letter to Sir Colin Campbell, the sheriff, entreating him to receive Glencoe, though out of season, as "a lost sheep," and to administer the oath to him. McIan, now thoroughly aware of his danger, set off instantly on his journey across the wild mountain tract which lies between Fort William and Inverary; and so great was his anxiety to reach his destination as speedily as possible, that, if the statement of his son may be believed, though he passed within half a mile of his own house, he did not turn aside to see his family. His progress, however, over such a country, in the depth of winter, and obstructed by a snow-storm, was necessarily slow. In spite of all his efforts, he could not reach Inverary till after the prescribed day was past, and he had to wait three days for the arrival of the sheriff, who was absent, so that it was not till the 6th of January that he was able to tender the oath of allegiance. The sheriff at first hesitated to receive it, as the time allowed by the proclamation had expired; but, overcome by the entreaties and tears of the old chief, and the urgent request of Colonel Hill, Sir Colin at length yielded, and administered the oath to Glencoe and his attendants. A certificate was immediately transmitted by him to the privy-council, attesting that McIan had taken the oath,

—he offers to submit after the day prescribed—

—his oath received by sheriff.

* McIan means the son of John. This name was derived, according to the Highland custom, from the founder of the Glencoe tribe, whose name was John, surnamed Fraoch. He was the natural son of Angus Og, of Isla, and brother of John, first Lord of the Isles. See Gregory's History of the Western Highlands, pp. 66, 67.

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together with an explanation of the peculiar circumstances which had delayed his submission until after the expiry of the appointed period. At the same time Sir Colin wrote to Colonel Hill, acquainting him with what he had done, and requested him to protect Glencoe and his clan from the annoyance of any military parties until the council should decide whether or not the oath should be received. McIan, therefore, returned to his mountain fastness, and continued to reside there in perfect reliance on the protection of the government, to which he had now sworn allegiance.

Cruel policy of Stair.

Meanwhile, the Master of Stair was preparing to inflict signal chastisement on the clans which should neglect to avail themselves of the proffered indemnity. He evidently expected that the various branches of the Macdonalds would stand out, and on the 7th of January he issued peremptory orders for military execution against all who should not have made their submission within the time appointed. "You know, in general," he says to Sir Thomas Livingston, "that these troops posted at Inverness and Inverlochy will be ordered to take in the house of Invergarry, and to destroy entirely the country of Lochaber, Locheil's lands, Keppoch's, Glengarry's, and Glencoe's;" and he adds, "I assure you your power shall be full enough; and I hope the soldiers will not trouble the government with prisoners." Holding these views, the secretary could not conceal his vexation when he saw the chiefs, whom he had hoped to destroy at one blow, crowding in to take the oath of allegiance, which he well knew they would laugh to scorn whenever a favourable opportunity for a rising occurred.

Crooked proceedings of Stair, Argyll, and Breadalbane.

Great, therefore, was his satisfaction when he learned that his projected scheme for the destruction of the Jacobite clans would not be altogether a failure, and that Macdonald of Glencoe had not taken the oath within the prescribed time. In a letter dated 11th of January, he says, "My Lord Argyll tells me that Glencoe hath not taken the oath, at which I rejoice. It is a great work of charity to be exact in rooting out that damnable sect, the worst of the Highlands." His coadjutors, Breadalbane and Argyll, fully sympathised with these feelings. It is clear that the secretary could have no personal enmity to a small body of mountaineers like the men of Glencoe, but they were obnoxious to him as papists, rebels, murderers,* and irreclaimable banditti, who had been employed by the expelled dynasty to oppress and rob the covenanters, and whose turbulent and marauding habits contributed to keep the Highlands in a state of chronic insurrection. The chiefs of the Campbells, on the other hand, hated them as a band of robbers who plundered their estates, and as a sept of the great clan Donald, with whom they were at deadly feud, and who had taken a prominent part in the defeat of their ancestor at Inverlochy. They, therefore, entered cordially into the views of Stair, and promised to assist him in the execution of his atrocious plan for the destruction of the Glencoe men.

Meanwhile, the roll containing, with the other oaths given in for the county of Argyle, the certificate of McIan's submission had been presented to Sir Gilbert Elliot, the clerk of the privy-council, but he refused to receive it, as irregular. It was then privately submitted to several privy councillors, among whom was Lord-president Stair, the father of the secretary, all of whom, it is said, were of opinion that the certificate was irregular, and could not be received without a warrant from the king. In the end, the evidence of McIan's submission was suppressed, and the roll was returned to the clerk of the council with the certificate that Glencoe had taken the oath obliterated; but it was never ascertained by whose hand this was done, though there can be no doubt that the proceeding was directed by the Master of Stair.

Warrant issued by the king.

On the 11th of January, instructions signed and countersigned by the king, were sent down by the secretary to Sir Thomas Livingston, ordering him "to march his troops against the rebels who had not taken the benefit of the indemnity, and to destroy them by fire and sword." But lest these severities should drive them to desperation, it was provided that he should have the power of granting mercy to those who should still take the oath of allegiance, and deliver up their arms and submit to the government. The men of Glencoe were not mentioned by name in this royal warrant; and as they had already come in and tendered their submission, the severities threatened against obstinate rebels could not legally be inflicted on them.

A second warrant against the Glencoe men—

A second set of instructions were, therefore, issued on the 16th of January, also superscribed and subscribed by the king,* ordering Livingston to extirpate the whole clan. Indulgence was still to be shown, it was hypocritically said, to other clans who should submit themselves at the very last hour. The secretary well knew that these had all taken the oath of allegiance already, but "as for McIan of Glencoe and that tribe," it was

* Dalrymple, in his "Memoirs," says Stair was particularly shocked by the story of a murder recently committed by the Glencoe men on one of their own sept, who had given information against his accomplices in some act of robbery. The unhappy wretch was tied to a tree, and deliberately murdered in cold blood by his clansmen, the old chief himself being the first to plunge his dirk into the body of his retainer.

* It has been argued that William may not have read this warrant before signing it, or if he did read it, that he may have attached an innocent meaning to the phrases employed respecting the Macdonalds. (See Macaulay's History of England, vol. iv. chap. xviii.) But the letters already quoted show that the king was cognizant throughout both of the negotiations with the clans through the agency of Breadalbane, and of the severities that were threatened in order to bring them to terms. There is no reason, however, to believe that William had any knowledge of the base treachery and breach of hospitality by which the atrocious crime of the slaughter of the Glencoe men was aggravated. (See Appendix P.)

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added, "if they can be well distinguished from the rest of the Highlanders, it will be proper for the vindication of public justice to extirpate that set of thieves." Every precaution was taken by the Master of Stair to secure the complete extermination of this unhappy clan. His base accomplices, Argyll and Breadalbane,* promised to lend their cordial assistance. The blow was to be secret, sudden, and overwhelming. If any of the doomed race should escape the first stroke, and attempt to find refuge in the territories of the surrounding clans, Breadalbane promised to intercept the fugitives on the one side, Argyll on the other; the passes to Rannoch were to be secured; and the Laird of Weems was to be informed by his powerful neighbour in Strath Tay of the risk he would run if he were to "reset" the hunted outlaws. The proper season, it was agreed, in which to maul them was in the long, dark nights of winter, the only time at which the Highlanders could not elude their pursuers, or carry their wives and children to the mountains. At such a season it was impossible for them to escape, for no human constitution could then long endure exposure to the open air.

—plan for their extirpation.

The instruments selected for the execution of this diabolical plan seem to have been every way worthy of its author, and well fitted for the task. Livingston, on receiving the instructions of the secretary, immediately wrote to his second in command, Lieutenant-colonel Hamilton, to whom their execution was intrusted, expressing his satisfaction that Glencoe was at the mercy of the government, enjoining Hamilton not to spare any of the rebels, as his orders were imperative, and "not to trouble the government with prisoners," and hinting that he had now "a fair occasion" of recommending himself to the favour of his superiors. On the 30th of January the Master of Stair wrote another letter to Livingston, in which he says, "I am glad Glencoe did not come in within the time prefixed: I hope what is done there may be in earnest, since the rest are not in a condition to draw together help. I think to harry their cattle and burn their houses is but to render them desperate lawless men to rob their neighbours; but I believe you will be satisfied it were a great advantage to the nation that thieving tribe were rooted out and cut off. It must be quietly done, otherwise they will make shift for both their men and their cattle." And in a letter of the same date, to Hill, the governor of Fort William, he says, "Pray when the thing concerning Glencoe is resolved, let it be secret and sudden, otherwise the men will shift you; and better not meddle with them than not to do it to purpose, to cut off that nest of robbers who have fallen in the mercy of the law."

Letters of Stair.

Hill, who seems to have been an honourable and humane man, was greatly surprised and distressed when he learned that the government were determined to extirpate the Macdonalds, and manifested such reluctance to act upon his instructions, that the execution of the dastardly and perfidious design was intrusted to Hamilton, who was troubled with no such relentings. A detachment of a hundred and twenty men belonging to a clan regiment lately levied by Argyll were selected to be the actual perpetrators of the massacre, no doubt with the expectation that the bitter hereditary feud between them and the Macdonalds would steel their hearts against all considerations of justice and humanity. On the 1st of February they marched to Glencoe, under the command of Captain Campbell of Glenlyon, a cold-blooded, perfidious villain, every way fitted for such a service. His niece, the sister of Rob Roy, was married to Alexander, the second son of McIan, a connection which was no doubt taken into account as likely to lull the suspicions of the Glencoe men, and to render them an easy prey. The Macdonalds, who had been living for a month past in quiet and security, were alarmed at the appearance of the soldiers; and John, the eldest son of the chief, accompanied by twenty followers, went to the mouth of the pass, and inquired the reason of this unexpected visit. He was assured that the strangers had come with friendly intentions; that they merely wanted quarters for a short time to relieve the overcrowded garrison of Fort William. They were immediately welcomed with kindness, and treated with the profuse hospitality for which the Highlanders were remarkable. Glenlyon took up his abode in the small hamlet of Inverriggen; Lindsay, the lieutenant of the regiment, was quartered near the house of McIan; and a party commanded by Sergeant Barbour were accommodated at Auchnaion, the residence of one of the minor chiefs of the clan, named Auchintriater. During twelve days the soldiers lived at free quarters in the glen, on terms of the utmost familiarity and friendship with the people. The officers spent a great part of their time with the old chief and his family; and Glenlyon every day took his morning draught at the house of his niece and her husband.

Campbell of Glenlyon.

Matters had continued in this state for nearly a fortnight, when on the 12th of February orders were issued by Hamilton to his subordinate officer, Major Duncanson,* fixing five o'clock in the morning of the next day for the slaughter of the Macdonalds, and enjoining the various detachments of his men to be at their posts by that hour, to secure the various passes of the

Orders issued for the massacre of Glencoe—

* Breadalbane's character has already been described. Of Argyll Macaulay says justly, that he was "in personal qualities one of the most insignificant of the long line of nobles who have borne that great name. . . . . He was unworthy both of his ancestry, and of his progeny. He had even been guilty of the crime common enough among Scottish politicians, but in him singularly disgraceful, of tampering with the agents of James while professing loyalty to William."—*History of England*, vol. iv.

* Duncanson, though he did not bear the name, was a member of the clan Campbell, and appears to have been, at the period of the massacre, procurator fiscal of the justiciary of Argyle. (Burton, vol. i. p. 165, note.)

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glen, so that not one of the doomed race might escape. None were to be spared, he said, and the government was not to be troubled with prisoners. Duncanson, in his turn, issued corresponding orders to Glenlyon, with a degree of cordiality and zeal which shows how well he was fitted for this villainous service. He tells him, with savage glee, that by the king's special command the miscreants of Glencoe were to be cut off root and branch; that all under seventy years of age were to be put to the sword; that he was to secure all the avenues, and to take special care that the old fox and his cubs should on no account escape; and Glenlyon, who needed no such stimulus to the bloody work, was enjoined to execute these orders without fear or favour, under the penalty of being treated as a traitor to the king and government, and as unfit to carry a commission in the king's service.

With these sanguinary orders in his pocket, Glenlyon, on the evening of the 12th, supped and played at cards in his own quarters with his intended victims, John and Alexander, the two sons of McIan; and he and Lieutenant Lindsay accepted an invitation to dine with the old chief himself next day. Five o'clock in the morning was the hour fixed for the deed. By that hour Hamilton expected that he should secure the eastern passes of the glen, so as to intercept any fugitives who might escape the first assault; but at five precisely, whether his superior officer had arrived or not, Glenlyon was to begin the work of death.

McIan and his sons had retired to rest at their usual hour; but various circumstances had excited the suspicions of John, the eldest son. The sentinels had been doubled on that evening, and the guard strengthened. Some of the soldiers had been overheard muttering their dislike to the service in which they were engaged. They were willing enough, they said, to encounter the Glencoe men in an open fight, but not to take part in such a work as this. One of their comrades reminded them that they must obey orders, and that their officers were responsible if there was anything wrong.* Young Macdonald was so much alarmed by what he had seen and heard, that soon after midnight he went to Glenlyon's quarters, where he found that officer and his men preparing their arms for active service. John anxiously asked the meaning of these suspicious preparations, and was informed by Glenlyon that the soldiers were about to march against some of Glengarry's men, who were harrying the country. The treacherous villain added with a perfidy and hardihood almost incredible—"If any thing evil had been intended, would I not have told your brother Alaster and my niece." Satisfied with the apparent frankness of this reply, John returned home, and retired to rest.

The hour appointed for the massacre arrived, but Hamilton and his troops, detained by a storm of snow, did not appear; Glenlyon's orders, however, were imperative, and he proceeded to put them into execution. Between four and five o'clock, Lieutenant Lindsay, with a party of soldiers, went in a friendly manner to the house of McIan, and was instantly admitted. The venerable chief, while in the act of dressing himself and giving orders for refreshments to be brought for his visitors, was shot dead at his own bedside. Two of his retainers were put to death at the same time, and a third left for dead. His aged wife, who had risen, and was already dressed, was stripped naked by the murderers of her husband, and one of the ruffians tore the rings from her fingers with his teeth. She expired next day with terror and grief. At Glenlyon's own quarters, his landlord and nine other men were seized in their beds, bound hand and foot, and shot one after another. A boy of twelve years of age clung to the commander's knees, and begged for mercy with the most piteous entreaties and cries. Even Glenlyon was moved, but an officer named Drummond stabbed the poor child with his dirk.

—their execution.

At Auchnaion a party under Sergeant Barbour fired a volley at a group of nine men, who were setting round the fire, and laid prostrate eight of them, including the petty chief Auchintriater, his host, who had a protection from General Hill in his pocket at the time. His brother, who was the only survivor, entreated that he might be put to death in the open air. "I will grant your request," said Barbour, "for your bread which I have eaten." But on reaching the door, Macdonald, who was a bold and active man, suddenly threw his loose plaid over the faces of the soldiers who were presenting their pieces to shoot him, rushed through the midst of them, and, favoured by the darkness and confusion, succeeded in making his escape.

Horrors of the massacre.

The discharge of musketry from three different places at once gave the alarm to those who had not been attacked, and in a moment the miserable inhabitants were seen flying half naked from their huts in all directions. John Macdonald, on hearing the shots of the assassins, comprehended in a moment the treacherous snare that had been laid for him, and fled instantly to the mountains, just in time to escape a party of soldiers who were at the door of his house with fixed bayonets. His brother Alexander owed his life to a faithful retainer, who called on him to fly, exclaiming, "Is it time for you to be sleeping when they are murdering your brother at the door!"

Thirty-eight persons in all, including one or two women and a little boy,* were put to death by the assassins; but it is probable that not a few of the half-naked fugitives, including aged men and women, and mothers with their helpless babes in their arms, perished by fatigue, and hunger, and cold, in that savage wilderness before they could

Fearful sufferings of the fugitives.

* Letter from "a gentleman in Scotland to his friend in London."—BROWNE'S *History of the Highlands*, vol. iii. p. 218.

* The hand only of this child was found.

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reach a place of refuge. The snow-storm, however, which must have proved fatal to many of them, was the means of saving the remainder from destruction. Hamilton, with his reinforcement of four hundred men, did not reach the scene of slaughter until six hours after the time appointed. The eastern passes of the glen were in consequence left open, and long before his arrival, the fugitives were beyond the reach of pursuit. The only Macdonald whom he found alive in Glencoe was an infirm man of eighty, and though, from his age, he was not included in the orders issued for the massacre, Hamilton wantonly ordered him to be murdered in cold blood. The deserted hovels were then reduced to ashes, and the soldiers, having destroyed whatever could not be removed, collected the property of their victims, consisting of nine hundred cattle and two hundred ponies, besides sheep and goats, and drove them to Fort William, where they were divided among the officers of the garrison.*

Consequences of the massacre.

Stair, in his letter to Colonel Hill, had declared that "it would be better not to meddle with the Glencoe men than not do it to purpose,"—and never was prediction better fulfilled. The scheme for the extirpation of the unhappy clan had indeed been ably planned, but owing to the gross mismanagement of the subordinate agents it had proved a failure. Three-fourths of the Macdonalds, including the sons of the chief, made their escape, and carried to their northern clansmen, among whom they found refuge, the tidings of the massacre.† The government reaped nothing from the deed of blood, except infamy and abhorrence. A considerable time elapsed, however, before the facts of the case were thoroughly known to the public, even in Scotland. It was not till a year after the massacre that full and authentic details of this great crime were published to the world. The story was at first received with incredulity, and regarded as either a monstrous exaggeration, or as a mere fable; but it was at length fully authenticated in all its details, and everywhere produced an extraordinary sensation. Among all classes in Scotland the perfidious and bloody act excited deep and universal detestation; in England it made people hold their breath with wonder and horror; while in France it was hailed with delight, as a proof of the cruel and treacherous character of the reigning monarch, and was blazoned abroad with every aggravation by royal authority. The friends and supporters of the government were covered with shame, and endeavoured to apologise for the king with bated breath. Even the perpetrators of the atrocious crime showed signs of uneasiness; and Breadalbane sent his steward to the sons of the murdered Mclan, and endeavoured to prevail on them by large promises to sign a paper declaring that they held the earl innocent of the massacre. But amidst the universal horror and indignation which the deed excited, Secretary Stair remained unmoved; his only feeling seemed to be astonishment that a meritorious service to the state should be denounced in such terms. He was satisfied, as he said, that "it were a great advantage to the nation that thieving tribe were rooted out and cut off." "Do right and fear nobody. Can there be a more sacred duty than to rid the country of thieving. The only thing that I regret is that any got away." And when the orders for the massacre were published in the *Paris Gazette*, he merely remarked, that all that could be said of the matter was, that the execution was neither so full nor so fair as it might have been.*

Critical position of the country.

At this juncture the safety of the country, and the stability of the government were seriously perilled by foreign invasion, combined with domestic treason. Louis XIV. had made extensive preparations for a vigorous attempt to reinstate James on the throne of Britain by force of arms. For this purpose a magnificent fleet was equipped and sent to sea, while an army of twenty thousand men, upwards of one half of whom were Irish, was assembled on the coast of Normandy, under Sarsfield, to be ready for embarkation. While this formidable armament was threatening the shores of Britain, a number of leading men in both divisions of the island, including the Duke of Marlborough, Admiral Russell, and various other influential friends of the Revolution settlement, had entered into negotiations with James, and declared their willingness to betray their sovereign. The position of the country was most critical, but the danger was providentially averted, and the schemes of the traitors were completely defeated. The queen, to whom, in the absence of William on the continent, the administration was entrusted, acted with great firmness and prudence; and at length the brilliant naval victory of La Hogue completely destroyed the hopes of James, and confounded the expectations of his traitorous supporters.

Meeting of the Scottish parliament—

After an interval of two years and a half, the Scottish Estates were again called together; but Melville was no longer commissioner. He had given offence to the king by his concessions to the presbyterian interest, and especially by his failure to obtain from the parliament an act of toleration in behalf of the Scottish episcopalians; he had, therefore, been superseded as prime-minister for Scotland by Sir John Dalrymple, who was nominated joint secretary of state;† and now the

* Report of the Glencoe Commission, 1695; Papers on the Condition of the Highlands, printed by the Maitland Club.

† It is a most significant fact, and speaks volumes as to the system under which they lived, that the Macdonalds, so far from expecting reparation for their grievous wrongs, humbly petitioned the government for permission to return to Glencoe, on finding security that they would live peaceably and honestly.

* Report of 1695.

† In a few months Melville resigned his secretaryship and accepted the comparatively insignificant office of keeper of

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Duke of Hamilton was appointed in his room lord high commissioner. Secretary Stair was on the Continent with the king, and his colleague Johnston, a younger son of the celebrated Warriston, was sent down to assist Hamilton in the management of the meeting.

—character of its proceedings.

As an estrangement had lately taken place between the government and the Church, it was expected that the parliament, which had always shown a strong leaning towards the presbyterian interest, would prove refractory, and resume its former obstructive policy; but, to the surprise of everybody, the session passed over in unbroken tranquillity. The sum of a hundred and fourteen thousand pounds sterling was voted to raise and maintain four regiments of foot and two of dragoons, and an additional land-tax, excise, and poll-tax, were granted for this purpose. Severe laws were enacted against the adherents of James, and all correspondence with France was declared to be treasonable. An act was passed for the more effectual suppression of robberies and disturbances in the Highlands. The oath of allegiance and assurance was extended to all nobles, and their eldest sons, to prevent "hedging politics;" to all ministers and preachers; to every office-bearer in Church and State, and to all who were entitled to vote in their election. But the course which the Estates pursued in regard to this matter, as well as to ecclesiastical affairs, was much more agreeable to the king than to the nation, and had nearly brought about a dangerous collision between the government and the Church.*

Profligacy of the judges.

The profligacy and political subserviency of the Scottish bench during the reign of Charles and his brother had grown to an intolerable evil, and but little had as yet been done to provide a remedy. The private solicitation of the judges, the acceptance of bribes, the employment of official influence in behalf of a favourite suitor, and even the falsification of the judgments pronounced by the court, were all matters of every-day occurrence. These clamant evils at length attracted the attention of parliament, and a vigorous effort was now made to purify the fountain of justice. The remedies which were provided by statute show how deep-seated the disease must have been. To prevent the judges from going out of their proper order to hear and determine an action in favour of a friend, it was enacted that each judge should sit in the outer house in a certain regular rotation, under the penalty of being deprived of their salary for the session; and, as an additional check on such partial and improper interference, it was provided that if any judge should attend in the inner house out of his course, either party might decline his authority. Tarbet, the clerk-register, was so flagrantly guilty of falsifying the minutes of parliament, in its decisions upon private causes in which he was interested, that he made no attempt to defend himself against the charge, and offered his office for sale. To prevent such dishonest practices for the future, it was ordered that after the judgment of the court was pronounced, it should be written out by the clerk in the presence of the judges, and immediately authenticated by the signature of the presiding judge. Both in civil and in criminal cases, the court had been latterly in the habit of carrying on its proceedings with closed doors, and its judgments had been concocted in private after the parties were withdrawn. This iniquitous system was now abolished; the courts of justice were again ordered to be thrown open, and the judges were brought under the wholesome influence of public opinion. But such statutary remedies served rather to palliate than to cure the deep-rooted profligacy of the bench; and a century elapsed before the evil was completely eradicated.*

Remedies attempted.

Commission appointed to inquire into the massacre of Glencoe—

Strange to say, no member of the Estates demanded an investigation into the massacre of Glencoe; nor does it appear that the slightest notice was taken in parliament of that atrocious crime. It was not until 1695, three years after the deed was committed, that the demand for inquiry became so loud and general, that it could no longer be resisted. A commission was indeed issued in 1693, appointing the Duke of Hamilton, and several other men of rank, to examine into the affair, but they took no steps whatever to perform the duty entrusted to them; and as the king neglected to urge them, it seems highly probable that their appointment was intended to prevent, rather than to carry out, an investigation.

After a recess of nearly two years, the Scottish parliament met 9th May, 1695. The Duke of Hamilton having died the previous year, the Marquis of Tweeddale, a veteran statesman of respectable character and great experience, was appointed lord high commissioner. It was foreseen by the king's advisers that the horror and indignation excited by the massacre of Glencoe had reached such a height that it would be impossible any longer to evade inquiry, and a commission was accordingly sent down from London authorising the commissioner, the lord-chancellor, and several other privy councillors, to examine into the affair. The Estates had scarcely assembled when notice was given of a motion for an inquiry; but on the announcement of Tweeddale that the king had anticipated the wishes of the house by the appointment of a commission, the parliament unanimously passed a vote of thanks to their sovereign, though, at the same time, they made it manifest that they

the Privy Seal; and in 1695 he was made president of the council; he held this post till the king's death in 1702. He was inferior to several of his contemporaries in ability, but he was one of the very few honest Scottish statesmen of that day.

* See *supra*, pp. 761—763; Act. Parl. Scot. June 12th, 1693.

* Act Parl. Scot. 1693, c. 18, 19, 21, 26, 27; Carstairs' Papers, p. 184

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were determined that the investigation should now be honest and complete. About the middle of June the Estates became so clamorous for the report of the commissioners, that the government were compelled to expedite the inquiry, and ultimately to lay the document before the house, without waiting, as they originally intended, till the king's pleasure respecting it should be made known.*

—report of the commissioners.

The report seems, on the whole, to have been drawn up with fairness and candour, though an anxious desire was shown to palliate the conduct of the king in signing the fatal order for the extirpation of the Macdonalds. The commissioners gave it as their opinion that there was nothing in the king's instructions to warrant the slaughter itself, much less the perfidious manner in which it was executed, and that the letters of Secretary Stair appear to have been "the only warrant and cause of this barbarous murder." They did not find it proved that Breadalbane was implicated in the slaughter, but they ascertained that the earl had laid himself open to a charge of high-treason by the manner in which he acted in his negotiations with the clans; that he had professed to be a zealous partizan of James, and had recommended the chiefs to accept the money offered them by the government, but, at the same time, to be on the watch for an opportunity of taking up arms in favour of the exiled monarch. The parliament immediately committed Breadalbane a prisoner to the Castle of Edinburgh, but he was speedily liberated by the government, on the plea that the treacherous villain had, as he alleged, professed himself Jacobite merely in order that he might discover and betray the plans of the Jacobite chiefs.†

Charge against Breadalbane.

The report of the commissioners was laid before the Estates on the 24th of June, and was carefully discussed section by section. They resolved unanimously that the order signed by the king did not authorise the murder of the Glencoe men. They next resolved that the letters of Stair exceeded the royal instructions, and excluded the Macdonalds from the mercy which it was his majesty's intention to offer to all who would submit to his authority.‡ But though the parliament thus imputed the guilt of the murder to Stair, they impeached his conduct in terms which had been studiously framed to serve the end that many of the members had in view, rather than to vindicate public justice by the punishment of a great criminal. There is too much reason to believe that the judgment pronounced upon the slaughter of the Glencoe men was dictated quite as much by hatred of the secretary, as by humanity and justice; and a considerable portion of the Estates desired nothing more than to drive the powerful and envied minister from office, and not to bring him to trial and punishment for the atrocious crime which he had committed. With regard to the direct agents in the massacre, they declared that Hamilton, who had absconded, was not free from the blood of the Glencoe men; they pronounced Glenlyon, Captain Drummond, Lieutenant Lindsay, Ensign Lundie, and Sergeant Barbour, who were then serving in Flanders, guilty of murder, and petitioned his majesty to send them home for trial. The king, however, did not comply with this request of the parliament. None of the persons thus branded as murderers were brought to trial, or punished for their crime. They were allowed to remain in the royal service, and some of them even received promotion. The Master of Stair, indeed, was dismissed from office, though it is alleged that even this most inadequate punishment was inflicted quite as much on account of the part the secretary took in the Darien affair, as from the displeasure of the king at the barbarous murder of the ill-fated Macdonalds. It is admitted even by William's warmest admirers, that his conduct in regard to this atrocious crime has left a deep stain on his memory.

Decision of the parliament.

Unsatisfactory result.

The last faint embers of the civil war in Scotland had now expired, and in April, 1694, the Bass Rock, the last fortified place which held out for King James, surrendered. This remarkable and almost inaccessible rock was then occupied by a strong castle, which, during the reigns of Charles II. and his brother, had been used as a state prison, in which many of the victims of their tyranny were immured. After the Revolution it held out for more than a year, until the garrison were starved into submission; but it was shortly after (15th June, 1689) recovered for King James by four young Jacobite officers, who had been taken prisoners in the skirmish of Cromdale, and were confined in this castle. By an adroit stratagem they contrived to shut the gates on the small garrison, who, in the absence of the governor, were engaged in helping to unload a vessel at the landing-place, without the walls of the fort, and compelled them to leave the rock and proceed to the shore. As soon as the success of this daring attempt became known, the officers were joined by several companions, including Crawford younger, of Ardmillan, and Charles Maitland, who had been deputy-governor of the castle under the Stewarts. They obtained a supply of provisions and ammunition from the French government, and two large boats, which enabled them to make marauding incursions on the coasts of Fife and East Lothian, and even to seize and plunder several trading vessels in their voyage up the Frith. The government were both indignant and perplexed by these proceedings, and in the spring of 1692 sent two vessels to bombard the fort; but the art of besieging fortified places, especially by sea, was at that time so little understood in Scotland, that after firing five hundred balls, which the garrison carefully collected, and added

The Bass Rock held for James.

* Act Parl., June 14, 1695.
† Burnet, vol. ii. p. 157; Act Parl., June 10, 1695.
‡ Ibid., June 26.

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to their military stores, the besiegers were compelled to relinquish the attempt. Various other fruitless schemes were successively formed for the reduction of the island fortress; but at length the supplies of the garrison were cut off by a rigorous blockade, and the intrepid defenders were reduced to such extremities by the want of provisions that they were compelled to surrender on the terms offered by the privy-council—absolute indemnity for life and fortune, with liberty either to remain in security at home, or to depart for France.*

Its surrender.

A considerable number of their brother officers, who had taken part in the Highland campaign, had previously been admitted to the same honourable terms, and had been conveyed to the Continent at the expense of the government. They received for some time from the French monarch pay and subsistence, in proportion to the rank which they had held in the service of James. But after the cause of the exiled sovereign became desperate, and misfortunes began to gather thick around the French monarchy, they felt unwilling to be any longer a burden on the government, and petitioned to be received into the service of Louis as private soldiers. Their generous proposal was reluctantly acceded to by James, who was deeply affected in taking leave of the unfortunate gentlemen before they set out to join the French army. He wrote down their names in his pocket-book, and "assured them he should ever retain a deep sense of their devotion to his person, and, if Providence should ever restore him to his throne, their rank in his army should not be inferior to their deserts." Having been formed into an independent company under their own officers, they set out on their march to the frontiers of Spain, a distance of nine hundred miles, which they performed on foot. Their pay as common soldiers amounted to only three pence a day, with a pound and a half of bread, so that to obtain the bare necessaries of life they were obliged to part with their watches, rings, and trinkets, which had been cherished by them as the tokens of love or of friendship, and even with a portion of their clothes. The post both of danger and of toil was constantly allotted them, and at the siege of Rosas, in Catalonia, under Marshal Noailles, and in a subsequent campaign in Alsace, their desperate valour excited the admiration of the whole army. But the numbers of this little band rapidly diminished—not a few of them fell by the sword, others perished by fatigue, privation, and sickness; so that, when five years afterwards the company was disbanded at Silistad, on the banks of the Rhine, only sixteen of the original number of a hundred and fifty remained alive, and of these only five returned to their native country.*

Melancholy fate of the Lowland Jacobite officers.

At the close of the year 1694 a sad calamity fell upon the king and country. On the 28th of December Queen Mary died of smallpox, in the thirty-third year of her age. She was an exemplary wife, and a judicious and kind-hearted sovereign, and her sudden and unexpected loss almost broke the heart of her husband, who, on all other occasions, was remarkable for his coolness and fortitude. The amiable disposition of Mary, her winning manners and unostentatious piety, together with her courage, ability, and personal beauty, endeared her to her subjects, and her untimely death caused deep and general sorrow. The Scottish people, though she was personally a stranger to them, honoured her for her virtues, and mourned her death the more deeply, remembering that she was a descendant of their ancient royal race.

Death of Queen Mary.

The friends of the exiled king, both in Britain and on the Continent, confidently predicted that the death of Mary would exercise a most injurious influence on the Revolution settlement, and that William, deprived of her powerful aid and wise counsel, would find it impossible much longer to maintain his position on the throne. But their expectations were doomed to be disappointed, and the remainder of William's reign was much more tranquil than its commencement.

* Siege of the Bass, reprinted in "Miscellanea Scotica;" Memoirs of the Rev. John Blackadder, by Dr. Crichton, Appendix, pp. 382—386; Minutes of the Privy Council.

* Memoirs of Dundee, with an account of Dundee's officers after they went to France; Carstairs' State Papers, pp. 137—139.

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CHAPTER LVI.

WILLIAM.

A.D. 1694—1702.

State of the public mind after the massacre of Glencoe. Policy of the government.

After the massacre of Glencoe, by which the public mind had been greatly irritated against the king and the government, the commissioner was authorised, with a view to allay the prevailing discontent, to agree to the passing of acts for the encouragement and extension of trade and manufactures, so far as such acts might not interfere with the trade of England. The renewal of the charter of the English East India Company, and the opposition offered to the exclusive privileges conferred by it, aroused a spirit of commercial enterprise in Scotland, whose trade had been long in a languishing and depressed condition beyond that of almost any nation in Europe. Much of this depression was clearly traceable to the selfish and monopolising policy of England, particularly to the passing of the Navigation Act of 1660, by which Scotland had been deprived of trading privileges which she formerly enjoyed, and in the possession of which she had been rapidly rising into wealth and importance. Numerous expedients had, from time to time, occupied the thoughts of enlightened and patriotic men for giving a fresh impulse to manufacturing and commercial industry in Scotland, and elevating her to that position which she seemed fitted to occupy in the scale of nations. Among these was William Paterson, the originator, it is said, of the Bank of England,* as well as of the first public bank that had been established in his native country.† He is represented as being—and indeed, by the wisdom evinced in his ill-fated plans, appears to have been—a man of liberal and comprehensive mind, profound sagacity, and original genius, but, unfortunately for himself and his country, far in advance of his age. Of his early history little is known, and that little abounds in apparent contradictions. At one time he is spoken of as a missionary, at another as a buccaneer. However this may be, it is certain that he was a man of education, and that, either from a desire to extend his knowledge, or from some other motive, he crossed the Atlantic, and spent some time in different parts of the American continent. After a time, his attention was particularly directed to the isthmus connecting North and South America. Situated between the two great oceans of the globe, it appeared to his sagacious mind as by nature adapted to become the site of the commercial capital of the world. He was particularly struck with the advantages it seemed to offer for opening to his native country a participation in the trade of the East Indies, by which England was becoming enriched, and which the merchants of that country had hitherto monopolised. Full of this idea he laboured to gain a thorough knowledge of the geography of that remarkable neck of land, its climate, soil, and productions, mineral and vegetable, its native tribes, and their relation to the Spanish colony that had planted itself on the western shore. On his return to Britain, he had matured a scheme by which he hoped to render Scotland a great emporium of trade and commerce. He communicated his views to Fletcher of Saltoun, whom he met in London, and who entered so warmly into the scheme that he accompanied Paterson to Scotland, where he introduced him to the Marquis of Tweeddale and other ministers of state, to whom he explained the great project he had formed. The site he had selected as an emporium for the trade of the eastern and western hemispheres was the Isthmus of Darien. His project was in a high degree liberal and enlightened, and its advantages, as pointed out by himself, show that he was no idle dreamer, but had calmly and laboriously pondered the whole subject, as compared with other great commercial enterprises, both of ancient and modern times. "The time and expense," he says, "of navigation to China, Japan, the Spice Islands, and the far greatest part of the East Indies will be lessened more than half, and the consumption of European commodities more than doubled, trade will increase trade, and money will increase money, and the trading world shall no more need to want work for their hands, but will rather want hands for their work. Thus the door of the seas and the key of the universe, with anything of a reasonable management, will of course enable its proprietors to give laws to both oceans, and to become arbitrators of the commercial world, without being liable to the fatigues, expenses, and dangers, or contracting the guilt and blood of Alexander and Cæsar. In all our empires that have been anything universal, the conquerors have been obliged to seek out and court their conquests from afar, but the universal force and influence of this attractive magnet is such as can much more effectually bring empire home to its proprietor's doors. * * * * * The nature of these discoveries is such as not to be engrossed by any one nation or people, with exclusion to others, nor can it be thus attempted without evident hazard and ruin, as we see in the case of Spain and Portugal, who, by their prohibiting any other people to trade, or so much as to go to or dwell in the Indies, had not only lost that trade they were not able to maintain, but have depopulated and ruined those countries therewith, so that the Indies have rather conquered Spain and Portugal than they have conquered the Indies. People and their industry are the true riches of a prince or nation, and, in respect to them, all other things are but imaginary. This was well understood by the people of Rome, who, contrary to the maxims of Sparta and Spain, by general naturalisations, liberty of conscience, and immunity of government, far more effectually and advantageously conquered and kept

William Paterson.

The Darien scheme.

Commercial project of Paterson.

* Burnet, vol. iv. p. 230; Ralph, vol. ii. pp. 478—481.
† The Bank of Scotland, established 17th of July, 1695.

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the world, than ever they did or possibly could have done by the sword."

—its reception by the ministry.

Whether Tweeddale and the other ministers had the sagacity to perceive the advantages of this splendid scheme, and were inclined to adopt them through motives of pure patriotism, is of comparatively little importance. They had other motives sufficiently strong to induce them to enter warmly into Paterson's views. In consequence of the massacre of Glencoe, both the king, and Secretary Stair, who had been implicated in that transaction, had become exceedingly unpopular; and it was supposed that Paterson's project would not only divert the attention of the people from that horrible tragedy, but, if supported by the king and the government, would have the effect of effacing the recollection of it, and restoring them to public favour. Accordingly, Stair in particular threw his whole influence into the scale, and was eloquent in his laudation of a scheme from which he laboured to demonstrate that Scotland would reap advantages beyond calculation. Nor was the project less acceptable, though probably from other and purer motives, to the nation at large.

Reception of the project by the people.

Almost all other topics of public interest were, for a time, comparatively forgotten, and, to add to the excitement which had seized on all classes of the community, the press teemed with pamphlets which flattered the most extravagant hopes of national wealth and power. Many of these expatiated upon the incalculable riches hid in the gold and silver mines with which the isthmus was supposed to abound; but it is only justice to Paterson to say that in his scheme he gives no encouragement to the delusive expectations thus excited.

Act for establishing a company.

Nothing now remained but to obtain the sanction of the legislature for carrying out this magnificent enterprise; and as the parliament participated in the national excitement, which apparently extended even to the king and the government, there was no obstacle to this desirable consummation. An act was drawn up under the direction of Paterson himself, in which it was provided that there should be established "A company trading to Africa and the Indies, with power to plant colonies and build cities, towns, or forts, in places not in the possession of any other European power, with the consent of the natives." The principal details were that one half of the proprietors at least should be natives of Scotland, that the lowest share should be one hundred pounds, and that the highest should not exceed three thousand pounds. That no part of the capital, or any of the property, of the company, should be liable to restraint or forfeiture on any pretence whatever. That the proprietors, by a plurality of voices, should be empowered to frame their own constitutions, civil and military, to be binding on all persons belonging to the company, and that they should be authorised to administer the oath *de fideli*, and all other oaths necessary to their management. That they should, for the space of ten years, be empowered to fit out or freight their own or foreign vessels, notwithstanding the navigation laws; to plant colonies and build cities and forts in places not already inhabited, or in any other places, on obtaining the consent of the natives or other inhabitants; to defend themselves, and to take reparation for damage done them by sea or land; and to conclude treaties of peace and commerce with the sovereigns or proprietors of any lands in Asia, Africa, or America, or with any potentate at the time at peace with their own sovereign. That for the space of twenty years all the vessels, merchandise, and other effects of the company, with the exception of sugar and tobacco not the growth of their own plantations, should be free from all duties of every description. That if, contrary to the rights and exemptions of the company, any of their vessels were stopped or detained by foreign powers, his majesty promised to interpose his authority to obtain restitution, reparation, and satisfaction, at the public expense, for the damage so done. That the company's vessels should be bound to proceed from their settlements direct to Scotland, and not, except in cases of necessity, to break bulk elsewhere, and that none of the lieges be permitted to trade to the company's possessions for the period of thirty years without their license. Finally, that all the members, officials, and servants of the company should be declared free from impressment or personal service, and from taxation or excise for twenty years, and that all foreigners who shall become members of the company be declared denizens of Scotland, and entitled to all the privileges of native members.

Passing of the Act 26 June. Subscription books opened in London—

The act for establishing the company was passed by parliament on the 26th of June, and the king was induced to grant a charter in terms of the act. From the great privileges conferred on the company the projectors naturally expected a large influx of English shareholders, many of the English capitalists being deeply dissatisfied at being debarred from all participation in the lucrative commerce of the East, by the exclusive privileges conferred on the East India Company. The capital of the company was £600,000; and ten of the directors empowered to receive subscriptions were resident in London. Here the subscription books were first opened, in the month of October, and in nine days £300,000, or one half of the capital, was subscribed, and one fourth of it actually paid down.

—and in Edinburgh and Glasgow.

In February, 1696, the books were opened in Edinburgh and Glasgow, and at first the utmost eagerness to subscribe was manifested by persons of all ranks and conditions, yet it was not until the month of August that the whole subscriptions were filled up.

Meantime the East India Company had taken the alarm—an alarm which soon rose almost to frenzy, and spread to both houses of the English

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parliament. They had recourse to the unusual measure of holding a conference, and in their united capacity presented an address to the crown against the Scottish company. "By reason," they said, "of the great advantages granted to the Scots' East India Company, and the duties and difficulties that lay in that trade in England, a great part of the stock and shipping of this nation would be carried thither, and by this reason Scotland might be made a free port for all East India commodities; and consequently those several places in Europe which were supplied from England would be furnished from Scotland much cheaper than could be done by the English, and, therefore, this nation would lose the benefit of supplying foreign parts with those commodities which had always been a great article in the balance of their foreign trade. Moreover, that the said commodities would unavoidably be brought by the Scots into England by stealth, both by sea and land, to the great prejudice of the English trade and navigation, and to the great detriment of his majesty in his customs. And that, when that nation should have settled themselves, by plantations in America, the English commerce in tobacco, sugar, cotton, wool, skins, masts, &c., would be utterly lost, because the privileges of that nation, granted to them by this act, were such that that kingdom must be the magazine of all commodities, and the English plantations and the traffic there lost to this nation, and the exportation of their own manufactures yearly decreased."*

Alarm of the East India Company.

Address to the king from both Houses of Parliament.

The answer of the king to this address naturally alarmed the promoters of the company more than the address itself. He is reported to have said: "That he had been ill served in Scotland, but he hoped that some remedies might be found to prevent the inconveniences that might arise from this act."† To show that his majesty was in earnest, the Marquis of Tweeddale and the two secretaries, Dalrymple and Johnston, were immediately dismissed from office.

Dismissal of Scottish ministers.

The House of Commons, not content with their share in the narrow-minded and foolish address to the king, had the arrogance to institute an inquiry into the means by which the act had been obtained in the Scottish parliament. They seized on the company's books and papers in London, and passed a resolution that the directors of the company were guilty of a high crime and misdemeanour. They even went so far as to impeach Lord Belhaven and other distinguished Scottish gentlemen whose names were mentioned in the act as directors of the company,‡ for administering in England the oath *de fideli* to a foreign association. Though these proceedings—the manifestations of impotent rage, and practically inoperative—were sufficiently ridiculous, they nevertheless had the effect of alarming the English shareholders, many of whom dropped their connection with the company by failing to pay up their instalments. Their shares thus became forfeited, so that the sum of £100,000 was added to the stock to be subscribed in Scotland; but two days before the time appointed for closing the books, the whole capital, including this addition, was subscribed.

Continued opposition of the House of Commons—

As the directors still found themselves without sufficient capital for carrying on their great undertaking, they determined to extend their applications for subscriptions to friendly trading communities on the Continent. The opposition of the king and the English parliament had so intimidated the English shareholders, that in a short time, after deducting the £100,000 added to the stock, there still remained double the amount of English stock unallotted. This the directors now resolved, if practicable, to transfer to foreigners; and, with this view, a deputation was dispatched to Holland and Hamburgh to open the subscription books. But the commercial jealousy that had driven them from England pursued them to the Continent. The king, under the influence of the Dutch, as well as of his English advisers, had sent instructions to Sir Paul Ryeaut, the English resident at Hamburgh, to offer the most strenuous opposition to the proceedings of the deputation. He accordingly presented a memorial to the senate or council of burgomasters, informing them that the commissioners then in treaty with their state had no authority from the king, and threatening them with his majesty's displeasure if they should give any countenance to the Scottish company. The senate, justly indignant at this insolent and haughty message, returned the following spirited answer: "We look upon it as a very strange thing, that the king of Britain should offer to hinder us from entering into engagements with his own subjects in Scotland, to whom he has lately given such large privileges by so solemn an act of parliament." By this time nearly the whole £200,000 had been subscribed; but this official disclaimer on the part of Ryeaut so alarmed the merchants, that the greater part withdrew their subscriptions, and the Scots were thus left almost entirely to their own resources for carrying out their vast undertaking.

—effect of this opposition on the English shareholders.

Subscriptions opened at Hamburgh. Opposition of the English resident.

The indignation and disgust of the people of Scotland were universal and extreme. Numerous memorials were presented to the king from the company and its office-bearers, together with remonstrances to the Scottish officers of state. For a time all seemed in vain. At last, however, on the 2nd of August, 1697, a short answer was returned, assuring the company, that on the king's return to England their complaints would be taken into consideration; and that, in the meantime, instructions had been given to the English

Memorials addressed to the king.

* Parl. Hist., No. 975—976. † Ibid.
‡ Commons' Journals, 21st January, 1696.

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representatives in foreign countries not to employ his majesty's name in obstructing the operations of the company. This turned out to be utterly fallacious, for on application being made to the foreign residents, they declared that they had received no such instructions.

The company resolved to proceed.

Notwithstanding these multiplied discouragements, the Scots resolved to persist in their scheme, the opposition to which on the part of the English was held to be a testimony in its favour. Six vessels, carrying from thirty to sixty guns, were purchased, or ordered to be built for the company at Hamburgh. These were freighted with a cargo of merchandise, military stores, and provisions; and twelve hundred men, three hundred of whom belonged to families of distinction, volunteered to accompany the expedition, ambitious to become the founders of a new state in the western hemisphere—a state bidding fair to rival in magnificence and wealth all the great commercial communities either of ancient or modern times.

Sailing of the expedition.

The national enthusiasm excited by this great enterprise extended downwards to the humblest ranks of the community; and, on the 26th of July, the day appointed for the sailing of the expedition, "the whole city of Edinburgh," it is said, "poured down upon Leith to see the colony depart, amid the tears, and prayers, and praises of relations and friends. Many seamen and soldiers, whose services had been refused because more had offered themselves than were needed, were found hid in the ships, and when ordered ashore clung to the ropes and timbers, imploring to go without reward with their companions."

Arrival and proceedings of the colonists.

The squadron reached the Gulf of Darien about the end of October, and on the 3rd of November the voyagers disembarked at Acta, a secure and capacious harbour at an equal distance between Portobello and Carthagena. The harbour was enclosed by a peninsula stretching southward, and united on the north to the mainland by a narrow neck of land, where they built a fortress, which they named Fort St. Andrew. With the consent of all the native tribes in the neighbourhood, they took possession of the unappropriated territory, which they styled New Caledonia, where they founded New Edinburgh, the intended capital. They established amicable relations with the native chiefs, and made friendly advances to the Spanish authorities at Panama and Carthagena. The colony being thus constituted, their council issued a proclamation declaring New Edinburgh to be a free port to all nations, and guaranteeing to all persons who should choose to trade with them, or settle amongst them, an equal participation with themselves in all the rights, privileges, and immunities which had been granted to them.

Intelligence of the founding of the colony reached Edinburgh on the 25th of March, 1699, and was received with a paroxysm of delight, which, though lamentably premature, as was afterwards found, evinced the deep interest taken in the project by the whole nation. "It was celebrated," we are told, "with the most extravagant rejoicings. Thanks were publicly offered up to God in all the churches of the city. At a public graduation of students, which the magistrates attended in their robes, the professor of philosophy pronounced a harangue in favour of the settlement, the legality of which was maintained in the printed theses of the students. It seems even to have been a common subject of declamation from the pulpit."*

Rejoicings, &c., in Edinburgh.

Distress of the colony.

The colonists had arrived in the beginning of winter, to Europeans the most healthful and agreeable period of the year in a tropical country; but on the return of summer, the sickly influence of the climate became alarmingly perceptible. Diseases unknown in the temperate climate of Britain began to thin the ranks of the unfortunate settlers, and to paralyse the industry of those who survived. The gentlemen had been unaccustomed to manual labour, and the peasants, inured to the cold regions of the north and sufficiently hardy on their native soil, sunk under the fervour of a tropical sun. The ground in consequence remained uncleared, and the number of huts they had been able to construct were not sufficient for their protection from the rains with which the country is deluged during two-thirds of the year. Provisions in the winter began to fall short; and, as they had not yet been able to raise their subsistence in the colony itself, they had no other resource than their native country, or the British settlements in North America. A vessel with provisions had been dispatched from the Clyde in the month of February, but she never reached her destination, and is supposed to have been burnt at sea; and the colonists, distressed at the want of intelligence from home, sent one of their council to Scotland with an urgent request to the directors of the company, that they would not delay sending them the necessary supplies, and also with an address to the king complaining of the treatment to which they had been subjected, and earnestly soliciting his protection.

Attack by the Spaniards.

Before any answer could arrive, however, the infant settlement was attacked by the Spaniards. They were boldly met and defeated by Captain James Montgomery; but the colonists, naturally apprehensive of being harassed by hostilities, which they might not always be able successfully to resist, sunk deeper and deeper into despondency, and were on the point of breaking out into open mutiny. Misfortunes continued to thicken around them. One of their vessels named the Dolphin, on a voyage to Barbadoes, happening to be stranded on the coast of Carthagena, the cargo was confiscated, and the commander, Captain Pinkerton, and the whole crew were made prisoners and sent to Spain, to be tried as pirates. In this distressing situation, the un-

* Arnot's History of Edinburgh.

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fortunate settlers never had entertained any doubt of being furnished with supplies from the colonies of the west. Here they were again doomed to disappointment. They found, to their horror and consternation, that the king had sent orders to the governors of the British colonies in Jamaica, Barbadoes, New York, and other places, to issue proclamations in his name prohibiting all the settlers, under their respective jurisdictions, from holding any intercourse with the Scottish colony at Darien, or giving them any supplies of provisions, ammunition, or arms. This proved the decisive blow. After struggling on for a short time, during which they were indebted for supplies to the charity of the native Indians, the colony, notwithstanding the earnest remonstrances of Paterson, was broken up, having subsisted only about eight months. In the meantime, a vessel containing three hundred recruits and a quantity of provisions and military stores had sailed from Leith, but on their arrival they found the settlement deserted, and proceeded to Jamaica.

Barbarous orders of the king.

In the month of November, a third expedition consisting of four vessels, carrying one thousand three hundred men, sailed from the Clyde, notwithstanding indistinct rumours of the fate of the colony had reached the directors. Arriving at their destination, the voyagers were astonished to find the settlement deserted, the huts burned, and the fortifications dismantled, and were with difficulty prevented from re-embarking and returning home. They landed, however, and but for the disunion and misconduct of their leaders, they might have succeeded in restoring the settlement, notwithstanding the manifold and heavy discouragements under which they laboured. Shortly after their arrival, they learned that the Spaniards were again preparing for an attack. Captain Drummond, one of the original council, who had returned from New York, whither he had proceeded after the abandonment of the settlement, proposed to anticipate this movement on the part of the Spaniards by attacking them before they had time to complete their preparations; but this bold and politic scheme was frustrated by the jealousy and pusillanimity of the council, to whom the conduct of the expedition had been entrusted. At this juncture, Captain Campbell of Fanab, an intrepid officer, who had served in the Earl of Argyll's regiment in Flanders, arrived in the settlement, and prepared, with only two hundred men, to take the field against the invaders. Meantime the Spanish land forces, amounting, it is alleged, to fifteen hundred men, accompanied by a large body of Indians, were advancing from Panama and Santa Maria, through the forest. Campbell met them, and, after a short conflict, defeated and dispersed them. But this victory, though decisive, was of no permanent benefit. The Spanish fleet, consisting of eleven ships under the command of Don Juan Pimianta, blockaded the harbour, and landed a body of troops, by whom the fort was immediately invested beyond hope of relief, and on the 18th of March the colony capitulated on honourable terms. The settlers, carrying their goods along with them, embarked for Jamaica, but misfortune still pursued them. One of their vessels was wrecked on the western coast of Cuba, and another was lost on the bar of Carolina with its whole passengers and crew, sixteen excepted. Campbell, in the meantime, dreading the vengeance of the Spaniards, had escaped to New York, from which he embarked for Scotland. The remainder of the colonists were so weakened by disease and famine that they were unable, without the assistance of the Spaniards, even to weigh the anchors of the vessels in which they had embarked. Their voyage was to the last degree disastrous. They were forced to take refuge in English ports, where some of them voluntarily remained; and in Spanish ports, where others were detained as prisoners; and it was not until after the lapse of many months that a remnant of the unfortunate colonists, numbering only about thirty persons, reached their native shores.

Departure of a third expedition.

Continued disasters of the colony—

—its final destruction.

Many causes, no doubt, concurred in bringing about the ruin of this splendid scheme, but the chief of these unquestionably were the selfishness and narrow-minded jealousy of the English merchants, and the unworthy compliance, and most unjustifiable policy of the king.

The indignation and despair of the people of Scotland at the destruction of their favourite project, were manifested by undisguised hatred against the government, and public commotions amounting almost to rebellion. Such was the exasperation of the public mind against the king, who was regarded as the chief author of the disaster, that a feeling in favour of the exiled house of Stewart began to revive. Not only had the reasonable hopes of the people been bitterly disappointed, but individuals and families innumerable had been ruined; and the large sums of money sunk and lost in the project were more than a country so poor as Scotland then was could lose without the risk of national bankruptcy. To all these substantial causes of discontent must be added a sense of wounded national pride. Scotland felt that her commercial interests as an ancient and independent kingdom were entirely subordinated to those of her ancient rival, to whom she was now attached like a conquered province. The memory of former independence aggravated the sense of present degradation, and the origin of every social calamity was referred to the union of the two crowns, and the pernicious influence of English councils on the affairs of Scotland.

Indignation and despair of the people of Scotland.

It is no apology for the injustice and cruelty with which Scotland was treated at this period to say that good has ultimately been evolved out of evil. The opposition manifested towards the Darien

Ultimate effect of the loss of Darien.

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scheme, and the consequent failure of that great project, though it partly retarded, contributed in the end most materially to bring about that incorporating union by which Scotland has gained far more than she had lost; and both nations, as a united kingdom, have risen to a height of national greatness, wealth, and power, and assumed a higher rank among the nations of the world than either separately could ever have attained.

Death and character of Paterson.

Justice to the memory of William Paterson demands one closing remark. Like most men in advance of their age, as he undoubtedly was, he died in poverty and neglect; but posterity must ever regard him as a man of profound practical sagacity, enlarged and liberal views, and disinterested patriotism. The failure of the great scheme of which he was the projector is no argument against the scheme itself, and is sufficiently accounted for by an opposition which he could not have anticipated, and which the nation itself had not the power to resist.

The loss of Darien rankled long in the minds of the Scottish people, and alienated their affections from the government of William. While the fate of the colony was still pending, the council-general of the company resolved to make a personal appeal to the king against the treatment which they had received from his officers; but Lord Basil Hamilton, a young and popular nobleman, to whom their address was entrusted, was refused an audience, with an expression of displeasure that their case should have been committed to one who had given no proof of his affection for his majesty's government.* A general national address was then presented to the king by the Marquis of Tweeddale, requesting him to submit the affairs of the company to a parliament, but it was received with contemptuous indifference. When the Estates met in May, 1700, in spite of the urgent entreaties of Queensberry, the commissioner, and Marchmont, the chancellor, they proceeded to take up a resolution to maintain the colony of Caledonia, in Darien, as a legal and rightful settlement. The commissioner, finding that the resolution would certainly be carried, adjourned the parliament amid general expressions of deep discontent.

In this excited state of the public mind, news arrived of the defeat of the Spaniards at Tubacante. An illumination was immediately ordered in the capital, and the populace seized the opportunity of venting their displeasure upon the members of the government by smashing the windows of their houses. They next proceeded to the house of the lord-advocate, and demanded the liberation of two prisoners confined for circulating hand-bills on the Darien question. Their demand not having been complied with so promptly as they wished, they broke open the Tolbooth, and set at liberty their friends, along with all the other prisoners, the musical bells of St. Giles's all the while playing "Wilfu' Willie."

The government seem to have been either unable or afraid to take vigorous steps to punish the rioters. Four only of their number were, after much delay, brought to trial, one of whom was condemned to be scourged, and three to be pilloried; but their sentence partook more of the character of a triumph than of a punishment—"The mob," says Carstairs, "huzzaing them all along, and throwing flowers and roses on the iron for their honour, and wine going about like water."*

The public mind continued in a state of great exasperation. A new national address was prepared of the most inflammatory kind; and when the parliament assembled on the 29th of October, the table was loaded with angry addresses and petitions from every part of the country, and the votes and proceedings of the English parliament respecting the Darien Company, the memorial to the Senate of Hamburgh, and the proclamations issued by the governors of the English colonies, were condemned in the strongest terms by the Estates; and it was agreed to transmit to the king a resolution asserting the legality of the settlement at Darien. There is reason to believe that William sympathised with the misfortunes of his Scottish subjects, and felt the justice of their demands; but it was beyond his power to grant them redress, and he was compelled to sacrifice the interests of Scotland to the zealous and selfish policy of the English parliament and people.

Death of William, and accession of Anne.

The remainder of William's reign in Scotland passed on without any event worthy of notice. He died on the 8th of March, 1702, in the fifty-second year of his age, and thirteenth of his reign, having survived his consort, Queen Mary, upwards of six years, his father-in-law, James, only four months. William left behind him the character of a great politician, and an able general; and, notwithstanding the wrongs inflicted on the Scottish nation in the massacre of Glencoe, and the affair of Darien, it must be acknowledged that his reign was greatly conducive to the establishment of constitutional liberty. He was succeeded by the Princess Anne, wife of George Prince of Denmark, and the eldest surviving daughter of James II.

* Dalrymple mentions that Lord Basil, determined that the address should reach the royal hands, watched his majesty's exit from the Saloon of Audience, and thrust the address into his hands. "That young man is too bold," said William; and then, admiring his spirit, he added, "if a man *can* be too bold in the cause of his country."

* Carstairs' Papers, p. 615.

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CHAPTER LVII.

ANNE.

A.D. 1702—1707.

Long-cherished project of a union.

THE union of the two crowns in the person of James the Sixth of Scotland and First of England naturally suggested the idea of such a union between the two kingdoms that both, losing their separate identity, should be merged into one monarchy. Amongst the first to embrace, and the most ardent in cherishing, this idea was James himself; but his scheme was far too comprehensive to be practicable, and embracing, as it did, a complete identification of both nations, not only in civil laws, but especially in religion, naturally failed of success. During the three succeeding reigns, as well as the intervening Protectorate of Cromwell, the project, though beset with difficulties, was never wholly abandoned. The project of James continued to be entertained by his successors, and their attempts to realise it contributed to the extinction of the dynasty of the House of Stewart. Still, however, patriotic and thoughtful men of both countries, though they could not clearly see their way to the result, had discernment enough to perceive that an incorporating union of the two kingdoms, if accomplished without doing violence to the rights of either, must ultimately be productive of many solid advantages to both. The people of Scotland, and especially those of the capital, at first paid dearly for the distinction of having given a sovereign to their ancient rival. The withdrawal of the court to the distant capital of another kingdom, and the consequent resort thither of great numbers of the nobility and wealthy landed proprietors, inflicted a serious injury on trade, which was not balanced by any compensating participation in the more lucrative commerce of the sister kingdom. On the contrary, the English were jealous to the last degree of any interference on the part of the Scots with their commercial enterprises; and questions naturally arising out of the claims of the latter, and the selfish and pertinacious resistance of the former, contributed, perhaps more than any other cause, to retard that union between the two kingdoms which all wise and good men had so long desired to see, and which, during the century and a half that have elapsed since its happy accomplishment, has been found a source of incalculable blessings to both sections of the island.

Obstacles to a union.

Message by William to the commons recommending a union.

During the whole of his reign, this important measure had been approved by the sound judgment, and cherished by the disinterested patriotism, of William; but the exasperation of the Scottish people at the depression of their trade, and particularly at the failure of the Darien scheme, coupled with the invincible repugnance of the English to the admission of the Scots to equal trading privileges, effectually prevented the execution of this great design. William, however, cherished it to the very close of life, and, when labouring under his last illness, on the 28th of February, 1702, he sent a message to the commons reminding them of his former appeals on this subject, and concluding with these words—"His majesty is fully satisfied that nothing can more contribute to the present and future peace, security, and happiness of England and Scotland than a firm and entire union between them; and he cannot but hope that, upon a due consideration of our present circumstances, there will be found a general disposition to this union. His majesty would esteem it a peculiar felicity if, during his reign, some happy expedient for making both kingdoms one might take place, and is therefore extremely desirous that a treaty for that purpose might be set on foot, and does, in the most earnest manner, recommend this affair to the consideration of the house."* His approaching dissolution, however, forbade the hope of his surviving to witness the fulfilment of this wish, which lay so near to his heart; and shortly after his death, all the elements of discord by which the measure had been so long retarded, broke out with redoubled fury.

Accession of the Princess Anne. State of parties.

The accession of the Princess Anne, the eldest surviving and only Protestant daughter of James, was agreeable, though for very different reasons, to all the great parties into which the nation was divided. It was acceptable to the Whigs, or constitutional party, because it was according to the Revolution Settlement; to the Tories, who were delighted to see a Stewart again occupying the throne; and to the Jacobites, because they entertained the expectation that her natural affection would lead her, in the event of her decease, to secure the succession to her brother, whom they regarded as the rightful heir to the crown.

The Convention parliament, which had subsisted during the whole of the preceding reign, had now lost much of its original popularity. From its unusually protracted duration, the ministry had found and embraced opportunities of acquiring an undue influence over a majority of the members, and, as the loss of Darien was universally ascribed to the pernicious influence of English councils, a powerful opposition party was now formed in parliament. With this party the Jacobites, who now began to assume the name of Cavaliers, formed a junction, and the Duke of Hamilton became its ostensible leader, instigated, probably, by ambition to supplant the Duke of Queensberry in the administration, rather than by any promptings of patriotic feeling, either for the commercial interests or the national independence of Scotland.

By an act passed in the preceding reign, for the security of the kingdom, in the event of the demise of the crown, it had been provided that, after the death of the king, the Estates should assemble within twenty days, and continue their

* Journal of Lords and Commons, 10th February to 6th March, 1700.

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sittings for a period not exceeding six months. Their legislative power, however, was restricted to the passing of such acts as were necessary for the public safety, and the security of the Protestant succession—all innovation on the constitution or the established laws of the kingdom being expressly prohibited.*

Act for the continuance of parliament after the death of the sovereign.

Hamilton and his party did their utmost to secure an immediate dissolution of this long-protracted parliament. Accompanied by the Marquis of Tweeddale, and the Earls Marischal and Rothes, he made an unavailing personal application to the queen for this purpose; but her majesty issued a proclamation for the assembling of parliament on the 9th of June, in terms of the statute, and appointed Queensberry to act as her commissioner. Before his commission was read, however, Hamilton rose to address the house, and persisted in doing so, in spite of the remonstrances of Queensberry, who urged him to wait until the house was constituted. He began by congratulating the house on the happy accession of her majesty, as being lineally descended from their ancient line of kings, and as being endowed with many personal qualities, which furnished ground to hope for numerous national blessings under her rule; and, after many professions of devoted loyalty, he added, "But, at the same time that we acknowledge our submission to her majesty's authority, we think ourselves bound in duty, by virtue of the obedience we owe to the standing laws of the nation, and because of the regard we ought to have for the rights and liberties of our fellow-subjects, to declare our opinion as to the legality of this meeting, viz., that we do not think ourselves warranted by law to sit and act any longer as a parliament; and that, by so doing, we shall incur the hazard of losing our lives and fortunes if our proceedings shall come to be questioned by future parliaments." At the conclusion of this address, which took the court party completely by surprise, he proceeded, in name of all who should adhere to him, as well as in his own, to read the following reasons of dissent:—"Forasmuch as, by the fundamental laws and constitution of the kingdom, all parliaments do dissolve by the death of the king or queen, except in so far as innovated by the seventeenth act, sixth session of King William's parliament last, in being at his decease to meet and act what should be needful for the defence of the true Protestant religion, as now by law established, and maintaining the succession to the crown as settled by the Claim of Right, and for preserving and securing the peace and safety of the kingdom: and seeing that the said ends are fully satisfied by her majesty's succession to the throne, whereby the religion and peace of the country are secured, we conceive ourselves not now warranted by law to meet, sit, or act, and therefore do dissent from anything that shall be done or acted."

Meeting of parliament. Dissent and retirement of Hamilton and his adherents—

* Parl. 1696, c. 17.

Having finished the reading of this document, he withdrew, followed by nearly eighty of the members; and, on issuing from the house, they were received with loud acclamations by the multitude assembled in the Parliament Square. They afterwards dispatched Lord Blantyre to court with an address justifying their procedure to the queen, who, however, would not permit it to be read in her presence. She returned a gracious reply to the address of the remaining members, in which she strongly censured the presumption of Hamilton and his adherents. In the meantime the Dean and Faculty of Advocates, who had subscribed an address approving of the conduct of the dissentients, were called to the bar of the house to answer for their temerity, but no farther proceedings were taken against them. A charge was afterwards brought forward against the seceding members by her majesty's advocate, which was remitted to the privy-council. The remaining members, known by the name of "the Rump," proceeded, notwithstanding this formidable secession, to the dispatch of business, and during the brief period of their sitting, they passed resolutions in support of the Darien scheme, and of their claims to free trade, and made arrangements for concerting measures with the English parliament for bringing about a union of the two kingdoms. An act was also passed declaring it high-treason to disown or impugn the authority either of the queen or the parliament. A supply of ten months, to be raised in two years, was voted unanimously, and a farther act was passed, authorising her majesty to "appoint commissioners to treat for a union, the Estates of parliament being fully satisfied that such a union is needful, and would be very advantageous for the defence of the true Protestant religion, and for the better preserving and establishing the peace, safety, and happiness of both kingdoms,"—a similar bill having, a few weeks before, been passed by the parliament of England.

—the queen refuses to hear their justification.

Proceedings of "the Rump."

Before the rising of the house, an unexpected division took place among the presbyterian party, occasioned by the zeal of the Earl of Marchmont, the chancellor, who introduced a bill for the abjuring the queen's brother, the pretended Prince of Wales. Some considered that an act of this kind was necessary in order to secure the Protestant succession, as well as to exclude disaffected persons from the next parliament, while others were averse to the settlement of the crown until redress of grievances should be obtained from England. The commissioner, unwilling to allow this grave question, on which the ministers had received no instructions, to go to a division, abruptly adjourned the parliament until the 18th of August.

Division among the presbyterian party.

The commissioners appointed to treat of a union, on the part of both kingdoms, assembled at Westminster on the 10th of November. They had

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scarcely commenced their deliberations when it became obvious that the great obstacle to a union was the claim, on the part of the Scots, to an equal participation in the privileges of English commerce. To this the English commissioners were most unwilling to accede; nevertheless they agreed, though with some difficulty, to open up the plantation trade to Scottish enterprise; and they could not help admitting the reasonableness of the claim to a mutual participation in commercial advantages, as well as its necessity, in order to a complete and permanent union. The Scots, on the other hand, reluctantly agreed to submit to the same imposts on home consumption as the English, but they absolutely refused to bear any share in the liquidation of the English national debt, or to give up their Darien Company. The English commissioners considered the existence of that company incompatible with that of the East India Company, which they were equally unwilling to relinquish; and the difficulties thus arising led to an adjournment of the treaty without arriving at any definite conclusion on these important points. On other matters, which were in reality much more important, there was more unanimity; and the conference, though apparently unproductive of solid results, contributed not a little towards facilitating that happy union, through which Great Britain has arrived at its present height of wealth and power. Before their adjournment, which took place on the 3rd of February,* they unanimously agreed to the two fundamental articles, that the two kingdoms should be incorporated into one monarchy, according to the Act of Settlement, and that the people should be represented by one and the same parliament. The result of their deliberations was embodied in the following general conclusions:—"Agreed by the lords commissioners for both kingdoms, that neither kingdom shall be burdened with the debts of the other contracted before the union; and that no duty on home consumption or taxes to be levied from Scotland shall be applied to the payment of English debts; and that some time is to be allowed to Scotland to reap the benefit of the communication of trade, and to enable them the better to pay duties on home consumption equal to England, but that it is most proper to be determined in the respective parliaments of both kingdoms." In anticipation, however, of the renewal of the conferences, the Scottish commissioners, with characteristic national caution, left on record, "that if the existing companies for carrying on the same traffic should appear to the English destructive of trade, they did not expect that their lordships would insist that the privileges of the Scots' company should be abandoned without offering, at the same time, to purchase their right at the public expense." †

Meeting of the commissioners—

—result of their deliberations.

* De Foe's Hist. of the Union, App. 14; Tindal's Continuation of Rapin, III. 558.

† Proceedings of the Commissioners appointed to treat for a Union, 1702, App. to Scot. Acts, vol. xi.

It will be recollected that the parliament now sitting was, in fact, the Convention of Estates that had carried the Revolution Settlement. Its authority as a parliament, into which it had been converted during the preceding reign, had been originally matter of dispute, but its continued existence during the present reign, in defiance of the principle of the Scottish constitution, that the representatives of the people shall be elected annually, was considered absolutely illegal, and produced great and general discontent. The country party especially, since their secession, began to dispute the authority of the Rump, and even to refuse payment of the taxes which it imposed. In these circumstances, and more especially now that the great question of the Union was agitating the public mind, it was found that the demand for a new parliament could no longer be resisted. All parties were now on the alert to secure, if possible, a majority at the impending election. The state of political parties was, at this time, quite anomalous. The administration itself, in consequence of recent changes, was divided into two parties, each jealous of the other. The country party, opposed to both, were also split into two sections—the rigid presbyterians, and the independent gentlemen to whom presbytery and episcopacy were matters of indifference. Of the latter, Hamilton and Tweeddale were the principal leaders. The Jacobites or Cavaliers formed a third party, not sufficiently numerous for effective independent action, but weighty enough to give a preponderance to any of the other parties, to which they might think it expedient to attach themselves.* Lord Seafield, the chancellor, artfully courted this party, and, by flattering them with assurances of the queen's secret attachment, succeeded in winning them over to the government. With a view to increase their numbers, an indemnity was granted for all their political offences since the Revolution, and such of them as had been driven into exile were thus at liberty to return home unmolested.

Public discontent at the duration of parliament.

Exertions of parties to secure a majority in the new parliament.

During the first session of the new parliament, though the great question which agitated the national mind was scarcely even named, there can be no doubt that the discussions which then arose, and which were carried on with a vehemence and acrimony to which the Scottish legislature had hitherto been a stranger, indirectly paved the way to a union between the two kingdoms. The loss of Darien still continued to rankle in the public mind, and all the misfortunes that had befallen the nation since the union of the crowns, particularly the depressed state of trade, and the constant defeat of every attempt to improve or extend the commercial relations of the country, were all ascribed, directly or indirectly, to the predominating influence of the English cabinet,

State of the public mind.

* Cunningham, vol. i. pp. 324, 325; Redpath, pp. 20, 31; Lockhart, p. 35.

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an influence which it was ultimately found that no expedient short of an incorporating union could effectually neutralise.

In June, 1700, the English parliament passed an Act of Succession, settling the crown, on the failure of Queen Anne and her issue, upon the Princess Sophia, Electress-dowager of Hanover, and her descendants. It became a matter of the greatest importance to the peace of the two countries that the legislature of Scotland should settle the crown of that kingdom in a similar manner. But the Scottish people were by no means inclined to concur in the proposed Act of Succession. Instead of complying with the wishes of the English ministry, the parliament of Scotland passed a measure called the Act of Security, by which it was provided that, in case of Queen Anne's death without children, the Scottish Estates should choose a successor of the royal line and Protestant religion; but it was expressly stipulated that the same person should be incapable of holding the crowns of both kingdoms, unless the honour and independence of the Scottish nation should be secured, and the Scottish people admitted to share with the English the full benefits of navigation and trade. It was provided by the same statute that the nation should be placed in a state of defence; and with that view the whole able-bodied population were ordered to muster under their respective heritors or borough magistrates. It soon became evident that a perilous crisis was approaching, and rumours of warlike preparations going on in Scotland, of the training of soldiers, and the importation of arms and military accoutrements, at length excited great alarm in England, and engaged the serious attention of the English parliament. In a discussion on the Act of Security, Lord Haversham remarked, "There are two matters of all troubles, much discontent and great poverty; and whoever will now look into Scotland will find them both in that kingdom. It is certain the nobility and gentry of Scotland are as learned and as brave as any nation can boast of; and these are generally discontented. And as to the common people, they are very numerous, and very stout, but very poor. And who is the man that can answer what such a multitude, so armed, so disciplined, with such leaders, may do—especially since opportunities do so much alter men from themselves?"* An address was presented to the queen entreating her to order fortifications to be erected at Newcastle and Tynemouth, and the works at Carlisle and Hull to be repaired. She was further requested to embody the militia of the four northern counties, and to dispatch regular troops to the Border. The great remedy, however, was seen to be in a union, which these alarms thus contributed to hasten. On the 20th of December, 1704, their lordships read a third time, and sent down to the commons, a bill for the entire union of the two kingdoms The consideration of the bill was for a time postponed. The commons, perceiving in this critical and alarming juncture an opportunity of asserting and strengthening their assumed privilege of originating all supplies, affected to treat the pecuniary penalties mentioned in the bill as matters of supply, and accordingly, leaving their lordships' bill to lie on the table, brought in one of their own. On the 1st of February it was passed and sent to the lords, who immediately agreed to it without discussion. By this statute (3 and 4 Anne, c. vii.) provision was made for a treaty of union, and her majesty was authorised to appoint commissioners to meet with such commissioners as might be appointed by authority of the Scottish parliament, and to submit the result of their deliberations to the sovereign and the legislature of each kingdom. But the measure thus passed, though a great step in advance, was still tarnished by a display of that commercial jealousy, which more than any other cause retarded the settlement of this important question. It was provided, that, after the 25th of December, 1705, until the succession to the crown of Scotland should be determined in the same line as that of England, no native of Scotland, except those already settled in the English dominion, or attached to the military or naval service, should acquire the privileges of a national born Englishman; that, in the meantime, under heavy penalties, no horses, arms, or ammunition should be conveyed from England or Ireland into Scotland; and that ultimately no coals, cattle, sheep, or native linen should be imported from Scotland. By a final clause, it was enacted that the commissioners should not be empowered to treat for "any alteration of the liturgy, rites, ceremonies, discipline, or government of the Church, as by law established."

Alarm in England.

Discussion in the English parliament.

Bill passed by the lords for the union of the two kingdoms—superseded by one originating in the lower house.

Restriction clauses.

The restrictive clauses of this bill, which seemed to savour of intimidation, offended the national pride of the Scots, and tended to alienate the minds of many from the proposed union. Unfortunately, at this juncture, an incident occurred which served to exasperate the mutual jealousies and animosities of both kingdoms. The Darien Company, notwithstanding the ruin that had befallen their colony, had not entirely abandoned their commercial enterprises; and at this time one of their vessels, called the Annandale, which they intended to charter for the East India trade, was confiscated in the Thames by the East India Company, and the owners in vain petitioned for restitution or payment. Shortly afterwards a vessel named the Worcester, employed in the East India traffic, put into Burntisland, a harbour on the Frith of Forth, for repairs. This unexpected coincidence suggested the idea that she ought to be seized by way of reprisal for the capture of the Annandale; and the Darien Company, proceeding

Unfortunate incident. Fate of Captain Green.

* Parl. Hist. v. i. p. 370.

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on a clause in their act of parliament, authorising them to make reprisal for damage done by sea and land, issued a warrant for the seizure of the vessel. The government officials declined taking any part in the proceeding, but the secretary of the company managed, partly by stratagem, partly by force, to get possession of the ship. Meanwhile, the crew of the Worcester, having been indulging too freely in liquor, some of them happened to let fall certain unguarded expressions, which led to a suspicion that they had captured a vessel sent by the Darien Company to the East Indies, and had murdered the captain and the whole of the crew. This suspicion was strengthened by the circumstance that a vessel called the Speedy Return had been absent unusually long, and that rumours regarding her fate, very much akin to the confessions of the crew of the Worcester, had for some time been afloat. A report of these circumstances having reached the privy-council, an investigation was instituted, which resulted in Green, the captain of the vessel, and thirteen of his crew being apprehended and sent to trial on a charge of piracy and murder. The evidence produced against them, so far as we are in possession of it, would not be held sufficient by a jury of the present day to warrant a conviction; but the matter was regarded from a political, rather than a legal point of view, both by the court and the jury; and the accused were accordingly found guilty and condemned to death. This judgment gave serious uneasiness to a large party, who foresaw in the effect it was likely to produce on the minds of the English an obstacle to the union. They held the evidence against the accused to be defective, while those who were adverse to this measure professed to consider it as quite conclusive. The privy-council were extremely reluctant to permit the sentence to be put in execution. They first respited, and would certainly have pardoned the unfortunate men, but a loud cry for vengeance arose from the populace, which the council had not sufficient firmness to resist. On the day appointed for the execution, the populace, apprehensive of being disappointed of their victims, assembled in vast numbers at the Cross and in Parliament Square, threatened to break open the doors of the prison, menaced the privy-council, surrounded the coach of the lord-chancellor, forced him to alight, and put his life in imminent jeopardy. The authorities yielded to the storm. Green and two of his crew were conducted to Leith amidst the shouts and execrations of the infuriated mob, and there hanged upon a gibbet erected within high-water mark. This took place on the 11th of April, and the rest of the crew, after being detained in prison until autumn, were unconditionally set at liberty by the privy-council, who considered the evidence on which they were convicted defective. Indeed, there was afterwards good reason to believe that Captain Drummond, the man whom they had been accused of murdering, was still alive in India, after the fate of Green and his two unfortunate comrades was sealed.*

Indecisive conduct of the privy-council.

Execution of Green and two of his crew.

When these events became known in England, the indignation of the populace was raised to the highest pitch; and numerous handbills, tracts, and pamphlets, many of which are still preserved, helped to fan the flame of national resentment. Every enlightened patriot in both kingdoms deplored these animosities, which they regarded as but too probably a prelude to international hostilities; and government, warned by the presages of the coming storm, now began to look upon an incorporating union as the only haven of safety for the vessel of the state.

Indignation of the English.

With a view to accomplish this desirable object, some changes were made in the Scottish administration. Tweeddale was again nominally placed at its head; but the Duke of Argyll, a young nobleman of great promise, was appointed commissioner to open the next session of parliament, with instructions to labour for the establishment of the same Protestant succession as in England, or, failing in that attempt, to endeavour to procure an act for a treaty of union.

Change of ministry.

When parliament assembled on the 28th of June, it was found that the members were divided into three parties,—the government party, consisting of the adherents of Queensberry; the Jacobites and a portion of the country party; and the adherents of Tweeddale, comprising a section of the presbyterians and the late courtiers. These last, pretending to be guided entirely by the love of country, did not adhere permanently to any party, but were ready to shift sides according to circumstances, and thus to hold as it were the balance of power in their own hands. The Jacobites, mortified and indignant at the influence thus exercised by this party, bestowed on them the nickname of the "Squadrone Volanté."

Meeting of parliament. State of parties.

In the queen's message the attention of the house was earnestly invited to the settlement of the succession, and a hope was expressed that the Estates would follow the example of the English parliament, and appoint a commission to treat for a legislative union. After considerable discussion, in which not a little acrimonious feeling was manifested, an answer to the message was drawn up and submitted to the house, when an amendment was proposed and carried, that before taking up the queen's message they should proceed to the consideration of the state of the coin, and of the export and import trade of the country. In the course of their deliberations, however, on these subjects, the questions regarding the succession and the union between the two kingdoms underwent a good deal of incidental discussion.

The queen's message.

Before the great question of the union came fairly before the house, there was considerable dis-

* Burton's Narratives of Criminal Trials in Scotland.

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cussion concerning the limitation projects that had been suggested during the previous session. The object of these plainly was to free the government from English influence, a consummation which many would have thought cheaply purchased by the sacrifice even of the monarchy itself.

Act for a treaty of union.

At last, on the 25th of August, on the motion of the Earl of Mar, the House resumed consideration of the treaty for a union with England, and the first draft of an act for that purpose was submitted to the house. It empowered commissioners to meet and treat with the English commissioners, but expressly withheld authority to treat of any alteration in the government, worship, or discipline of the Church, as by law established; and provided that nothing treated of, or agreed to, by the commissioners should have any strength or effect whatever until confirmed by the authority of the Scottish parliament.

Proceedings of parliament regarding the treaty for a union.

With a secret view to obstruct the progress of the measure, which he durst not openly oppose, it was moved by the Duke of Hamilton, "that the union should in nowise derogate from any fundamental laws, ancient privileges, offices, rights, liberties, or dignities of the nation." By this insidious motion the ministers were placed in a dilemma. They were unwilling to agree to it, considering it too general and comprehensive, and yet afraid to oppose it on the ground of its being inconsistent with a union. They, however, resisted it ostensibly on the grounds that it implied a distrust of her majesty, and did not correspond with the ample powers conferred on her commissioners by the parliament of England. Hamilton and his adherents, on the other hand, concealing their real motives, which were, in fact, to obstruct the progress of the measure, contended that the preservation of the national independence was a *sine quâ non*, which could not be made the subject of a treaty, and to maintain which at the present juncture was indispensably necessary, as the influence of English councils was fast reducing the country to the condition of a dependent province. They maintained that the queen could not reasonably be offended with such a clause, as her residence at a distance precluded an intimate acquaintance with Scottish affairs, and as little could the English parliament, who in their instructions to their commissioners had expressly reserved all power to treat regarding the government of the Church. On a division of the house, the motion was lost by a majority of two votes. Another clause was proposed by Athol to the effect that the commissioners should neither leave the kingdom nor enter on the treaty until the act of the English parliament declaring the Scots to be aliens, and their trade illicit, should be repealed by the English parliament. Fletcher of Saltoun, one of the most ardent lovers of liberty, and one of the most disinterested patriots of his own, or any other age, moved that a loyal and dutiful address should be presented to her majesty:—"That the act lately passed by the parliament of England, containing a proposal for a treaty of union of the two kingdoms, is made in such injurious terms to the honour and interest of this nation, that we, who represent this kingdom in parliament, can no ways comply with it, which we the more regret because it has this session been recommended by the royal letter. But out of the great sense of duty we owe her majesty, we declare we will be always ready to comply with any proposal from the parliament of England, whenever it shall be made in liberal terms, neither dishonourable nor disadvantageous to the nation." The firm yet temperate tone of this address could not but recommend it to the favourable consideration of the house. A majority, however, were unwilling that the progress of the treaty should be interrupted by any display of acrimonious feeling, and the house accordingly proceeded with the consideration of the bill. On the 30th of August some of its details, after mature deliberation, were finally adjusted and passed; and, on the 1st of September, a general resolution was agreed to, "that commissioners for treating of a union should not meet those authorised on the part of England until the act of the English parliament, so offensive to Scotland, were repealed."* But the question now came to be whether this resolution should form part of the act, or be made the subject of an address to her majesty; and after a discussion of extraordinary warmth, the latter was carried by a majority of only two votes.†

Passing of the act for appointing commissioners.

The act for appointing commissioners was now carried, but a question of vital importance still remained undecided—who should have the appointment of the commissioners—the parliament or the queen? If the former, the commissioners would obviously have it in their power either indefinitely to retard, or wholly to frustrate the treaty; if the latter, the nomination would virtually be vested in the English ministry, and the independence, as well as the commercial interests of the country, might thus be sacrificed. The country party and the Jacobites had been looking to a parliamentary appointment, as affording them their last chance of frustrating the measure by prolonging the discussion, and wearying and disgusting their opponents by continued obstructions; and the English parliament had been so keenly alive to the importance of the question that, even if the Scots should accede to a union, they were to be held as aliens, unless the queen were invested with the appointment of the Scottish commissioners.

Hamilton betrays his party.

The debate had been protracted to a late hour, and the members of the opposition, exhausted by the heats and discussions of the day, and thinking no more business would be transacted at that sitting, had begun to retire, when, to the astonishment and consternation of those who still remained in the house, Hamilton, who had been gained over

* Jerviswood Correspondence, p. 118.
† Lockhart Papers, i. 130.

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to the ministry by a promise that he should be on the commission, unexpectedly stood up, and, addressing himself to the chancellor, moved that the appointment of the commissioners should be with the queen. An exciting scene followed this proposal. A few of the party that remained were frantic in their opposition, and bitterly reproached Hamilton with surrendering their country to the English cabinet; while the rest, instead of remaining to endeavour to counteract the mischief, rushed out of the house in rage and despair, exclaiming that they had been deceived and betrayed. The court party, on the other hand, did not trouble themselves much with argument, but called loudly for the vote. On a division, it was found that Hamilton's motion was carried by a majority of not more than eight—a number so inconsiderable that, had the deserters remained, they were sufficiently numerous to have turned the scale against their opponents. Athol, however, entered an unavailing protest, which was signed by twenty-one noblemen, thirty-three barons, and eight commissioners of boroughs.

The queen empowered to appoint the commissioners.

Protest of Athol and his adherents.

After voting the supply, and passing some comparatively unimportant acts, parliament was prorogued on the 21st September, and Argyll returned to court in triumph.

A clause was inserted into the act, providing that the conditions of the treaty, as settled by the commissioners, should be committed to three separate writings, one for her majesty, and one for each parliament. The principal members of the administration accompanied or followed Argyll to London, to assist in the negotiations for this important treaty.

The majority of the nation were desirous rather of a federal than an incorporating union, considering the latter as implying a surrender, not merely of their legislature, but of their national independence; while the English looked to the advantages of additional population and power, internal tranquillity, and external strength which an entire union of the two kingdoms could alone secure. At the same time, many sagacious and patriotic men of both nations regarded such a union as a safeguard to public liberty, inasmuch as it would for ever put an end to the exercise of that abominable policy to which the house of Stewart had been no strangers—of employing the one nation to enslave the other. To the queen herself, it was recommended by the glory of ruling over a large and undivided empire, and as having achieved what the greatest of her predecessors had ardently desired, but had attempted in vain.

State of public opinion in both nations.

In the month of March, thirty-one commissioners for each kingdom were appointed by the queen to meet in London. Among these Hamilton, notwithstanding the promise that had been made to him, was not included, and Argyll, who had been a party to that promise, being offended at the omission of Hamilton's name, withdrew his own. One individual alone, George Lockhart, of Carnwath, was selected from the Jacobite party, in order to give a semblance of impartiality in the choice of commissioners. In vindicating his acceptance of the appointment, Lockhart himself said that he took no part in the discussions, but merely went to the meetings as a privileged spy.*

Appointment of the commissioners—

At length, on the 16th of April, 1706, the commissioners assembled in the old council-chamber of the cockpit at Whitehall. The first meeting was occupied with an interchange of addresses, which seem to have been more matters of courtesy and compliment than of any practical bearing on the important business that had brought them together. On the part of Scotland, the address was presented by the Earl of Seafield, the chancellor; on that of England, by the Lord Keeper of the Great Seal. An adjournment of six days followed, and on the 22nd the commissioners met for the dispatch of business. They began by arranging their plan of procedure. It was agreed that the commissioners for each country should separately offer, for the adoption of the whole body, such propositions as they deemed proper to form the basis of the union; that thereafter each party should separately deliberate on the propositions thus offered, and report to the whole body their approval or rejection. They further agreed that each proposal should be made in writing, and each article agreed on put on record, but that nothing should be considered as conclusively settled until the entire treaty should be drawn up and ready to be submitted to both parliaments. A few of the commissioners on each side were appointed as a committee to watch over and note the proceedings, in order to obviate any dispute that might otherwise occur as to what had been agreed on, and a resolution was passed that "all the proceedings of the commissioners of both kingdoms during the treaty be kept secret!"

Their meeting and plan of procedure.

These preliminary arrangements having been agreed on, the first proposal was made on the part of England—"That the two kingdoms of England and Scotland be for ever united into one kingdom by the name of Great Britain. That the united kingdom of Great Britain be represented by one and the same parliament, and that the succession to the monarchy of the United Kingdom of Great Britain, in case of failure of heirs of her majesty's body, be according to the limitations mentioned in an act of parliament made in England in the twelfth and thirteenth year of the late King William, intituled, 'An act for the further limitation of the crown, and the better securing the rights and liberties of the subject.'"

First proposal on the part of England.

The Scottish commissioners were inclined to acquiesce in this proposal, but well knowing that the great body of their countrymen were not prepared to go farther than a federal union, they were

* Lockhart Papers, vol. i.

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unwilling, without the appearance at least of hesitation, to run counter to public opinion. They therefore requested a short delay, and an adjournment of two days took place accordingly. On their again meeting the Scottish commissioners, instead of giving a direct answer to the proposal of the English, submitted certain proposals of their own. These were, in substance, that the succession to the crown should be the same as that in England; that the subjects of both kingdoms should enjoy the same rights and privileges, and that there should be a mutual free trade between the two nations and the plantations. Afraid, however, lest an appearance of inflexible adherence to these proposals should lead to an interruption of the treaty, they desired their lord-chancellor to intimate that by making these proposals, they did not wish to be understood as rejecting an entire union. The English commissioners had the penetration to see that these proposals were neither expected nor intended to be seriously entertained, and accordingly they did not waste time in discussing them. Indeed, they appear, from the manner in which they replied to their Scottish brethren, to have all along looked to an entire and incorporating union as the principal, if not the only object of their labours. They therefore firmly, yet courteously, demanded an answer to their own proposal as a condition without which they should decline proceeding farther—"The lords commissioners of England," they say, "are so fully convinced that nothing but an entire union of the two kingdoms will settle perfect and lasting friendship between them, that they therefore think fit to decline entering into any further consideration of the proposal now made by the lords commissioners for Scotland, as not tending to that end, and desire that the lords commissioners for Scotland would be pleased to give in their answer to the proposal delivered on Monday, the 22nd instant, by the lords commissioners for England, in order to an entire union of both kingdoms."

Proposals on the part of Scotland.

Answer of the English commissioners.

In the private consultations of the Scottish commissioners, it was proposed that, in order to their vindication in the eyes of their countrymen, they should reiterate their former demand, so that if, as they hoped and believed, they should fail of success, they might seem to yield only to necessity. This subterfuge, however, was ultimately abandoned, lest it should offer any interruption to the progress of the treaty, and, next day, the Scottish commissioners signified their acceptance of the English proposal, accompanied, however, with a demand that there should be a reciprocal communication of the rights of citizens, and equal trading privileges. To this condition the English commissioners at once assented as "a necessary consequence" of an incorporating union, so that nothing now remained but to adjust the details—a matter by no means easy, seeing so many important and conflicting interests had to be brought to harmonise, and so many deep-rooted national prejudices had to be overcome.

An entire union agreed on.

The first question that presented itself was the difficult one of taxation. How were the public burdens to be apportioned between a wealthy nation loaded with debt, and a nation comparatively poor, though without that incumbrance,—the one a great commercial people, the other with a small and declining trade? This was the problem to be solved, and it is impossible not to admire the prudence and sagacity of the eminent statesmen by whom the task was accomplished. The national debt of England at this period amounted to twenty millions; its annual revenue to about one-fourth of that sum. Scotland, as we have seen, was free from the burden of debt, while its annual revenue amounted to no more than from £120,000 to £130,000. England had a great and increasing trade, with a heavy taxation; while the trade of Scotland was small and languishing, and the revenue raised from customs and excise quite insignificant: but, as the public revenue of England was partly applied to the liquidation of the national debt, with which Scotland had no concern, it was manifest that a system of equal taxation over the United Kingdom would be fraught with manifest injustice, as Scotland would thus be compelled to contribute towards the extinction of a debt which it had not incurred. Scotland, indeed, from the poverty of its inhabitants and the smallness of its trade was totally unable to bear the burden of an equality of taxation with the sister kingdom, while, on the other hand, equality of trading privileges seemed to demand equality in customs and excise. Any alleviation or exemption in favour of Scotland would obviously have a tendency to transfer to that country the trade of England. The subject was thus one of great difficulty as well as importance.

Taxation.

The English commissioners considered equality of taxation as a necessary condition of an entire and permanent union. They were of opinion that without this, friendly relations between the two states, if possible at all, could not long subsist. This, then, was held to be a vitally important element in the treaty, and, accordingly, their first proposal was—"That there be the same customs, excises, and all other taxes, and the same prohibitions, restrictions, and regulations of trade throughout the united kingdom of Great Britain." Sensible, however, that this uniform system of finance would necessarily be productive of pecuniary hardship to Scotland, they at once anticipated all objection on the part of the Scottish commissioners by offering compensation in money for any pecuniary sacrifices which this arrangement might demand. The general principle was thus assented to, but, at the request of the Scottish commissioners, it was agreed to discuss the matter in detail. The discussion was amicable. Almost every important point was conceded by the Scots; but they could not help suggesting that some limit should be fixed beyond

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which the amount of taxation imposed on Scotland should not extend. To this the English commissioners made reply—"The lords commissioners for England are of opinion that it cannot be supposed the parliament of Great Britain will ever lay any sort of burthens upon the United Kingdom but what they shall find of necessity at the time for the preservation and good of the whole, and with due regard to the circumstances and abilities of every part of the United Kingdom; and to allow of any supposition to the contrary would be to form and set up an unanswerable argument against the union itself." All further objection on the part of Scotland now ceased, and the system of equalisation was completed, and the principle of free trade in some measure established by the important concession made by the Scottish commissioners—"That all parts of the united kingdom of Great Britain be under the same regulations, prohibitions, and restrictions, and liable to equal impositions and duties for export and import."

Customs and excise.

Considerable difficulty was experienced in equalising the customs and excise, which the Scottish commissioners contended were beyond the ability of the people to pay. Even though an equivalent were allowed to balance the public financial account, it was evident that this would neither afford relief to particular trades, nor enable the consumer to pay the additional price that would necessarily be laid on the articles. The English commissioners, however, clung to the general principle, which is certainly true in theory, that, without an entire equalisation, the country in which the articles could be more cheaply produced would naturally undersell the other, and gain exclusive possession of the market. An equality of excise on liquors was ultimately conceded, although the Scots struggled hard for an exemption from the excise on ale. It was further urged on the part of the Scots, that before the people could bear so heavy a weight of taxation as in England, it would be necessary that they should, for a time, reap the benefit of the free trade and other advantages expected to be derived from the union. The comparative poverty of Scotland was, indeed, too palpable to be denied, and it was accordingly agreed to afford an exemption from the duties on stamps, coals, windows, births, marriages, and burials. The salt duty, though an insignificant item, occasioned more trouble than all the rest. It was finally arranged that Scotland should be exempted from it for seven years, but a stringent clause was added for the protection of the English manufacturer.

Land tax.

The adjustment of the land tax was a work of considerable difficulty. The last valuation of the rents in both countries had been made during the protectorate of Cromwell, but since that time the rents in England had risen, while those in Scotland had declined. The land tax of England was at the time of the treaty four shillings per pound on the rent, or little more, in most cases, than a twentieth part, while if the same tax was levied in Scotland it would amount to about one-fifth of the rent. It was plain, therefore, that to have proceeded in this instance on the principle of equalisation would have been a practical injustice to the latter country. A proportional equality was, therefore, adopted. The land tax in England amounted to £2,000,000; and it was agreed that Scotland should pay £12,000 for each one shilling per pound levied in England, thus making the entire land tax of Scotland amount to £48,000. This arrangement was out of all proportion in favour of Scotland, which thus contributed only £50 for each £2000 contributed by England.

Courts of law.

It was wisely resolved that no alteration should be attempted in the forms of law, or in the constitution of the courts of justice in either country. Accordingly, the courts of session and justiciary, as well as all the inferior courts of Scotland, were left unchanged either in their jurisdiction or modes of procedure, though subject, of course, to such regulations as might, from time to time, be made by the parliament of the United Kingdom. It was provided, however, that a court of exchequer should be established with the same powers as that already existing in England, for deciding questions concerning the revenues of customs and excise. Heritable offices and hereditary jurisdictions were treated as private property, and accordingly reserved; and the privileges of royal boroughs were secured. The privy-council of Scotland was, in the meantime, to remain until altered or abolished by the British parliament.

Representation.

One of the most important and delicate points, that of the parliamentary representation, had yet to be considered. The number of commoners in the Scottish parliament was one hundred and sixty; the nobles amounted to one hundred and forty-five; while the English House of Commons numbered five hundred and thirteen, and the House of Peers, one hundred and eighty-five. To have conjoined the two parliaments as they stood would have given to Scotland more than her due influence in the upper house, while the lower house might have been then considered as inconveniently large for a deliberative body. To diminish, therefore, the number of Scottish parliamentary peers in an equitable ratio was a necessary, though a somewhat difficult and delicate measure. With respect to the commons, the diminution, if necessary at all, should have been exclusively on the part of England. In their own parliament every Scottish shire and burgh was represented, and common justice, as well as national honour and dignity, demanded that this arrangement should have remained undisturbed. The English commissioners were resolved that the reduction should be entirely on the side of Scotland, and proposed as a full and adequate representation that Scotland should send thirty-eight members to the united parliament. Their minute was as follows:—"The lords commissioners for England, being ex-

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tremely desirous to come to a speedy conclusion of the present treaty for an union of the two kingdoms, and it having been agreed that the United Kingdom be represented by one and the same parliament, their lordships have turned their thoughts to consider what may be a proper and reasonable number for the representatives of Scotland in the united parliament,—do propose to the lords commissioners for Scotland, that thirty-eight persons be the number by which that part of the United Kingdom now called Scotland shall be represented in the House of Commons, whenever a parliament shall be called in Great Britain." We are told that a loud burst of surprise and indignation followed this proposal, but it must be remembered that the whole proceedings were kept profoundly secret, and the Scottish commissioners had throughout manifested such a humiliating subserviency to those of England, as to give some probability to the surmise of Lockhart, who was one of the commissioners, though not in the confidence of either party, that they had "a mutual understanding with each other."

The Scottish commissioners did not insist on any specific number, but stated generally in their minute that they found themselves "under an absolute necessity for bringing to a happy conclusion the union of the two kingdoms, to insist that a greater number than that of thirty-eight be agreed to." After four days spent in private consultation, the Scots demanded a free conference. The treaty had hitherto been conducted in writing, in order to prevent free discussion, and the English, afraid of any ebullitions that might tend to interrupt the progress of the treaty, were most unwilling to accede to a conference, which, however, they felt it impossible to decline. They argued that the number of the Scottish representatives ought to be in proportion to the amount contributed by Scotland to the public burdens of the state; but that, nevertheless, they were willing to concede to the Scots a thirteenth part of the representation, although they were to contribute only a fourth part of the land tax. To this it was answered, that the true basis of representation was population, not wealth; that the contributions from Scotland might reasonably be expected to increase;* that the inhabitants formed a sixth part of the population of the island; and that more respect ought to be paid to the dignity of an ancient and independent kingdom than to offer it a share in the united legislature less than that of an English county. The Scots' commissioners would have been contented with sixty, but even this very inadequate number they durst not, from the fear of decided refusal, venture to propose. They, however, feebly held out for fifty, and the English at last agreed to forty-five. This was a twelfth part of the English representation; and the same proportion was proposed for the lords, viz., sixteen peers of parliament to represent the nobility of Scotland. Their minute containing this proposal runs thus:—"The lords commissioners for England, being assured by the lords commissioners for Scotland, that there will be insuperable difficulties in reducing the representation of Scotland, in the house of the United Kingdom, to thirty-eight members, the number formerly proposed by the lords commissioners for England,—do, to show their inclinations to remove everything that would of necessity be an obstruction to perfecting the union of the two kingdoms, propose to the lords commissioners for Scotland, that forty-five members, and no more, be the number of the representatives for that part of the United Kingdom now called Scotland, in the House of Commons for the United Kingdom after the intended union."

After three days spent in consultation, a private intimation was given to the Scottish commissioners, that farther deliberation was useless, and that it would be necessary either to interrupt the treaty, perhaps put an end to it for ever, or to submit implicitly to the conditions proposed. This peremptory message had the desired effect, and the Scots were constrained to yield. As some compensation, however, for the loss of their direct legislative rights, the Scottish peers obtained the privilege of peerage enjoyed by the English nobility, which afforded them, for the first time, an entire and perpetual exemption, in case of debt, from arrest—a boon which, it is alleged, was much needed, and, therefore, highly prized by the nobles of Scotland at that period.

It is difficult to refrain from ascribing to some sordid personal motives this tame acquiescence in an act of flagrant injustice to their native country; but it must not be forgotten that the Scottish commissioners were appointed by the queen, with the advice of the English government, and were for the most part court parasites or expectants of office.*

The "Equivalent."

While these grave deliberations were in progress, other matters of less imposing magnitude, though still very important, had been discussed and arranged by a committee. The "Equivalent" for that portion of the customs and excise of Scotland which would be applicable to the liquidation of the English debt had been calculated and found to amount to £398,085 10s.† A uniform coinage was proposed to be established for both kingdoms, compensation being made for any

Coinage.

* So great has been the expansion of the commerce, and consequently of the taxation, of Scotland, that she now raises six of the fifty-three millions of revenue contributed by the United Kingdom. She thus pays more than a ninth of the revenue, though she has even yet only a twelfth of the representation.

* Lockhart says, "It consisted with my certain knowledge that the English did design from the beginning to give the Scots forty-five commoners and a proportionable number of peers; but had the Scots stood their ground, I have good reason to affirm that the English would have allowed a much greater number of representatives and abatement of taxes, for the English saw too plainly the advantages that would accrue to England from any union of the two kingdoms upon this scheme, and would never have stuck at any terms to obtain it."—*Lockhart Papers*, vol. i. p. 156.

† The debts of England at this time amounted in round

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losses occasioned by change of denomination. It was agreed that the additional taxes levied on Scotland in accordance with the terms of this treaty should, for seven years, be applied to the encouragement of manufactures, the establishment of fisheries, and other useful national objects. The same weights and measures were to be adopted in every part of the United Kingdom. With regard to matters of ceremony, which are often trifling in themselves, though important in a national point of view, the dignity of Scotland was distinctly recognised and provided for. In the flag of the United Kingdom the crosses of St. George and St. Andrew were to be conjoined; and the coat-armorial was to be quartered according to the rules of heraldry, so that when employed for Scottish national purposes the arms of Scotland should occupy the dexter side. Lastly, a new great seal was appointed to be constructed for the United Kingdom, for the authentication of public acts affecting both nations.

Weights and measures.

National flag.

National arms.

The question of the Darien Company was the subject of a separate, though brief deliberation. It was brought forward on the 15th July by the Earl of Mar, when it was demanded on the part of Scotland either that the company should retain their privileges, or that the stock should be purchased from the holders at an equitable valuation. That the company should be abolished the English commissioners held to be an indispensable condition, from which they had resolved on no account to depart. The only other alternative was accordingly embraced. This they signified in the following minute—"The lords commissioners for England, in answer, say they are of opinion that the continuance of that company is inconsistent with the good of trade in the United Kingdom, and consequently against the interest of Great Britain, and therefore they insist that it ought to be determined. But the lords commissioners for England being sensible that the misfortunes of that company have been the occasion of misunderstandings and unkindnesses between the two kingdoms, and thinking it above all things desirable that upon the union of the two kingdoms the subjects of both may be entirely united in affection, do therefore wish that regard may be had to the expenses and losses of the particular members of the said company," &c.

Darien Company.

The whole conditions of the treaty being now agreed on, they were digested into twenty-nine articles, and copies were prepared to be submitted to the queen and the two parliaments, and, on the 23rd July, the commissioners terminated their labours, having sat for two months and one week. On the same day, they presented to her majesty a copy signed and sealed, which she graciously received, professing that it would give her peculiar pleasure should her reign be identified with the passing of that great and important measure, and earnestly desiring that the ministers for Scotland should, with all fitting expedition, lay the treaty before the parliament of that kingdom.

The secrecy in which the solemn deliberations now closed had been involved, held the public mind in a state of silent, though anxious suspense; yet that very secrecy naturally excited suspicions that there must be something wrong in the conditions of a treaty which its authors were ashamed or afraid to publish. It had been decided that it should be submitted first to the parliament of Scotland, as it was there likely to meet with the severest criticism and the greatest opposition; and, as the time fixed for the assembling of that body drew near, the public anxiety was manifested by a vast influx into the capital of visitors from every quarter of the country. This, the last parliament of Scotland, commenced its final session on the 3rd of October, 1706. Queensberry, who had been reappointed commissioner, opened the proceedings by reading a letter from the queen, in which she urged the advantages of an entire union between the two kingdoms. "It will secure," she said, "your religion, liberty, and property, remove the animosities amongst yourselves, and the jealousies and differences betwixt our two kingdoms. It must increase your strength, riches, and trade; and by this union, the whole island being joined in affection, and free from all apprehension of different interests, will be enabled to resist all its enemies, support the Protestant interest everywhere, and maintain the liberties of Europe."

State of the public mind.

Meeting of the last Scottish parliament, 3rd of October, 1706.

The royal message was enforced by a speech from the commissioner, who was followed by Seafield, the chancellor. The treaty itself was then produced and read, and, together with the minutes of the commissioners, was ordered to be printed, after which the house adjourned for a few days.

The people had been led to expect a federal union, and were disposed to welcome it as offering a solution of their commercial difficulties, and involving the establishment of the highly-prized privilege of free trade; but no sooner were the provisions of the treaty known, than a simultaneous and universal burst of indignation and disappointment was excited in the capital, and spread rapidly through the kingdom. An incorporating union was openly and loudly denounced as nothing less than an entire surrender, not merely of the dignity and independence, but the very nationality of Scotland. Pamphlets, placards, warnings, satires, and other productions, indescribable and innumerable, issued from the press; but these, though they contributed to fan the flame, were rather an effect than a cause of the popular excitement. Each section of the community looked at the treaty from its own parti-

Alarm at the union.

numbers to eighteen millions. It was calculated that of every £1000 a year of additional customs-duty levied in Scotland, £792 would go to pay the debt with which England was burdened; and of every additional £1000 which the Scots raised in excise-duties, about £625 would go in payment of the debt of England. The "Equivalent" was intended as compensation to Scotland for submitting to this burden.

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cular point of view, but all were unanimous in its condemnation. The presbyterians were under the most alarming apprehensions of danger to their national church from the influence of the prelates who were of course to have seats in the united parliament. The episcopalians, on the other hand, saw in the confirmation of the Presbyterian Church the utter extinction of all hope of restoring their own. The poor were alarmed with apprehensions of an excise on those native productions which they had been accustomed to regard as necessaries of life; and the merchants were terrified by rumours of imposts on foreign commerce. The partizans of the house of Stewart, of all classes and denominations, were in despair, and made the most frantic exertions to extend their faction by drawing over men from all other parties to unite with them in opposing the detested union, which threatened for ever to extinguish all their political hopes and aspirations.

Such was the ferment throughout the kingdom, but more particularly in Edinburgh, when parliament again assembled, on the 12th of October, and began to consider the Articles of the union. According to the usual mode of procedure, before proceeding to consider the details of the treaty, a desultory discussion took place on the whole measure. The minutes of the sederunt bear that certain articles were read, together with the relative proceedings of the commissioners, "and were all reasoned and discoursed upon" without any division of the house taking place. A short delay was proposed by the opposition, that they might have time to consult their constituents, without whose concurrence, they argued, parliament had no authority to innovate on the constitution, which it was an important part of their functions to preserve. It was argued, on the other hand, that the representatives of the people in parliament were appointed to act for the public welfare, and that, as they had been summoned on this occasion to deliberate on the basis of a union, they were fully authorised to enter into all the details of the treaty, and to approve or reject it as they might consider best for the general good. To this it was replied that when the present parliament was elected, the subject of a union was not so much as thought of, and that it would be more honourable to themselves to decide such a grave matter in a new parliament, invested with special powers for that purpose, than in an old one, whose members might lie under the imputation of having been corrupted by court influence. But whatever force there might be in this reasoning, it failed of its intended effect. After a warm discussion, it was decided by a majority of sixty-four to proceed without delay to the consideration of the treaty, but it was resolved not to come to a decision on any one article until the whole had been separately discussed.

The treaty again read.

Proposal for delay. Resolution to proceed.

Meantime, the excitement out of doors had begun to assume a more formidable aspect. Since the first day of meeting, the house had been surrounded by an eager crowd, anxious to obtain the earliest information of what was going on within. The vote on the first article having been deferred, the multitude, by a natural mistake, imagined that the article had been rejected, and immediately gave way to the most extravagant demonstrations of joy. But, as the minutes were regularly printed, this exultation was soon at an end. The mob then insulted and threatened the commissioner on his way from the house to the palace, and followed with abuse and execration all the members whom they knew to be favourable to the union. On the other hand, they loudly cheered the opposition members, and escorted them nightly to their homes in triumph. Amongst these was the Duke of Hamilton, whose opposition to the measure had rendered him extremely popular. He had taken up his residence in the abbey, but, one evening, instead of returning thither, he went to pay a visit to the Duke of Athol, who then occupied a lodging in the Lawn Market. Having seen him in safety to his destination, the crowd turned aside to the house of Sir Patrick Johnston, their late provost, which was in the neighbourhood, and, as this gentleman had been one of the commissioners for the treaty, they began to testify their disapprobation of his supposed treachery by attacking his house. Fortunately, however, it was situated in an upper floor in one of those gigantic tenements for which Edinburgh was then, as now, famous, and it was found that the missiles projected by the most expert throwers could not reach the windows. An attack on the door was therefore resolved on, but as the common stair leading to it was narrow and long, but few of the assailants could mount at a time, and these could have been easily repelled had there been one or two sturdy defenders within. Johnston, however, was not at home, and the only inmates were his wife and female domestics. While the assault on the door was going on, the lady went to one of the windows, and called for assistance. A message was immediately dispatched to the town-guard, who at that time and for many years afterwards were the only police of the city. In a few minutes thirty of their number were on the spot, who soon succeeded in dispersing the rioters, besides making prisoners of six of the most adventurous, whom they found still engaged in their assault on the door. The commotion, however, soon spread to other parts of the city. The excited rabble collected from all quarters, and for some time held undisputed possession of the principal streets, and saluted in no very agreeable manner the obnoxious legislators, as they retired homewards. Some stones, it is said, were thrown,* but no instance of personal injury is recorded. It is probable, however, that had a skilful and determined leader at that moment presented himself, both the parliament and the union would have been in considerable danger. As the multitude, however, continued to parade the streets, beating drums

Popular excitement.

Attack on the ex-provost's house.

* De Foe's History of the Union, p. 238.

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and alarming the peaceable inhabitants, and as the town-guard were not sufficiently strong to put down the disturbance, the commissioner, with the consent of the provost, marched a battalion of guards into the city, who speedily dispersed the rioters and restored quiet, though not contentment. In vain did the country party protest against the introduction of the troops, by whose presence they complained that parliament was overawed.* The military were suffered to remain, for the protection of the public peace, during the whole subsequent progress of the discussions.

Introduction of the military. Tranquillity restored.

The unpopularity of the union throughout the kingdom, and the disturbed condition of the capital, so far intimidated the commissioner and the chancellor that they were inclined to adjourn the parliament—a measure which would, in all probability, have proved fatal to the union. But Godolphin urged them to persevere, and encouraged them with the assurance of military assistance, if necessary, from England, Ireland, or even Flanders. Meanwhile numerous petitions against a union poured in from all quarters of the kingdom; but parliament had resolved to persevere, and the petitions were disregarded. As had been agreed on, the whole articles had been gone through and discussed *seriatim;* but when the House proceeded to determine on the first four articles, embracing the fundamental proposition that the two kingdoms should be united into one, with the same privileges, and under the same legislature and line of succession, the comparative calm that had hitherto prevailed gave place to the most fierce and violent altercations. Day by day, petitions against the union continued to accumulate on the table of the House, and so numerous were the signatures that it appeared as if they had been subscribed by almost every man in the kingdom capable of writing his name. A form of petition, framed in Edinburgh, was very generally adopted in the country towns and parishes. It was in these terms:—"To his grace her majesty's high commissioner, and the right honourable the Estates of Parliament—humbly sheweth that we, under subscribing, have seen the articles of the union agreed upon by the commissioners nominated in behalf of England, in which they have agreed that Scotland and England shall be united in one kingdom, and that the United Kingdom shall be represented in the same parliament; and seeing it does evidently appear to us that such an incorporating union as contained in these articles is contrary to the honour, fundamental laws, and constitutions of the kingdom, Claim of Right, and rights and privileges of the barons, and freeholders, and boroughs of this kingdom and church, as by laws established, and that the same is destructive to the true interests of the nation; therefore we humbly beseech your grace and honourable Estates, and do confidently expect that you will not allow of any such incorporating union, but that you will support and preserve entire the sovereignty and independence of this crown and kingdom, and the rights and privileges of parliament, which have been so resolutely maintained by our heroic ancestors for the space of above two thousand years, that the same may be transmitted to succeeding generations as they have been conveyed to us: and we will heartily concur with you for supporting and maintaining our sovereignty, and independency, and church government, with our lives and fortunes, conformably to the established laws of the nation."

Proceedings in parliament.

Petitions against the union.

Notwithstanding the moderate tone of these petitions, they narrowly escaped being thrown over the table as seditious, and were only entertained through the fear that their subscribers would make personal application at the door of the house. That the all but universal feeling of the nation was hostile to the union is indisputable, for while petitions without number were presented against it, not one was presented in its favour.

After a month spent in preliminary discussions, the real contest commenced on the 4th of November, when it was agreed to take the sense of the house on the first article of the treaty, with this understanding, "that if the other articles of the union be not adjusted by the parliament, then the agreeing to and approving of the first shall be of no effect." The debate was commenced by Seton of Pitmedden, who, in a dispassionate and statesman-like address, pointed out the advantages, both political and commercial, of an incorporating over a federal union. "If separation," he said, "would bring little good, and if federal compacts possess insuperable difficulties, if victory itself would be ruin, what remains? Either a debasing connection, such as we have been cursed with for these hundred years past, where under one sovereign we have had our independence eclipsed, our nobility increased, our commons oppressed, our parliament influenced, our laws neglected, our peace destroyed by faction, and our poverty insulted by luxury; or a cordial agreement, where we shall participate in the glory, and share in the riches of an illustrious and wealthy nation, who invites and entreats us to an incorporating union."

Debate on the treaty.

The most marked feature of the debate, however, was the famous speech delivered by Lord Belhaven, a young and enthusiastic nobleman of great ability and unimpeachable integrity, who had throughout shown the most violent hostility to the union, and who now denounced the measure in the most eloquent and impassioned terms. He depicted, in vivid language, the ruin which the proposed union would bring upon all classes of the Scottish people, and held it up to public reprobation as a total surrender of the national independence, as dangerous to the national church, as degrading to the nobility and the army, as destructive of trade, as ruinous to the industrial classes, and as certain to involve the landed gentry in inextricable difficulties. "Above all," he said,

* Sir J. Clark's Hist., MS.

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"I see our ancient mother Caledonia, like Cæsar, sitting in the midst of our senate, ruefully looking around, covering herself with her royal garment, awaiting the fatal blow, and breathing out her last with an '*et tu quoque, mi fili*,' (and thou too, my son)." His appeal to the estates to lay aside their dissensions, and to unite in saving their country's honour and independence could scarcely have been heard without some emotion even by the selfish and factious politicians of the day, recommended as it was by the well-known honesty and patriotism of the speaker. "What hinders us, my lord," he said, "to lay aside our divisions, to unite cordially and heartily together in our present circumstances, when our all is at stake? The enemy is already at our gates. Hannibal is come the length of this table; he is at the foot of this throne; he will demolish this throne if we take not notice; he will seize upon these regalia; he will take them as our *spolia opima*, and whip us out of this house, never to return again. For the love of God, then—for the safety and welfare of our ancient kingdom, whose sad circumstances I hope we shall yet convert into prosperity and happiness! we want no means if we unite. God blesseth the peacemakers. We want neither men nor sufficiency of all manner of things to make a nation happy."

The speech of the youthful nobleman seems to have been intended more for the people out of doors than for the parliament. It was heard without any manifestation of feeling, and does not appear to have had any influence on the vote that followed. After the orator had finished, Lord Marchmont stood up, and jocularly remarked that they had heard a long speech, and a very terrible one, but he thought a short answer would suffice, which might be given in these words—"Behold, he dreamed! but, lo! when he awoke, behold, it was a dream." On a division being called for, it was found that there were one hundred and sixteen in favour of the article, and eighty-three against it. The majority was chiefly on the part of the peers, and the same peculiarity was observable in all the subsequent divisions. The votes of the barons, or county representatives, were not far from an equality, being thirty-seven to thirty-three, while those of the representatives of boroughs were thirty-three to twenty-nine. There was thus a clear majority in each of the Estates taken separately. Ten days elapsed before a division took place on the second article—that relating to the succession, but after some attempts on the part of the opposition to procure delay, it was carried almost without a discussion. The debate on the incorporation of the two parliaments was somewhat more protracted, but the article was ultimately carried by a large majority. Thus, before the end of November, the great fundamental articles of the treaty—the incorporating union and the succession to the crown—had, despite of all opposition, received the sanction of the legislature.

Majority in favour of the union. First article carried.

Succeeding articles approved.

The articles relating to trade, taxation, jurisdiction, and laws, gave rise to little discussion, and, with a few alterations, then deemed very important, but which have long since lost their interest, were all carried without any display of that acrimony that had been so prevalent during the previous debates.

Popular tumults.

While these deliberations on matters of fiscal and commercial detail were in progress, the popular ferment, so far from subsiding, rose to an alarming height, and seemed to threaten the nation with the horrors of civil war. Rumours were in circulation of a conspiracy to assassinate the commissioner as he retired from the house, and detailed information was furnished to that high functionary that twenty-four desperate young men had bound themselves by an oath written in blood to put him to death. Popular tumults again broke out in Edinburgh, and obnoxious members of the house were exposed, notwithstanding the presence of the military, to most imminent danger from stones and other missiles, which were showered on them by the enraged multitude. In the west and south these popular demonstrations assumed an aspect still more alarming. In Glasgow, application had been made to the magistrates to present an address from the city against the union. Jacobites, papists, presbyterians, and covenanters, had united in this application. This strange conjunction of parties seems to have intimidated the magistrates, who consequently refused to concur in the address. This refusal incensed the populace to the highest degree, and, as the provost was an object of special resentment, they attacked and gutted his house, and had he not fortunately, in anticipation of the coming storm, previously retired to a place of safety, would certainly have attempted to force him into compliance with their wishes, by laying violent hands on his person. In his absence, however, the address was prepared and signed by the deacons, in name of the incorporated tradesmen of the town. A temporary calm succeeded, but some trifling disturbance having occurred about the committal to prison of an ordinary criminal, the inflammable passions of the populace were once more kindled into a blaze. The mob paraded the streets in search of some object on which to wreak their vengeance, and for some days were actually in undisputed possession of the city. Meantime, the unfortunate provost, thinking, on the first lull, that the danger was over, had returned home; but he was soon made aware of his mistake, and, being taken by surprise, could find no more secure retreat than a private house, in which he was fain to hide himself in a manner not quite in accordance with his civic dignity. His enemies were soon upon his track, and ransacked the whole house from top to bottom, including even the apartment in which he was, without discovering the object of their search.* He was concealed in a bed which folded up against the wall, and which consequently they had thought it unne-

Disturbances in Glasgow.

* Defoe's History of the Union, p. 272.

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cessary to examine. A party of horse, amounting to two hundred, was at length dispatched to put an end to these disturbances. A detachment of twenty-five having been ordered to enter the town, soon succeeded in overawing the rioters and restoring tranquillity. A few of the ringleaders were apprehended and conveyed to Edinburgh, and the insurrection, if such it may be called, was, so far as respected Glasgow, at an end.

Rising of the Cameronians in the west.

This outbreak was probably more alarming than dangerous, and though it resulted in some wanton destruction of property, was not attended with bloodshed, or even serious bodily injury. But there were other quarters from which real danger was to be apprehended. The Cameronians of the west, whose military ardour was combined with religious enthusiasm, seized this opportunity of strengthening their organisation, which had long been sufficiently formidable. They held frequent nocturnal meetings, at which, under the guidance of able and experienced leaders, they concerted their plans with secrecy and dispatch. The condition of this remarkable body, at this period, as described by their leader, John Ker of Kersland, is too important to be altogether omitted. "The Cameronians," he says, "are strictly religious, and ever act upon that principle, making the war a part of their religion, and converting state policy into points of conscience. They fight as they pray, and pray as they fight, making every battle a new exercise of their faith, and believe that in such a case they are, as it were, under the banner of Christ. If they fall in battle, they die in their calling, as martyrs to the good cause, and believe that in thus shedding their blood they finish the work of their salvation. From such maxims and articles of faith the Cameronians may be slain, never conquered. Great numbers of them have lost their lives, but few or none ever yielded. On the contrary, whenever they believe their duty or religion calls them to it, they are always unanimous and ready, with undaunted spirits and great vivacity of mind, to encounter hardships, attempt great enterprises, despise danger, and bravely rush on to death or victory. * * * They are governed by a general quarterly meeting, composed of two commissioners deputed by each town where they live; and whatever is concluded at this meeting is a general rule to the whole. They are closer in their deliberations than the other parties are, for whatever comes before them is disputed and concluded without the least danger of being exposed; and whatever is so resolved is accordingly executed with the profoundest secrecy and expedition. For the Cameronians are always ready, under their proper officers, well appointed, and, when it is found at their general meeting to be their duty, can assemble upon the least notice given them; so that though they be the fewest in number, yet they are in effect the most considerable of the three, for the commonality of the presbyterians, who have a wonderful opinion of their piety and virtue, always readily join with them in anything that concerns the public, which the Cameronians encourage and allow, but do not permit them to be members of their society, or to bear any part in the conduct of their affairs."*

It does not detract from the historical value of this testimony, that Ker, though the avowed and acknowledged leader of the Cameronians, was in reality a government spy.

Progress of disaffection.

Such were the men whose combined action the government had now to dread; and if we take into account that multitudes in all quarters of the country, including Jacobites of every grade, presbyterians, and nearly all unfriendly to the union, were ready to make common cause with them, it must be admitted that the combination was not such as any government could safely despise. Under authority of a clause in the Act of Security, the opponents of the union in different counties now began to raise and train men for military purposes, their avowed object being to dissolve by force a parliament that had sold themselves, as was alleged, and were now about to sell their country. They established correspondence with their friends, and dispatched emissaries to the north and east to stimulate the people in these districts to take up arms. A body of horsemen from the surrounding country suddenly entered the town of Dumfries on the 20th of November, and making their way to the market-place, they kindled a fire, in which they publicly burned the treaty and the names of the commissioners; then they affixed a declaration to the market cross, in which they maintained that they were not bound by the acts either of the commissioners or the parliament, but, on the contrary, were under solemn obligations to set aside their betrayers, and uphold the ancient national independence. They disclaimed, nevertheless, all intention of interfering with the proceedings of the parliament, yet they formally protested, "that if the subscribers to the foresaid treaty of union, with their associates in parliament, should presume to carry on the said union by a supreme power over the generality of the nation, then, and in that case, as we judge that the consent of the generality of the same can only divest them of their sacred and civil liberties purchased and maintained by our ancestors with their blood, so we protest that whatever ratification of the foresaid union may pass in parliament, contrary to our fundamental laws, liberties, and privileges in Church and State, may not be binding upon the nation, now or at any time to come."

The treaty publicly burned at Dumfries.

Protest against the union.

This bold manifesto, though generally ascribed to the Cameronians, has not been traced with certainty to that body. The horsemen engaged in the enterprise probably did not exceed in number two

* Memoirs of John Ker, vol. i. pp. 12—15. Ker had married the heiress of the Crawfords of Kersland, a family which for two generations had occupied a prominent place among the Hill-men.

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or three hundred, though they were magnified by common report into an army of several thousand men.

Project for combined action. Cunningham of Ecket.

A plan was now formed for bringing the Highlanders to act in concert with the Cameronians, and the projectors soon found a fit leader in Cunningham of Ecket, an old and experienced officer, who had at one time held the command of a regiment, but who now entertained a heavy grudge against the government for having disbanded his corps, and left considerable arrears of pay undischarged. It was arranged that he should assemble the armed Hill-men at Sanquhar, while the Duke of Athol was to collect the Jacobite Highlanders above the passes. The two armies were then to effect a junction at some intermediate point, and march eastward in a united body to Edinburgh, and disperse the parliament. There was more than one traitor, however, in the Cameronian camp; and Hepburn, their clerical leader, while he counselled and encouraged them in the prosecution of this daring enterprise, had secretly betrayed all their proceedings to the government. Cunningham, who had completely gained the confidence of the leaders in the west, now traversed the country in all directions, stirring up all to action within the sphere of his influence, and making arrangements for co-operation. Having prevailed with the Duke of Athol to secure the pass of Stirling, and to keep open a communication with the north, he at length returned to his Jacobite accomplices, and informed them that all was now ready, and that, at a preconcerted signal, the opponents of the union were ready to concentrate their forces and march upon the capital. At this critical moment, however, Cunningham suddenly deserted the cause, and betrayed the whole design to Queensberry. It is impossible now to determine whether he had been all along acting as a spy in the pay of the government, or had been induced at this juncture partly through fear of the consequences and partly by the offer of a reward to make this discovery, and to frustrate the enterprise which he had been among the first to propose, and apparently one of the most zealous to promote. Instructed by Queensberry, he returned to the west and south with a view to amuse his confederates and dissuade them from the undertaking. He represented to them that there was neither courage nor fidelity among their associates in Edinburgh, and that they had refused to furnish the least assistance. He, therefore, exhorted them to consider well before committing themselves to such a hazardous attempt.

Treachery of Hamilton.

Hamilton, whose inconsistent conduct is somewhat difficult of explanation, now seems to have formed an alliance with Queensberry, his ancient rival, and under his direction, or at his instigation, he sent private expresses through the country recommending the people to desist for a time from their attempts; and thus discouraged, instead of seven thousand, who had joined the confederacy, not above five hundred assembled, and these Cunningham, without difficulty, prevailed on to disperse, muttering imprecations, however, against those by whom they had been betrayed.

Suspension of the Act of Security.

The government having thus suppressed this alarming insurrection, lost no time in suspending the Act of Security, thereby effectually preventing any further attempt, for the present, to muster the people and train them to arms.

Concourse of country gentlemen to Edinburgh.

Fletcher of Saltoun now proposed that the freeholders of the opposition should be invited to repair to Edinburgh for the purpose of presenting a united appeal to the commissioner, entreating him either to desist from pressing the union, or at least to agree to a short delay until the mind of the nation should be fully ascertained with respect to that important measure. In anticipation of his refusal, a national address to the queen was prepared, which was then to be circulated throughout the kingdom, and subscribed by men of all ranks, requesting her to summon a new parliament and assembly. Five hundred gentlemen, mostly Jacobites, in consequence repaired to Edinburgh, but Hamilton artfully contrived to sow dissension among them, and thus frustrated their design. He proposed, with a view to furnish the Tories in the English parliament with a pretext for opposing the union, that a clause should be inserted in the national address expressing their desire to entail the crown on the house of Hanover. To this, as was expected, the Jacobites refused to consent, and the presentation was consequently delayed. A proclamation was then issued by the government prohibiting all illegal convocations, and the country gentlemen, disgusted with the treachery of their leaders, which was now apparent, and impatient of fruitless delay, gave up the struggle and returned to their homes.

Artful policy of Hamilton.

Fickleness or treachery of Hamilton.

At the instigation of Hamilton, the Jacobites resolved to make a determined stand against the article relating to the representation of Scotland in the united parliament, and, on their failure, to enter a solemn protestation, and secede from the house, in imitation of the policy by which Hamilton had in some degree destroyed the credit of the former parliament. Had this plan been carried out, it is probable that the commissioner would have adjourned the parliament, and abandoned all further attempts to carry through the union, in opposition to the national will. A spirited protest was drawn up, and the day was fixed for its presentation, but Hamilton, on whom the party depended as their leader, again failed them. On the morning of the day agreed upon, the opposition mustered in great force, and proceeded to the house, escorted by a numerous body of their most ardent supporters. Their expected leader, however, did not appear, and on inquiry, they were informed that his grace was s

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much troubled with toothache that he could not attend the house. His friends immediately proceeded to his lodgings, and remonstrated with him so earnestly, that he was compelled to yield. On entering the house, he asked the opposition, with apparent simplicity, whom they had selected to present their protest. They replied that they had reckoned on his grace as their leader, and the person of the highest rank among them, carrying out the proposal which he had himself made. This, however, he positively refused to do, though he offered to second any one else who might be appointed to table the protest.* The opponents of the union were struck powerless by this unexpected defection. The article respecting the representation was carried. The opportunity of making a secession was thus lost, and the country party, burning with indignation at the perfidy or cowardice of their leader, ceased to act any longer in concert, and after an abortive attempt to procure an enactment that the parliament of Great Britain should meet every third year in Scotland, they withdrew from the contest in despair.

During the subsequent stages of the bill, the people manifested no farther disposition to obstruct its progress by any insurrectionary movement. A kind of gloomy tranquillity prevailed, relieved in some small degree by the forlorn hope that the measure would be rejected by the parliament of England. The remaining articles were quickly disposed of. An occasional debate took place, but in the divisions government usually maintained its original majority. On the 7th of December, the fifteenth article, adjusting the "Equivalent" and providing for the abolition of the Darien Company with compensation, came on for discussion. Two eminent mathematical professors had been employed to calculate the "Equivalent," which on their report was held to be correct. The liberality shown by the English in making this offer of compensation tended greatly to disarm opposition, and the remaining articles were carried almost without a division. The final ratification of this important measure, on which the house had been occupied since the 12th of October, did not take place until the 16th of January, 1707, when the passing of an act ratifying and approving the Treaty of Union was put to the vote, and carried by 110 to 69. The act was then touched with the sceptre by the commissioner, and the labours of the last Scottish parliament were now nearly at an end.†

Ratification of the Treaty of Union.

No sooner had the act passed than the commissioner dispatched it by express to London, where the English parliament was then sitting. Her majesty communicated to them in person the important intelligence. She expressed the lively satisfaction she felt at the near prospect of witnessing the completion of this great measure, which she trusted would prove a permanent blessing to the whole island, a source of increased wealth and power, and a security for the maintenance of the Protestant religion.

Before proceeding to the consideration of the articles of union, the English parliament, on the 3rd of February, passed "An act for securing the Church of England, as by law established," to be inserted like a similar act that had been passed by the parliament of Scotland for the security of the Presbyterian Church, in the parliamentary adoption of the union by both kingdoms. On the following day the commons, in a committee of the whole house, proceeded to the consideration of the articles of union, and the act of ratification by the Scottish parliament. Their deliberations commenced on the 4th of February, and the report of the committee in favour of the articles was presented and approved of by the house on the 8th of the same month. Very slight opposition was manifested, as the parties who were unfavourable to the measure expected to have a subsequent opportunity of discussing the articles in detail, like the clauses of a bill. In this, however, as we shall see, they were disappointed. The measure was pressed forward with such rapidity, that its opponents testified their dissatisfaction by crying out "post-haste! post-haste!" To this it was answered by Sir Thomas Lyttleton, "They do not ride post-haste, but a good easy trot; and, for his part, as long as the weather was fair, the roads good, and the horses in heart, he was of opinion they ought to jog on, and not take up till it was night."*

Proceedings of the English parliament.

The debate in the House of Lords commenced on the 15th February, in a committee of the whole house, and in presence of the queen. On Bishop Burnet, descended from an obscure but respectable Scottish family, was conferred the distinction of presiding on this great occasion. Lord Haversham was the principal opponent of the measure. He objected to an incorporating union, on the ground that it was opposed by the almost unanimous voice of the people of Scotland. He was in favour of a most close and intimate federal union, but held that two independent nations differing in laws, customs, and ecclesiastical government, though they might cleave together, could never incorporate. He regarded an accession of sixty-one Scottish members, lords and commons, as much too large in proportion to the share of taxes to be borne by Scotland, and, at

Debates in the House of Lords.

* According to report at the time, the commissioner had frightened Hamilton by informing him privately, that if by the project referred to he should break off the union, he should be made to suffer for it in his English property. But throughout the entire proceedings, Hamilton seems to have exhibited great timidity and infirmity of purpose.

† The Earl of Stair, the author of the Glencoe massacre, who took a leading part in framing and passing the Act of Union, died suddenly, it is believed from the effects of anxiety and over exertion, just as the twenty-second article was carried. It is stated by Lockhart of Carnwarth that Seafield, the chancellor, on the passing of the act, said, "There's an end o' an auld sang." This brutal levity, on an occasion which every Scotchman ought to have considered one of peculiar solemnity, excited great and general indignation.

* Parl. Hist., vol. vi. p. 561.

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the same time, dangerous to the constitution and Church of England. He dwelt on the danger of innovation, in an argument addressed rather to the fears than the reason of his auditory. He expressed apprehension that a measure depriving of their seats in parliament one hundred Scottish peers, and the like number of commoners, might be drawn into a precedent destructive of their own constitutional rights and privileges. These reasonings failed either to convince or alarm the house. A few divisions took place, but the result proved that opposition was hopeless, the largest minority, in any one instance, being twenty-three against a majority of seventy.

The house sat as a committee from the 15th to the 24th of February, and three days afterwards Bishop Burnet reported the resolutions to the house, "which were agreed to by a great majority," but no record has been left of the numbers on either side.

It now only remained to make into a law that which they had just approved of as a treaty. The opposition expected that on the bringing up of the bill, all the clauses would again be subjected to discussion. But these expectations were disappointed, through the ingenuity of Harcourt, the attorney-general, who artfully inserted the articles of union in a narrative form in the preamble of the bill, along with the acts of the two parliaments for the security of the two churches. The enacting clause with which the bill concluded was founded upon the narrative of these actual transactions, which, as a matter not of opinion, but of fact, admitted of no dispute. The measure was thus concentrated into a single point, to be decided by a simple negative or affirmative, and the government obtained an easy victory. A rider was proposed by Lord North in these terms—"Provided always that nothing in this ratification contained shall be construed to extend to an approbation or acknowledgment of the truth of the presbyterian way of worship, or allowing the religion of the Church of Scotland to be what it is styled, the true Protestant religion." But this was rejected by a majority of fifty-five to nineteen. When the bill was passed in the upper house, the Earl of Nottingham and seven other peers entered their protest against it, without assigning any reason; and the Duke of Buckingham and five lords protested, because they considered that "the excellent constitution of England would be endangered by the alterations made by this union."

Passing of the bill.

This important act received its final ratification on the 6th of March, when the queen proceeded in person to the house to give it the royal assent. On that momentous and interesting occasion her majesty addressed the parliament in the following words:—"My lords and gentlemen, it is with the greatest satisfaction I have given my assent to a bill for uniting England and Scotland into one kingdom. I consider this union as a matter of the greatest importance to the wealth, strength, and safety of the whole island, and, at the same time, as a work of so much difficulty and nicety in its own nature that, till now, all attempts which have been made towards it in the course of above a hundred years have proved ineffectual; and, therefore, I make no doubt but it will be remembered and spoken of hereafter to the honour of those who have been instrumental in bringing it to such a happy conclusion. I desire and expect from all my subjects of both nations that from henceforth they act with all possible respect and kindness to one another, that so it may appear to all the world they have hearts disposed to become one people. This will be a great pleasure to me, and make us all quickly sensible of the good effects of this union; and I cannot but look upon it as a peculiar happiness that in my reign so full provision is made for the peace and quiet of my people, and for the security of our religion by so firm an establishment of the Protestant succession throughout Great Britain."

Royal assent. Queen's speech.

After receiving the royal assent, the articles of the union were engrossed and enrolled, and the original record was lodged for preservation in the Tower. An exemplification of the whole, under the great seal of England, was then transmitted to Scotland, the union, according to the treaty, being appointed to commence on the 1st of May, 1707.

Thus was finally consummated an incorporating union between two countries which, for upwards of four centuries, had been separated by hostile interests and mutual jealousies and antipathies. It is deeply to be regretted that a measure so essential to the peace and prosperity of both kingdoms should have been carried through in a manner which excited bitter opposition on the part of the great body of the Scottish nation, and made the union, for a time, productive of alienation and strife rather than of amity. But the ungenerous conduct both of the English government and people in conducting the negotiations for a union—the contemptuous terms in which Scotland was spoken of by several leading members of both houses of the English parliament—the neglect with which the interests of the Scottish nation were treated, and the unfairness of some of the conditions imposed upon it—the mode in which the court party carried through their measures, and the bribery by which it was generally believed not a few of the members of the Scottish parliament were induced to sacrifice the independence of their country,*—long rankled in the minds of the people of Scotland, and exercised a most injurious influence on the welfare of the United Kingdom.

* See Appendix Q.

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CHAPTER LVIII.

ANNE.

A.D. 1707—1714.

Unpopularity of the union.

THE union of Scotland with England was consummated in the face of an opposition which was overpowered rather than vanquished, and which was not likely to pass into a mere sentiment of regret. Not only was it offensive to the pride and prejudices of the great body of the Scottish people, and obnoxious to various formidable factions, but a party more enlightened and disinterested than either felt alarm lest the working of the compact should deprive Scotland of far more than she had resigned in the treaty, and doom her to be the slave, instead of the ally, of England. It was unfortunate that the union was proposed and effected after the attempts of several centuries, on the part of England, forcibly to annex the smaller kingdom. It was feared that the standing and rights of the two countries, as equals, recognised in the treaty, would soon be practically repudiated, and the native institutions, both ecclesiastical and legal, of the north assimilated to those of the south. Immediately after the union, several incidents occurred to irritate the Scots, and to confirm their suspicions that England meant to make her authority and interests paramount. A delay in sending the "Equivalent" guaranteed, was interpreted into a refusal of the obligation; and even when the money did come, dissatisfaction and anger were freely expressed because two-thirds of it were in exchequer bills, and only one-third in bullion. It may, however, be conjectured that the general population would not have been pleased no matter how punctually, or in what way, the sum had been remitted. They regarded it as the price of Scottish independence; and, as it passed, in twelve waggons guarded by Scotch dragoons, through the streets up to the Castle of Edinburgh, they vented their indignation and reproaches bitterly upon all who took part in the escort, and upon the very horses that drew the treasure.*

Evasion of customs' duties.

But this was a trifling source of dissatisfaction compared with what was found in other contemporary arrangements. With the leading men of Scotland, the main inducement to the union had been the advantage of a full share in English trade; and several capitalists devised a stratagem for availing themselves, during the short interval between the passing of the act and its coming into operation, of the difference of duties upon imported commodities in a way, and to an extent which, if not unfair, could not but irritate the mercantile men of England, who, happening at the time to be in an unusual state of depression from various commercial misfortunes which affected the whole kingdom, were prone to take offence at doubtful proceedings in trade, and to exaggerate injuries. Immense foreign cargoes were brought into Scotland, under the low duties, in order that after the 1st of May (1707) they might cross the Border duty free. It is true that, on the other hand, the English had tobacco, on the exportation of which there was a bounty, conveyed into Scotland before the same date, in order that after receiving the bounty, it might be returned for sale in England. It was impossible, however, that the latter trick should either be so general or so profitable as the former. Accordingly, after the 1st of May, large fleets of vessels carrying foreign goods, which, as Scottish merchandise, claimed exemption from duty, entered the Thames. One fleet consisted of forty vessels laden with French wine and brandy,* and the English merchants were infuriated at this crafty attempt to evade the high customs' duty on these imported articles. The Board of Customs sympathised with the malcontents, and ordered the cargoes, along with the vessels, to be seized as foreign commodities smuggled into England through an artful perversion of the treaty of union. The seizure was conducted stringently, if not harshly, the officers of the ships being apprehended and treated as criminals. Scotland was fiercely indignant at these proceedings, as indicating the purpose of the sister country to violate any term of the treaty which tended to the promotion of Scottish prosperity, and to withhold a fair participation in her own commerce; and the enemies of the union and of the Revolution settlement laboured to feed and fan the popular rage. The matter came before the British parliament at the opening of this, its first session, and though English commercial interests were strictly watched over in the House of Commons, the impolicy and positive danger of sanctioning the seizure, and of exacting the usual penalties, were there appreciated, whilst for the great loss to the revenue, and the gross injustice to English trade, there was this consolation, that the trick could not at any future time be repeated. The commons decided upon remitting the duties on the so-called Scottish cargoes, and upon submitting to the loss.

Harsh mode of levying taxes.

But still more deeply and permanently offensive was the mode of managing the taxation of the country. Almost all the new commissioners of excise and customs, as well as their subordinates, were Englishmen; and they carried out rigorously the method of raising the revenue in which they had been trained. The strictness of these officials, coming after the indulgent laxity of the old lessees of taxes, who moreover had never been so forbearing as they were on the eve of their occupation ceasing, appeared to be wanton oppression. The taxes themselves were now much heavier, and they were exacted in a summary and unconciliatory manner. The officials incurred the odium of the whole community, as did the system which they administered, unless when a Scotchman's keen sense of the ludicrous overpowered his

* Defoe.

* Defoe, p. 672.

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indignation against this or that peculiarity, as in the case of the arrival from England of an extensive supply of birch fagots, curiously notched, to serve as tallies, for marking the receipt of monies paid into the exchequer.*

A leading result of the system of taxation now introduced into Scotland was the rise and growth of smuggling as a national evil. Almost as soon as the duties on imports began to be levied, a fleet of Dutch vessels, carrying contraband goods, visited the Scottish coast, and ever after regularly prosecuted this illegal traffic,—amongst the baneful consequences of which the fostering of unsteady habits, and of reckless and law-breaking dispositions in a large section of the population was not the least to be deplored.

Local courts established.

The revenue system led to several English innovations, which, however wise in themselves, were ill-timed on account of the suspicions cherished towards everything of English origin and initiation. The native jurisdictions were not adapted for enforcing the collection of the revenue, and the establishment of local courts was considered necessary. Before the union, the Scottish parliament had in vain attempted to organise justice-of-peace courts, resembling those which had in England been eminently satisfactory to all parties; and the project, not less unwelcome, but far more indispensable than before, was now revived and resolutely put into operation, the Scottish privy council issuing a commission of the peace. It deviated, however, considerably from the English model, and every point of difference was highly objectionable to the English surveyors and collectors, who were bent upon an entire assimilation of practice, and did not scruple to bend the Scottish institutions to their English habits, though such national bigotry led to serious injustice and general complaints. Disgusted soon with this constant process of bending, and taught also that there were not a few cases in which it was wholly impracticable, the revenue officials insisted on the abolition of all differences between Scottish and English justices-of-peace, so that the latter should be exact models for the former. Parliament hastened to comply, and directed the lord-chancellor to issue at once a commission under the great seal. The Scots indignantly viewed this as the commencement of a deliberate and open aggression upon their native institutions, the sacredness and perpetuity of which had been guaranteed by the recent treaty, and they were specially irritated on finding at the head of the list of the new justices-of-peace for each county "the most reverend father in Christ, and our faithful counsellor, Thomas, Archbishop of Canterbury, Primate of all England, and metropolitan thereof,"—as if detested prelacy had been granted a lodgment in the secular economy of Scotland, in order that it should soon step into the ecclesiastical, and as if the terrible days of Archbishop Sharpe were again at hand.

Secret council abolished.

The sweeping away, at the same time, of the privy (or, as called in the north, the secret) council of Scotland, further awakened the jealousy of the people, though that despotic tribunal had a hateful history, and had been in existence far too long. It had proved itself the engine of bloody persecution throughout the closing period of the Stewart dynasty, and at any time its irresponsible character was enough to condemn it; yet its summary abolition by the British parliament was ascribed to the overbearing and insolent spirit of England, and was held to indicate that no limit could be set to her encroachments. The act had been carried by a majority in the legislature, in spite of the opposition of ministers, who were not unwilling to keep up the council as a convenient, though arbitrary, instrument of authority in this remote portion of the empire; and the Scots regarded the abolition as more alarming since it came from the English nation, and not from the government.

Colonel Hooke's mission.

Thus inauspiciously opened the joint career of the two nations, to the great satisfaction, however, of the exiled Jacobites, their sovereign, and the French government, that had, a few years before, on the death of his father, undertaken to maintain his rights to the British throne. An invasion from France had already been projected, and the intense dissatisfaction throughout Scotland, which was excited by the act of incorporation, and by the early legislation of the British parliament, seemed to promise it a complete success. To prepare the way, and secure the co-operation of all parties disaffected to the existing order of things, Colonel Hooke, as ambassador from the French court, had reached Slaines Castle (Aberdeenshire), the Earl of Errol's seat, only a few days after the act of union received the royal sanction. This officer, a zealous Jacobite, was empowered to consult and negotiate with all who might be friendly to the restoration of the Stewarts and the repeal of the union. He met with much that was encouraging—many glowing representations from the Jacobites of the alacrity with which the whole country would rise in favour of the descent; and he appears to have blinded himself to the fact that the number and martial resources of those chiefs who were pledged to cast in their lot with the enterprise were very inconsiderable, and did not warrant any sanguine anticipations of the issue. In reporting to the French government the result of his various interviews and observations, he alluded to the defenceless condition of England as highly favourable to the invasion. At that period the strength of the English army had been drafted to the Continent, leaving at home nothing but a small reserve to operate in an emergency. In Scotland itself there was a still more scanty force available to the British government—consisting, indeed, of only a few skeleton regiments. Such a palpable deficiency in the means of

* These fagots continued to be used in England down to 1834, when the ceremonious destruction of them led to the burning down of the Houses of Parliament.

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resistance, along with the fact that any reinforcements would have to come by a tedious and circuitous route, and that their concentration might easily be impeded, if not prevented, promised well to the invading enterprise. Colonel Hooke was assured that the landing of ten or even of five thousand French troops, accompanied by the exiled monarch, would amply suffice. This demand of foreign soldiers to start the project could not be thought extravagant, but money and arms were needed in greater abundance than men from France. The native Jacobites calculated confidently on raising an army of 25,000 foot and 5000 horse, to swell the ranks of the invaders as soon as the Chevalier arrived with the stipulated supplies of men, money, and arms, whilst they had no doubt of receiving troops from Ireland, and of being joined, in their crowning march upon London, by many thousands of their English friends, whose attachment to the Stewart cause, though as yet prudently masked, was ardent and steady. They persuaded the French ambassador that all classes in Scotland, the Cameronians, and the general body of the presbyterians, as well as the entire force of the Roman Catholic and episcopalian Jacobites, would forget their mutual differences, and rush forth from the Highlands and the Lowlands to achieve the overthrow of the union, and of the Revolution settlement.

Doubtful support.

Such were the Jacobite professions made to Colonel Hooke, and reported by him to the French court, and they afforded a bright prospect of success to the invasion, though the cause wore some sinister aspects, which passed altogether unnoticed by the sanguine commissioner. Not a few chiefs, who had the largest following, and who could have raised armies from their own clans, declined to take any initiative step in the enterprise, or dextrously managed not to commit themselves. Some feigned bodily illness as an excuse for refusing the colonel an interview, and his mission their consideration; and others, who were expected to pledge themselves heartily and unconditionally, delayed their decision until they should learn the final intentions of this and that neighbour, who almost invariably showed the same cautious hesitation. The Highland chiefs, who, though they had taken no part in the old Scottish parliaments, and never had their names associated with the proceedings of the Estates, were men of whom the highest account should have been made (since they had warlike hordes in their train), do not appear to have been consulted by Hooke, or to have had any deference paid them with a view of securing their support. The emissary was foolish enough to expend his time and persuasive powers upon the Lowland gentry, whose co-operation, even if hearty and entire, was, in every respect, of far inferior consequence. There had been no proper attempt made to gain over the great majority of the Celtic chiefs and their populous tribes to a struggle in which they would have needed but little inducement to involve themselves. The colonel's list of supporters, beginning with such powerful nobles as the Duke of Gordon, Lords Errol, Saltoun, and Panmure, and ending with a long string of obscure and uninfluential names, showed such important omissions as, had he properly known the country, ought to have convinced him that he had egregiously failed in his mission. With all the keen popular and party animosity in Scotland towards the union and the reigning dynasty, he yet did not manage to draw forth and rally around the invading standard of James better and more numerous supporters than by mere intrigue he might have gathered in a calm and contented era. A student of the period and the crisis may be led to fancy what a formidable array of Highland rebels, to co-operate with the French invaders, might easily have been conjured up by the energy of an ardent and skilful Scottish emissary from the court of France, who could then, unchecked by the imperial government, prosecute his career of agitation for as many months as the swift arrest of modern law now allows hours to a political or civil incendiary. But, unfortunately for the cause of the exiled dynasty, Jacobitism never possessed such an agent—certainly, not in the person of Colonel Hooke, who, as judged by his own report, forwarded to the French government, of his proceedings in Scotland (when that report is looked into beneath its sanguine complexion and its boasting expression), signally failed in attaching to his cause its ablest and most natural champions, and even, as we shall soon find, in getting the less competent supporters, whose names he had secured, to stir themselves and stand forth in the day of trial, when the French forces arrived on the Scottish coasts, and waited the appearance of their allies as a signal for disembarking. He stupidly allowed himself to be duped in reference to the aims of the Cameronians, and the side which they would take in the struggle. In this he was "the biter bitten," for he had endeavoured to delude these rigid sectarians into the belief that his master, in spite of his intense bigotry, was open to conviction regarding the errors of popery, and was ready "cheerfully to give ear to Protestant divines, and if they could convince him of an error from the word of God, he would be glad to embrace the religion of his people." * This was by far the most artful representation made by Hooke, for the Cameronians, though not so simple as to give the stubborn prince any credit for candour or accessibility to argument, had yet an overweening idea of their own theological rhetoric and ability to overcome all opponents in debate. Hooke was sanguine enough to expect that, out of abhorrence for that prelacy with which the union had already brought Scotland into close alliance, and which that union would probably soon thrust upon the Scots, they would take up arms with the popish faction. He had entered into negotiations with Ker of Kers-

Hooke deceived by the Cameronians.

* Ker's Memoirs, vol. i. p. 46.

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land, not in the least suspecting the double-dealing of that leader, who kept the Duke of Queensberry duly apprised of what was going forward, and who had been encouraged by his grace to enter into the plot. Hooke believed Kers's representations that not fewer than five thousand Cameronians and eight thousand presbyterians were prepared to join the expected force from France. The Cameronians, it was said, would only need powder, as they were already amply furnished with arms. Ker was let into the important secret of the cypher used in all communications between the Scottish Jacobites and France, and he at once revealed it to the British government. To mark the confidence which the Jacobites placed in their Cameronian associate, they disclosed to him a plot for the capture of the Castle of Edinburgh, the possession of which was at that time very desirable, not only as the stronghold and arsenal of the capital, but also as the depository of the "Equivalent" that was to be paid to Scotland in terms of the treaty of union. The money had just been put under the protection of the slender garrison there, and a bold attempt might succeed in appropriating it to the Pretender's exchequer. A few conspirators, it was arranged, were, on a certain day, to mix with the citizens who regularly crowded the esplanade, and one of the band was to seek admission to the castle under the pretext of a visit to some officer. On the lowering of the drawbridge, he was to shoot the sentry at the gate, and this was to be a signal, not only to his companions in the neighbouring throng, but also to a hundred armed men concealed in a house at the head of the High Street, who were to rush forth and seize the castle. Ker hastened in person to London, and communicated this design to the Duke of Queensberry, though, lest his journey south and its object should be suspected by his new friends among the Jacobites, he returned to Edinburgh with still greater expedition. This new ally of theirs, pledged to the support of the French invasion, had yet engaged before the duke in London that the Cameronians in full force should aid the British government in repelling the foreigners and defeating their designs.

Plan to surprise Edinburgh Castle.

There had thus, in several respects, been a considerable failure in the execution of Colonel Hooke's mission, though he represented the results in such glowing colours that the French government were sanguine of success, anticipating all but unanimous co-operation from the Scottish Jacobites, of whom, however, only a comparatively small and uninfluential number had been pledged, and enthusiastic help from the Cameronians, whose whole strength was in reality to be forthcoming on the opposite side. Colonel Hooke's assurance that the invaders and their Scottish auxiliaries would, in their progress towards London, be largely reinforced by accessions both from England and from Ireland, was plausible to his French employers, who were deceived as to the extent of support to be given in Scotland to the invaders on their landing. If the whole or the greater part of Scotland were to welcome these and rise on their side, succours from England and Ireland would not be wanting; but when the scanty amount of Scottish co-operation actually secured by the colonel was considered, no friendly movement either in Ireland or in England ought to have been looked for.

The ill-timed character of the enterprise should have also lent its weight of discouragement to the actual results of Hooke's embassy. It came either too late or too early. The invaders should have landed either when the obnoxious union was under violent discussion, or when the union had lasted long enough to alarm, irritate, and offend, more seriously than it had as yet done, almost all classes in Scotland, but not long enough to develop its greatly preponderating advantages of prosperity, peace, and amity.

Louis XIV., flushed with the victories of the Duke of Berwick in Spain, resolved to delay the expedition to Britain no longer, but to act at once in accordance with Hooke's suggestions, and to attempt that easy conquest of England which had been predicted. At Dunkirk, a naval force, and transports for the troops to be embarked, were prepared, and placed under the command of Admiral Fourbin. The Scottish Jacobites had fondly trusted that the famous Duke of Berwick, only inferior as a military leader to his relative and antagonist, the Duke of Marlborough, would have been put at the head of the land forces, and they must have been greatly disappointed that such a post was to be filled by one who, though of far higher rank and holding a much larger share in the fortunes of the enterprise, was of untried qualifications for command—viz., the youthful Pretender himself, whose right to the British throne Louis XIV., when beside the death-bed of the prince's father, had promised to assert and maintain. The imbecility and stubborn wilfulness of the young man's character had not yet had time to appear, but neither had there been any indication of ability to fight his own battles, and be the leading champion of his own cause. The absence of a tried commander for the invading army which accompanied the fleet tended to dispirit both, and the expedition was prevented for a while from starting by the illness of the young prince, who at this critical juncture was seized with measles. The armament consisted of five men-of-war, the transports, and twenty-five frigates, and on board were five thousand soldiers but this land force was reduced by a thousand men who were in some of the frigates that, shortly after putting to sea, had been separated from the fleet and driven back to port.

French invasion decided on.

Meanwhile, the British government had kept a strict watch upon every stage of the French preparations, and before these could be completed Sir George Byng, at the head of sixteen men-of-war, was cruising about to intercept the armament. The French vessels left Dunkirk without being seen, but

French fleet intercepted.

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at Newport Pitts, where they lay wind-bound, they were descried from the steeples of Ostend, and their position immediately reported to the English admiral. The wind, however, kept him stationary at Gravelin Pitts, a point so far to the south that the French, on resuming their course northwards, would have a start of eight hours. The tide happened also to be in their favour, enabling them to stand out to sea, and to make straight for the Frith of Forth, whilst their pursuers, ignorant as to what point of the British coast might be threatened, and anxious to be at hand when their aid should be required, kept close to the shore, thus unwittingly putting a much greater distance between them and the French, and allowing the invaders to approach the Scottish coast apparently alone. The latter had, indeed, in their haste sailed too far north; as, on nearing land, they found themselves at Montrose instead of Leith. Turning southwards, they made for the Frith of Forth; but, losing the tide, were brought to anchor near the Isle of May, where they were when the English fleet was descried approaching. The French admiral hastened to escape northwards towards the open sea, which he reached in safety, though one vessel, which had been taken from the English, was recaptured in the Frith of Forth by Admiral Byng, who remained there until he learned that the invading expedition had returned to Dunkirk.

Apathy of the Jacobites.

During the time that the French hovered on the coast of Scotland, not a friendly signal was made by any of the powerful nobles who were reported by Hooke to have recently identified themselves with the enterprise. The troops on board had not even the faintest encouragement to land, for the Jacobites kept aloof, though not a few of that party in Edinburgh are described as putting on such airs as implied their hope of a speedy ascendancy. Admiral Fourbin prudently declined to disembark the French force, when there was no appearance of support for, or co-operation with, it on shore. He was urged by Scotch and French officers accompanying the expedition—and the Chevalier de St. George,* as the prince was termed, acquiesced in the proposal—to attempt a landing at Inverness. But though the admiral, in spite of the proximity of the English fleet, could have disembarked the troops at any of the ports on the north-east coast, he refused to comply with the demand, since none of the reputed friends of the cause in Scotland were ready to come to his aid. He had started from Dunkirk in the full belief that almost the whole nation would rally around the prince to achieve their deliverance from the union and Revolution settlement; but not a single supporter offered to join him, and everywhere he saw that his only welcome would be armed and desperate resistance from the forces and friends of the British government. As a proof of the utter absence of active co-operation on the part of any faction in Scotland with the invaders, it may be stated that the criminal records of the period contain accounts of nothing more serious, in reference to a rebellion, than the prosecution of two or three Lowland lairds for assembling in arms and drinking the Chevalier's health at convivial gatherings. But the evidence was so defective that the jury refused to convict them of high-treason, and returned a verdict of "not proven."

Had the Jacobite strength of the country been, indeed, drawn out to join the expedition, it would be difficult to exaggerate the alarming character of the crisis in relation both to the union and to the Revolution settlement; nor could we calculate the issue from what happened in 1715 and 1745, since the Jacobite rebels at these two dates wanted the strong French force of 1708. Nay, had Admiral Fourbin landed the French troops, trusting to meet with assistance from parties in Scotland after the campaign was fairly commenced, the enterprise was far from hopeless. Lord Leven, commander of the forces in Scotland, anticipated nothing less than that, if the French landed, he would be obliged to flee with his small and wretchedly-provided army into England. Writing to the secretary of state, he said, "I leave it to your lordship to consider my circumstances. Here I am, not one farthing of money to provide provisions, or for contingencies or intelligence, none of the commissioners yet sent down, few troops, and these almost naked. It vexes me sadly to think that I must retire beyond Berwick if the French land on this side of the Forth."* If the French troops had held Scotland for a month, they would have been able in that interval to assemble a large Highland army; and then they would have been in circumstances either to have maintained their position in Scotland against the British government, or to have marched into England to unite with their partizans in that country. Undoubtedly, there was sufficient reason for parliament presenting a congratulatory address to Queen Anne on the providential escape of the United Kingdom from the perilous crisis; nor need we wonder at the regret of the Jacobites, which ought, however, to have been mingled with self-reproach, that so promising an enterprise had miscarried, and that a French force, headed by their sovereign in person, had come and gone without ever striking a blow.

In the course of its congratulations, parliament, with the view of bringing down royal and popular suspicion upon the new Tory faction, which, without being committed either to popish or Jacobite principles, strongly favoured the pretensions of the exiled Stewarts, pointedly declared that the invasion would never have been meditated or attempted but for encouragement at home, given, too, by persons who were not excluded from the British court. Her majesty was now called upon no longer to permit these secret sympathisers with the foes of her throne to harbour near or have access to her person. The reply of the queen was highly

* A conventional name, intended neither to acknowledge nor deny his royal pretensions.

* Parl. Hist., vol. vi. p. 769.

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gratifying to all who shared in the sentiments boldly expressed by the legislature, since she more than once used, very significantly, the term "Revolution," as descriptive of the national deed of 1688,—a term which hitherto she had scrupulously avoided, not less from personal dislike than from the traditions and associations of her education. The royal language was felt to be a blow against any interference with the Hanoverian succession.

Both the process and the results of the trial of the few Lowland lairds, who had publicly drunk the Pretender's health, were far from satisfactory to the British government; and the Scottish law against treason and other state offences appeared to English statesmen and judges so unsound as to demand immediate amendment, in order that the general peace and safety of the empire might not be compromised. Apparently oblivious of Scottish jealousy regarding innovations from England, they passed an act, transferring, in cases of treason, the authority of the Court of Justiciary to a commission of Oyer and Terminer, directed to proceed exactly as in English trials. This assimilation had encountered strenuous resistance from almost all the Scottish members of the legislature; but they did not succeed even in weeding out from the statute certain English technicalities, the application of which to Scotland was perplexing and preposterous. One important amendment, however, upon the attainder clauses was extorted, rendering heirs of entail exempt from their penal operation, and providing that, on and after the death of the Pretender, any forfeiture for treason should not extend beyond the life-interest of the convicted traitor. Another concession wrung from the British government by the resolute opposition was, the adoption of some of the regulations hitherto observed in Scotland for apprising the accused person of the nature and amount of the evidence to be adduced against him at his trial. Still the measure, and the hasty and high-handed way in which it was carried through parliament, excited a deep resentment throughout Scotland; and it was fortunate for the union that it was enacted after, and not before, the French descent. The Scottish representatives, whose national peculiarities were frequently the object of English wit and sarcasm, shared largely in the sentiments of their countrymen. They also felt that they were personally treated in the legislature as inferiors, on whom mockery and ridicule might be vented, as if their connexion with Scotland degraded them beneath the imperial level. In addition to the mortification which they suffered when doomed to an overwhelming defeat in their opposition to anti-Scottish measures, they had often also to endure the galling raillery of the ablest English debaters, who delighted to see the proud and surly band from the north writhe and rage under their polished wit and invective. The amendments, however, which their pertinacity had forced upon the Treason Act, taught the Scottish members what zeal, along with cordial union and thorough co-operation, on the part of a very weak minority, might achieve, and prompted them to form a compact and resolute phalanx for the promotion of Scottish interests on all occasions, and by every means within their power. In the House of Commons, instead of yielding themselves up to sullen inactivity, or attempting a coarse yet impotent retaliation, they incessantly watched and laboured for the honour and prosperity of Scotland; and, on the whole, so managed that their country received no detriment,—at least, of a commercial kind,—but several considerable advantages from British legislation. Their banding together soon became the principal characteristic against which the English directed their sneers and taunts. They were accused of sordid ambition, in always seeking to make the union productive of trading and pecuniary benefit to the various classes of their countrymen; and they submitted to the charge as, in truth, a high compliment upon their patriotic services.

Alteration in law of treason.

Combination of Scottish members of parliament.

Meanwhile, the ecclesiastical affairs of Scotland were in a very unsatisfactory position, and seriously menaced the peace of the kingdom. The episcopal clergy, who had been in the ascendant before the Revolution, subsequently disappeared, being succeeded by a much smaller body of clergymen, who, however, were far more formidable, through their intense Jacobitism, not only to the presbyterian cause, but also to the union and the Revolution settlement. On the accession of Queen Anne, who was often suspected of sympathising with the exiled members of her family, and even of favouring their restoration to the throne on the termination of her own reign, they appear to have been kept quiet by their hopes of ultimate triumph; but the union, and its well-guarded provisions for the perpetuity of the presbyterian as the national church, incensed and alarmed them. They were somehow apprised of the designs of the exiled court before the invading expedition was got ready at Dunkirk. About the period of the French descent, a considerable number of clergymen were tried at Edinburgh, for officiating whilst they had not taken the oaths prescribed, and for neglecting to include the queen and the Princess Sophia in their public petitions; but the prosecution had been entered upon by the crown on political grounds, and as a warning rather than a punishment. Not, however, of such a nominal kind were the trials instituted at the instance of presbyteries of the Church of Scotland, or of town councils, though these bodies received no encouragement from the queen. Alongside of the Scottish episcopalians, but still more obnoxious to presbyteries and the people at large, were the English episcopalians who had been brought by the union to reside in Scotland. Many Englishmen, as we have already seen, were put into offices connected with the customs or the excise; and, on removing from the southern to the

Trials of Jacobite clergy.

Introduction of English episcopalian clergy.

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northern division of the island, they, along with their families, wished to worship after the forms to which they had been accustomed, instead of seeking fellowship with the presbyterians, or even with the episcopalians of Scotland. As if to provide these individuals with what they desired, several clergymen, ordained by the Church of England, came about the same time into Scotland, and there claimed, not the right of seizing upon the charges and stipends of the Scottish establishment, but the simple privilege of giving their clerical services to such of their countrymen as might prefer them. They and their hearers were careful to have their identification with the Church of England distinctly marked, though it might not save them from the position of dissenters in Scotland; and they kept themselves strictly separate from the Scottish episcopalians. They also in their public worship adhered to the English liturgy, a feature in their church service which was utterly odious to the mass of the people, and had been altogether dispensed with by Scottish episcopalians, who long continued to have no set forms of prayer. The introduction of the English service book invested the new sect with many obnoxious and irritating associations; so that not only both the moderate and the bigoted among the presbyterians, but also a large party that took a purely political view of the matter, opposed the toleration of English episcopacy as a deliberate sanction of that English supremacy which had never yet been conceded by the Scots, and had been expressly repudiated in the union treaty. The Church of Scotland denounced this toleration as virtually the overthrow of presbytery. Prosecutions of clergymen for "illegally" converting private houses into places where episcopal service was publicly conducted after the English mode, were instituted before the local magistracy; and, on a conviction being obtained and sentence of imprisonment passed, appeal was made to the lords of session, who sustained the decision. Thus all the grades of Scottish jurisdiction unanimously resisted the introduction of English episcopacy. The clergymen, however, along with their adherents, had friends in high quarters; and the judgment of the House of Lords was asked and obtained in reversal of the finding of the Supreme Court in Scotland.

Appeals to the House of Lords.

Strangely enough, the question of the appellate jurisdiction of the House of Lords over Scottish decisions, had never once, during all the negotiations and proceedings about the union, been mentioned; and, to a certainty, the union would have been more vehemently opposed if it had been imagined that it would compromise the paramount and final authority of Scottish law in Scottish cases, and render the Court of Session subordinate to the House of Lords. The opponents of the compact must never have had this contingency suggested to their minds, otherwise, along with many of their countrymen who were zealous for the union, they would certainly have demanded guarantees,—which, probably, the English parliament would have been led to concede,—against the possibility of appeal from the Supreme Court of Scotland to any tribunal in London. Up to the time when the House of Lords actually reversed the decision of the Court of Session in the case of the English episcopal clergymen, every judgment of the latter court was believed in Scotland to be like the "law of the Medes and Persians:" and intense was the mortification throughout all classes there when it was found that the decisions of its highest judges might be summarily overturned in England, and that the protection which the Scottish law afforded to the rights of presbytery, was to be rendered weak and worthless by the usurped prerogative of a body of men, consisting chiefly of English episcopalians, and including even the bench of bishops. The impression that both the law and the religion of Scotland were on the eve of being violently supplanted by those of the sister country, was still further confirmed when parliament shortly afterwards (in the spring of 1711) passed the Toleration Act for the protection of episcopalian worship. The queen had now a government of Tories, who were believed, like her majesty, to wish well to the Jacobite cause. Peace with France had been concluded at a moment when Marlborough was in the full career of victory, and before any of the great advantages, for which so much blood and treasure had been spent, could be secured; and the duke was not only withdrawn from the field, but also dismissed from the cabinet. This strange movement was regarded as preliminary to a cordial reconciliation with France, and a full agreement in the views of the French court concerning the succession to the British throne. English and prelatic encroachments upon the rights and privileges of the Church of Scotland advanced rapidly, and without any attempt at disguise. The General Assembly had, previous to the union, possessed and exercised the prerogative of decreeing occasional fast days, which were invariably enforced by the civil authority; and after the abolition of the Scottish privy-council the government was asked to invest certain officials in Edinburgh with the requisite power for promptly giving the sanction of the state to any ecclesiastical appointment of days of humiliation and fasting. The Whigs had contrived to evade, without positively refusing, this application; but, on the Tories coming into office, the presbyterians had reason to apprehend far more serious inroads upon their spiritual independence. Scarcely had the Toleration Act, with its offensive, yet wholly superfluous, abjuration oath for the presbyterian clergy, been passed, when another, and a still more deadly attack upon the guaranteed constitution of the Church of Scotland, was made in the restoration of patronage.* This act, however, though directly leading at remote periods to several perilous convulsions within, and secessions from the established

Toleration Act passed.

Church patronage restored by law.

* 10th Anne, c. 12.

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church, did not, at the time of its passing, incur such deep and general odium as was cherished towards the abjuration oath just referred to: nor did it at first involve the clergy in a tithe of the momentous difficulties which they felt when dealing with that most unnecessary oath. Government found it advisable to explain away the aggressive and innovating character of such legislation, and in the annual letter laid before the General Assembly, at its first meeting after the enactment of the abjuration oath and the patronage law, her majesty took the opportunity of declaring that—"Lest any late occurrence should have possessed any of you with fears and jealousies, we take this solemn occasion to assure you it is our firm purpose to maintain the Church of Scotland as established by law: and whatever ease is given to those who differ from you in points that are not essential, we will, however, employ our utmost care to protect you from all insults, and redress your just complaints."* A large majority of the clergy, though now holding very moderate views and shrinking timidly from a conflict with parliament, could not disguise their sense of the Church's insecurity, or refrain from an expression of their desire that the recent legislation should be reversed; and in the formal reply to the royal letter their own jealousy and alarm, as well as the general uneasiness of the people, were acknowledged, and their hopes that what they complained of might "come in due time and manner to be redressed,"† were prominently set forth. The tameness and the subserviency of the assembly, however, could not prevent the realisation of difficulties and dangers for the Church, when the time arrived for taking the abjuration oath. The clergy were split into three divisions: one, numbering an overwhelming majority, submitted to take the oath; another, numerically inconsiderable, stoutly refused, and denounced all who, either themselves complied or tolerated the compliance of others; and a third, or middle party, consisting of those who wished the oath to be a matter of forbearance so far as the Church was concerned, and who recommended that it should be left entirely between the government and individual clergymen, each minister, whether taking or refusing the oath, being liable to no ecclesiastical censure, not even to any objurgations from his brethren, who ought to look upon him and upon themselves as amenable to the state alone. The dispute within the Church was carried on with the utmost acrimony, especially by individuals belonging to the second or non-juring party (then commonly known as "Nons"), several of whom subsequently seceded from the establishment, and formed themselves into a separate body, which exists in the present day under the name of the Reformed Presbyterian Church. The majority of Scottish episcopalians, as might have been expected from such zealous Jacobites, refused to take the oath, and thus proved their ingratitude for the great advantages secured to them by the Toleration Act. The chief clause in the form of abjuration ran as follows:—"I do solemnly and sincerely declare that I do believe in my conscience the person pretended to be Prince of Wales, during the life of the late King James, and since his decease pretending to be, and taking upon himself the style and title of King of England, by the names of James III., or of Scotland by the name of James VIII., or the style and title of King of Great Britain, hath not any right or title whatsoever to the crown of this realm." The majority of Scottish episcopalians could not subscribe this declaration without either abandoning, at a singularly auspicious juncture, their Jacobite aims, or committing the most flagitious perjury. They could, however, be nonjurors, and yet, at the same time, escape punishment, since their Jacobite opinions were shared by the Tories in power, who, it is probable, had been coerced by their Whig opponents into the institution of a Hanoverian test, and were disposed to enforce it upon their partizans in Scotland with but little zeal or sincerity. In the case of the Scottish episcopalians, it had both a meaning and a propriety, and ought to have been rigorously exacted from them: whereas it might have been safely and decorously dispensed with in the case of the presbyterians, who reprobated the Pretender as heartily as they did the pope and the devil, and who with all their energy would maintain the cause to which the oath was designed to bind them negatively, but who had strong conscientious scruples against some of the terms in which that oath was couched, and against certain English and prelatical associations and assumptions with which they did not wish to identify themselves in its general construction. From those, however, to whom it was utterly superfluous and useless, as well as offensive, and who would of their own accord have zealously fulfilled all that they were required in its objectionable form to promise, the test was exacted; whilst the very men who specially needed its restraint to preserve their loyalty to the Revolution settlement, and to whom the prescribed form of the abjuration could be in no respect offensive, were allowed to evade it without being subjected to the pains and penalties which disobedience would have entailed upon more deserving and less dangerous parties.

Proceedings of the assembly.

The oath of abjuration.

Thus, in Scotland, all the parties, known as the strenuous supporters of the Revolution settlement and the union, had, ever since the latter event, been irritated, insulted, and overborne by British legislation, which faithfully represented the haughty domination of English views and interests. Alarmed and indignant at the character and extent of English encroachments, and utterly perplexed as to the means of effectual resistance, they began bitterly to repent the part they had taken in promoting and consolidating a union, the advantages of which England seemed bent on monopolising. Dissatisfaction and despondency, alienation and resentment, every-

English encroachments.

* Wodrow's Analecta, vol. ii. p. 38.
† Ibid., vol. ii. p. 39.

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where prevailed, except amongst the Jacobites, who rejoiced over the unfair and unpropitious working of the union, and were hopeful of the speedy triumph of their cause. They were pleased, just because everybody else in Scotland was dissatisfied, and because the deep and general discontent was auspicious to the return of the exiled Stewarts. Besides, there were a few special circumstances which concurred to cheer the spirits of the Jacobites. The members, or at least the leaders, of the government, were on good grounds supposed to be on their side; and the secret had partially transpired that Bolingbroke himself was pledged to the Pretender. A small incident was laid hold of by the great body of sensitive and anxious Scots, as indicating the confident and daring mood of the Jacobites at this time. The Duchess of Gordon, whose sympathies with the dethroned family had never been disguised, presented to the Faculty of Advocates in Edinburgh a silver medal, bearing on one side the effigy of James, with the significant inscription "Cujus est,"* and on the other a miniature map of Great Britain, with the words "Reddite."† It was said at the time that her grace's gift was most cordially welcomed by the members of the Scottish bar, the Dean of Faculty denouncing the celebrated Duncan Forbes, and others who opposed the receiving of the medal, as "pitiful scoundrel vermin, and mushrooms;" and expatiating, in terms equally violent and unequivocal, upon the "rights" of the Pretender, and the delight of Queen Anne to see her unfortunate brother appreciated, and at her own death restored to his inheritance. The dean was indicted for "leasing-making,"‡ but the prosecution was dropped before any definite result was obtained. The various contemporary versions of the whole affair are so contradictory as to leave the modern reader in perplexity about almost all the points. On the one hand, we have journals and pamphlets of the day chronicling and discussing minutely the speeches ascribed to Dean Dundas, and other members of the Faculty, on the occasion of the medal being produced before the Faculty, and also reporting the substance of the reply of thanks made by those who had been deputed to wait upon the duchess to express their gratitude for "all your favours, and particularly for the honour you did us in presenting us with a medal *of our sovereign the king*,"§ and to assure her grace how proud they were "of any occasion to testify *our loyalty to his majesty*, and the respect and honour we have for your grace." The speeches are, indeed, distinguished by such a frankness and daring in the avowal of Jacobite treason as are all but incredible, when said to come from astute and cautious lawyers; nor will the profession like to bear the scandal of the coarse language which it is proved by the records of the trial that the dean employed on the reception of the medal. On the other hand, the dean gave the lie direct to the "Flying Post," which issued the particular version that seems to have been adopted by all contemporary historians and censors; and he also threatened to indict the editor, who, however, persisted in upholding the accuracy of his account. But, on the supposition that the incident really took place, and that the dean and other lawyers were implicated in the transaction, as represented in the public journals of the day, it is curious that the records of the Faculty of Advocates contain, at least, so far as has yet been discovered, no evidence for the leading circumstances which produced such a strong sensation throughout the country. Reference is made to a servant of the Faculty, whom some members blamed for having received a "medal," especially "that particular medal;" whilst others were "for admitting any medal of whatever kind." That this was a Jacobite medal is rendered highly probable by the fact recorded, that the Faculty not only decided on handing the token over to the crown lawyers, but issued a loyal address, at the close of which they, "for vindication of their duty, and loyalty to her majesty's person and government, and the Protestant succession, as by law established in the illustrious house of Hanover, do declare their utter detestation of all practices that directly or indirectly may contain the least insinuation to the contrary, or any encouragement to the Pretender or his abettors."* Unless we are to suppose that Dundas and his brethren of the Scottish bar were either afraid or ashamed of the treasonable act into which they had been allured by the gift of the duchess, and, therefore, anxious to leave as little trace as possible of their proceedings about the medal, it may be presumed that the contemporary representation of the incident was grossly overcharged. Whether accurate or exaggerated, however, it equally serves to bring out the common opinion entertained of the audacity of the Jacobite party at that period, and their confident expectations of ultimate triumph.

Duchess of Gordon's medal.

Trial of the Dean of Faculty.

Danger still more serious was to be apprehended from other quarters than from the incorporated society of lawyers. In the Highlands there began to take place immense gatherings of chiefs and their retainers, in a complete warlike array, which had no ostensible or legitimate aim. The funeral of a man of local influence was now invariably an armed demonstration, at which many clans mustered, as if to show their strength and state of preparation for taking the field in defence of the Pretender's claims. Money, too, in considerable sums, was known to pass from the "secret-service" department of the government to those chiefs; and for this the unsatisfactory apology was advanced, that it was but

Highland gatherings.

* "Whom does it represent?"
† "Restore."
‡ State Trials, vol xv. p. 122.
§ Boyer's Annals, p. 205.

* Burton's History of Scotland, vol. ii. p. 74. This author personally searched the records of the Faculty of Advocates, and found no other notices or traces of the incident than those given above.

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a continuance of the practice of the late King William, who, surely, could not encourage any conspiracy against the Revolution settlement through which he gained and kept the crown.

Scottish grievances.

The government did not fail still, and more abundantly than before, to supply the Jacobites with Scottish grievances to be urged as arguments against the union, the force of which Scotchmen of all parties and classes would feel. To offend the presbyterians, the "Yule vacance" was restored by parliament; and, as if at the same time to insult their nationality and that of all their countrymen, the English name of the holiday ("Christmas vacation,") was substituted for the original Scottish. The Schism Act, passed about this time, though applying directly to England, and subjecting dissenters there to extensive civil disabilities as well as decreeing pains and penalties to those conformists and qualified persons who might yet be found in dissenting places of worship, had also a hostile and offensive reference to Scotland; since it disqualified any presbyterian for civil office in England, whilst English episcopalians had been allowed to occupy similar situations in Scotland. The legislature, too, showed alacrity in humbling and irritating Scotland, whenever the government chose to spare her. Hence, when the Tory ministry

Insults to the Scotch peers.

conferred a British peerage on the Duke of Hamilton, the House of Lords offered a violent resistance; and thus sorely galled not only the aristocracy, but all classes in the north. The sneers and sarcasm employed by some of the English peers in support of this attempt to interfere with the prerogatives of the crown, inflicted a deep wound on the pride of a high-spirited and sensitive nation. When the haughty barons of England professed a fastidiousness, which would not allow them to acknowledge as brethren or equals a horde of hungry and sordid nobles from Scotland, who were described as only "a sort of titled yeomen" in their own country, the rage of the Scottish people was unbounded; and all ranks of the community resented the insult offered to those chivalrous lords who, for many centuries, had stood up against the most illustrious of the English peerage in innumerable "well-fought" fields, and had not been esteemed as unequal or unworthy foes by the ancestors of those "silken barons," who now superciliously reckoned themselves too noble for the company of Scottish barons in days of peace, and under a united empire.*

Thus, English statesmen, instead of following a policy calculated to abate the opposition of the Scottish people to the union, and to quiet their fears of English domination, introduced and passed a long series of measures which could not but wound their pride, shock their sense of independence, and arouse their suspicions and jealousies. Their legislation exasperated, when it ought to have conciliated; and yet they seemed reckless about its natural results, as if the smaller kingdom must submit to English ascendancy and dictation, as to overruling and inevitable fate. Had their object been to offend and alienate Scotland, and to drive her to a violent rupture of the union—at least, to provoke some powerful parties into rebellion—they could not have adopted a more likely method. All their deeds and words were characterised by an air of arrogant superiority and mastery, and by a total disregard of the cherished feelings and conscientious views, if not also of the vital interests, of Scotland, sure to gall a nation which was never remarkable either for a servile or self-depreciating disposition. Scotland was in consequence now in a state of such clamorous discontent, that any new grievance, though comparatively trivial, was almost sure to bring about a crisis.

Malt tax imposed.

That grievance was soon presented in the shape of a tax on malt of sixpence per bushel. This impost was denounced not only as unduly severe, and as involving several fiscal arrangements obnoxious to the community, but also as violating the union-treaty, one of the clauses of which expressly exempted Scotland from the malt tax during the continuance of the great continental war. The opposition was so menacing, that for once the government, laying aside the haughty demeanour and the arbitrary and summary proceedings which had been maintained for the last seven years, and had proved so exasperating, condescended to resort to conciliation, and attempted to reconcile the Scots to the tax, by secretly assuring them that, though leviable, it would not be enforced in the north. In parliament, however, the Scotch members continued to give it the most strenuous resistance, and witnessed with keen anger the overwhelming majority which rallied around the bill in its last, as in its first stage. Nor were the nobles of Scotland less indignant; but after various meetings for consultation, it was agreed that their representatives in the House of Lords should deliver

* "It was said no Scottish noble could sit in that house by any other title than as one of the sixteen peers, to which number the peerage of that kingdom had been restricted; and the opposition pretended to see great danger in opening any other way to their getting into the upper house, even through the grant of the sovereign, than the election of their own number. The fallacy of this reasoning is obvious, seeing it was allowed on all hands that the queen could have made any Scotsman a British peer, providing he was not a peer in his own country. Thus the Scottish peerage were likely to be placed in a very awkward situation. They were peers already as far as the question of all personal privileges went, but because they were such it was agreed that they were not capable of holding the additional privilege of sitting as legislators, which it was admitted the queen could confer, with all other immunities, upon any Scottish commoner. Their case was like the bat in the fable, who was rejected both by birds and mice because she had some alliance with each of them. A Scottish peer, not being one of the elected sixteen could not be a legislator in his own country, for the Scottish parliament was abolished, and, according to this doctrine, he had become, for no reason that can be conjectured, incapable of being called to the British House of Peers, to which the king could summon by his will any one, save himself and his co-peers of Scotland. Nevertheless, the House of Peers, after a long debate, and by a narrow majority, decided that no Scottish peer, being created a peer of Great Britain since the union, had a right to sit in that house."—*Sir Walter Scott.* The resolution referred to was afterwards altered.

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their opinion in a way calculated to impress and alarm the government. The bill, being one of supply, it could not be formally discussed in the upper house; but another bill was introduced by Lord Findlater, and energetically supported by the Duke of Argyll, and his grace's brother, Lord Ilay, summarily proposing to repeal the union, on the grounds that the treaty had been broken, and many insolent and injurious encroachments perpetrated upon the institutions of Scotland, and upon the rights and privileges of her people. The irritating character of recent legislation towards Scotland was strikingly attested by the fact that those Scottish nobles, who had been most conspicuous in their advocacy of the union, and who still believed that the measure might and should largely conduce to Scotland's peace and prosperity, now came forward prominently to urge the immediate separation of the two countries, as altogether preferable to the maintenance of the inequality and injustice with which the compact was carried out. They had taken this extreme step with the view of warning the government against persisting in its anti-Scottish policy. They did not favour repeal for its own sake, but advocated the measure for the purpose of obtaining relief from the haughty and selfish policy of England, and with the expectation that the menace would serve to open the eyes of English statesmen to the consequences of their ungenerous treatment of the sister kingdom. The motion, however, was discussed and settled in a thin house, and was only lost by a majority of three on the proxies, the peers present being equally divided.*

Bill to repeal the union.

The Jacobites, though they generally held that a repeal of the union must precede the restoration of the Stewart dynasty, could not be said to be discouraged by this decision, since they were not given to expect either the one or the other consummation as the result of a peaceful parliamentary vote. They had greater hopes from the natural effect of continued offensive legislation upon the minds of their sensitive countrymen, who, if driven to extremity by aggravated insults and injuries, might suddenly rise up and rend the ties which bound them to the sister-country; and, as for the other object which they sought to attain—the restoration of the Pretender, they had now more reason than ever to be sanguine. They believed that the Tory government, and the queen herself, were strongly in favour of their cause; and they expected important results from the appointment of the Duke of Hamilton as British ambassador at the French court. His grace's character was marked, as had been proved at many a crisis in the fortunes of Jacobitism, by the most contemptible vacillation, but that was scarcely to be dreaded, when he was directed and supported in his negotiations both by the British and the French governments, and acted as their organ and agent, rather than a leader and champion. His death, however, in a duel, originating in a quarrel with Lord Mohun, an odious villain already stained with several murders, blasted these expectations; and such was the disappointment of the Jacobites, that they did not scruple to affirm that Lord Mohun had been instigated to send the challenge by some zealous members of the Whig party, and that the unfortunate nobleman was killed, not by his antagonist, but by General Macartney, Lord Mohun's second. Some colour was given to this accusation by Macartney's flight from the country; but this was not incompatible with the idea of his innocence, as he might reasonably have been afraid, amidst the fierce excitement that prevailed, of the consequences of surrendering himself to public justice, inflamed by party and personal revenge.

Jacobite expectations.

Duke of Hamilton's embassy to Paris.

The death of Queen Anne herself, on the 1st of August, 1714, was a still more grievous blow to the expectations of the Jacobite party. Natural feeling, and the instinctive charities of blood, had prompted her to cherish strong sympathy with the outcast Stewarts; but, after her demise, came the Hanoverian succession, and henceforth there was no close tie between the occupant of the British throne and the banished prince. From a *de facto* sovereign belonging to the house of Hanover, the Jacobites could look for no encouragement to the "divine right" of the exiled prince; nor could they expect that the former would keep a ministry suspected of any predilections for the latter. In the high quarter where their cause had of late been secretly fostered, they must now prepare to encounter utter hostility. They knew that the British court could no longer tolerate or wink at their treasonable schemes, and this change was, in itself, seriously discouraging. Besides, to oppose and overthrow the Hanoverian dynasty, as a state of things actually realised, was far more difficult and dangerous than to conspire against it as a contingency, whether distant or near at hand. Hence the accession of George, the Elector of Hanover, paralysed the energies and hopes of those who had for years resolved that the throne of Britain should be occupied not by a "wee German lairdie," but by the exiled prince who inherited the blood and birthright of a long line of Scottish kings.

Death of Queen Anne.

* Parl. Hist., vol. vi. pp. 1213—1221.

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CHAPTER LIX

GEORGE THE FIRST.

A.D. 1714.

Accession of George I.

IN Scotland at large, where the national history had rendered the people familiar with the premature and violent deaths of not a few favourite sovereigns, the quiet departure of Queen Anne, whose name had never been popular in the country, but stood associated with English ascendancy and episcopal encroachments, occasioned a grief far from intense, though there was a general tinge of pensiveness from the thought that in her tomb was buried the royalty of the Stewarts, whose long sway over Scotland, after extending itself to the sister kingdom, now passed into the hands of a petty foreign potentate. Yet a knowledge of the principles and aims—stubbornly despotic—of the Pretender, the immediate heir of that ancient Stewart race, would suffice to mitigate any regret on account of the change, and reconcile the nation to the supremacy of the Hanoverian family.

The commencement, not only of a new reign, but of a new dynasty, was regarded by the Scots far more hopefully than sadly, and promised to bring them relief from their crying grievances. The presbyterians, and other parties, wished to believe that the wise and just policy of the house of Hanover would henceforth turn away the popular mind from brooding on such an extreme alternative as the repeal of the union, and secure for the nation a speedy deliverance from the haughty supremacy of England.

The Princess Sophia had recently died, and her son, who succeeded her in the electorate of Hanover, was now called to ascend the British throne, under the title of George I. The order for his proclamation in Scotland reached Edinburgh on the 4th of August (1714), about midnight; and the Earl of Ilay, Lord Justice-general, to whom it was addressed, took care that the ceremony should be imposing, and of a kind fitted to stimulate, as well as to indicate, the loyalty and joy of the people. On the following day, the proclamation took place at the market-cross, in presence of the most brilliant assemblage which the ancient city had ever seen, as if to show that Scotland, though incorporated with England, had still a prominent position on great state occasions, as well as impressively to attest her hearty acquiescence in the choice of a sovereign. The union had not yet led to the desertion of Edinburgh by the Scottish peerage; and the Whig nobles, amongst whom were the Duke of Montrose, the Marquis of Tweeddale, the Earls of Rothes, Morton, Buchan, Lauderdale, Haddington, Leven, Hyndford, Hopetoun, and Roseberry, and Lords Belhaven, Elibank, Torphichen, Polwarth, and Balgonie, now attended to give dignity to the occasion, followed by long trains of dependents in splendid liveries. The humbler classes of the community came forth in holiday garb and spirit, and formed such imposing processions as threw into the background of the joyous scene the parading of the troops. In concert with the peals of the city bells, and the booming of the castle guns, were the enthusiastic shouts and acclamations from the densely-crowded streets. The loyal demonstration was privileged with the finest weather, the day being one of the brightest in that month (August) which Scotland knows as generally the most genial portion of the whole year; and when the sunshine faded away, large bonfires began to blaze in various localities, and threw their ruddy illumination far and near, until the city and its bulwark of hills seemed set in one of those conflagrations with which the armies of England—victorious for the moment—had repeatedly, centuries before, reduced the northern metropolis to ashes. Both day and night appeared too short for the rejoicing multitudes, and the presence of the new king himself could scarcely have heightened or intensified the raptures of Scottish loyalty. The acclamation of "God save the king" had a peculiar fervour and emphasis, as coming from the manly breasts of thousands of presbyterians, who remembered the horrors of the "killing time," and the crushing tyranny of the Stewarts; and crowds of such persons as usually kept away from public scenes of this kind, and contemned their "vanity," eagerly took part in the demonstration. The Jacobites felt for the moment how insignificant and impotent they were as a party; and they held aloof from the display in a chagrin which partook of despondency, until their spirits were revived by reports of the formidable gatherings of Highland chiefs in various districts. The Pretender's partizans in the city and neighbourhood had neither strength nor boldness to oppose the proclamation. They were overawed by the loyal masses that spontaneously appeared, and also by the concentration of troops which had been judiciously pre-arranged, for the suppression of any tumult. A strong force of volunteers, under General Wightman and experienced officers, were ready at call to put down every attempt at insurrection; whilst the defences of the castle had been repaired and strengthened against the chances of a surprise and assault. Armed interference, however, was not provoked; and the only disturbances which took place in Edinburgh were ludicrously trivial ones, got up by a few groups of drunken Jacobites, who, when primed by a succession of their favourite toasts, sallied into the street to make such an uproar as jollity, without politics, attempts every night in large towns. The civic authorities had no need of military aid to deal with the bacchanalians; and the magistracy, or the lords of justiciary, proceeded, without hindrance or resistance, to try and sentence them as if they had been obscure brawlers. In one instance, several young men were fined fifty pounds each, for having conveyed to the High Street a stoup of liquor, to be

George I. proclaimed at Edinburgh.

Depressed condition of the Jacobites.

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served out to all the passers-by who would join them in drinking the Pretender's health, and in singing and dancing to his honour. For weeks together at this time such youthful and light-brained adherents delighted to venture out into the streets at midnight, and get up a little revelry, in the midst of which they would proclaim King James VIII., much to the annoyance of sober citizens interrupted in their slumbers.

The proclamation of George I. in Glasgow, though less brilliant than in the metropolis, was attended by a notable incident. An episcopal chapel, within which the English liturgy had of late been read, was pulled down as a public nuisance by a portion of the crowd; and, ere the authorities could interfere, the authors of this outrage had fled, and in spite of every effort of the lords of regency and the lord-advocate to discover them, they succeeded in making their escape. The Jacobites were pleased to construe the affair as a specimen of the unconstitutional and intolerant policy which might be expected from the Hanoverian party; and, indeed, they referred to it so frequently, and attempted to make so much of it, that suspicions began to be entertained that the destruction of the chapel was a purely Jacobite trick, for the purpose not only of associating a bad omen, or a bitter memory, with the proclamation-day, but also of loading the government, if not the new king, with odium. In confirmation of such suspicions was the rather singular fact, that Mr. Cockburn, the clergyman of the chapel, had conveniently left Glasgow with his family and movable property, and gone to Edinburgh on the day before the outrage—a precaution which seemed to indicate an exact foreknowledge of a definite arrangement, rather than a vague fear of some mischief which might be committed by the populace.

Destruction of an episcopal chapel.

Throughout the country a general tranquillity prevailed, for the drunken escapades (similar to those in Edinburgh which we have mentioned) of the Jacobite gentry in a few of the rural districts did not produce any serious commotion. Government, however, kept a close watch over the principal land-owners, and other influential persons known to have sympathy with the exiled court, or to be disaffected towards the new sovereign; and, in several instances, adopted the precaution either of arresting them, or of requiring them to confine themselves to a certain locality, where all their proceedings would be under the official eye. The Duke of Gordon was ordered to keep his residence in Edinburgh, and Lord Seaforth to remain in his own castle.* Macdonald of Sleat, and a few Highland chiefs, accused of treasonable correspondence, were imprisoned; but Lord Drummond succeeded in baffling an attempt to seize him, and made his escape. Lockhart of Carnwath was apprehended, but bail was accepted, along with profuse promises on his part that he would implicitly follow all the directions of government, not only as to his residence, but also as to his occupations. The Earl of Breadalbane, anticipating coercive measures, had retired to an impregnable fastness in his own mountainous territory, where he could not be taken; and government directed guards to be placed at all the neighbouring passes, to prevent him from breaking *out* where their forces could not break *in*. As might have been expected, there was an immediate stoppage of the large sums of money which the Highland clans had annually received, first from William's ministers for conciliatory purposes, but of late from Queen Anne's Tory government for objects more equivocal. The chiefs, who had no objection to English gold supplied either for their own advantage or for that of the Jacobite cause, were enraged at this shutting up of the national exchequer, and brooded over it as a grievance not the less keenly to be felt and resented because they could not decently denounce it before the rest of their countrymen.

The Jacobite leaders restrained.

Meanwhile, the movement which had been begun towards the close of Queen Anne's reign, for a repeal of the union, was vigorously prosecuted everywhere by the Jacobites, who hoped for a continuance of aid from the Whigs and presbyterians. The latter did, indeed, for a short time mark their indignation at the anti-Scottish legislation of the last eight years, by joining in the agitation for repeal; but they soon began to suspect and dislike their Jacobite associates, and to be convinced that that agitation was mischievously employed as the stalking-horse for inveterate opposition to the revolution settlement, the Protestant succession, and also to the union, whether fairly or unjustly carried out by England. Accordingly, the Whigs and presbyterians resolved on withdrawing their co-operation from the repeal cause, until Jacobitism should be extinct, or, at least, altogether impotent; and they directly discountenanced the addresses which were being got up against the union, and the engagements which were being entered into to vote only for repeal members of parliament.* The result of this wise abandonment of the movement, when seen to be mainly a Jacobite one for the separation of Scotland from England, was, that the Scottish elections for the new parliament (which met on the 17th of March, 1715) sent a very large majority unpledged on the repeal question, but stout adherents of the Hanoverian succession; whilst the sixteen peers elected by the Scottish nobility to sit in the House of Lords, all represented the same patriotic cause, and were indeed the very lords whose names stood on the list brought down from London by the Duke of Argyll as the choice of the government.

The Whigs abandon the repeal movement.

The clergy of the Church of Scotland showed a similar zeal for the Hanoverian dynasty, and refrained from embarrassing or endangering the new reign by any encouragement to the agitation for repeal. The General Assembly, at its first meeting

* Rae's Narrative, p. 77.

* Tindal, vol. ii. p. 412.

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after the accession of George I., confirmed the deposition of two clergymen in the north for failing to observe the day of thanksgiving appointed by the Church for the new reign, and for neglecting to pray for his majesty.* The spirit of the Scottish nation was thus proved to be unequivocally loyal, and promised small hopes of success to any enterprise of the Jacobites, who, as a party, had been reduced to thorough inaction. There were fewer symptoms of convulsion and danger than in any of the years which had elapsed since the union; and yet, before the year closed, Scotland was to be divided into two hostile camps, and the inheritance of the British crown was to be put to the arbitrament of civil war, in a campaign which should range over the Highlands and Lowlands, and over the northern counties of England itself.

The Pretender's appeal to Marlborough and others.

We have now to detail the rise and progress of this outbreak and assault upon the Hanoverian dynasty, commonly spoken of as the "Scottish rebellion of 1715," or "Mar's rising." Immediately after Queen Anne's demise, the Dukes of Marlborough and Argyll, along with other influential courtiers, received a manifesto signed and sent by the Pretender, setting forth "the sacred and fundamental constitution of hereditary right, which has still prevailed against all usurpations, how successful and how long time however continued." The writer protested pompously against being "answerable, before God and man, for the pernicious consequences which this usurpation of our crown may draw on our subjects and all Christendom." The document contained an allusion to the deceased queen, "of whose good intentions," adds the prince, "towards us we could not for some time past well doubt; and this was the reason we then sat still, expecting the good effects thereof, which were unfortunately prevented by her deplorable death." But now that a stranger and an enemy occupied the throne, which by divine and unalienable right belonged to James, as heir of the Stewarts, it was hoped that all true subjects would forthwith rally around the one, and displace the other as a usurper. This appeal, however, produced no effect within the circle of statesmen; and it was by other influences that the Earl of Mar was precipitated into rebellion. This ambitious but unprincipled nobleman hoped that his services, as secretary of state for Scotland, would be required by the new king, even though there should be a general dismissal of Queen Anne's ministry; and he lost not a moment in conveying to George I. profuse assurances of ardent loyalty and devotedness. The king, before leaving Holland for the great empire now conferred upon him,

Mar's letter to George I.—

received from the earl a letter containing the following, amongst other equally explicit pledges and fervent wishes: "Your majesty shall ever find me as faithful and dutiful a subject and servant as ever any of my family have been to the crown, or as I have been to my late mistress, the queen. . . . As your accession to the crown hath been quiet and peaceable, may your majesty's reign be long and prosperous; and that your people may soon have the happiness and satisfaction of your presence among them, is the earnest and fervent wish of him who is, with the humblest duty and respect, your majesty's most faithful, most dutiful, and most obedient subject."*

—his influence in the Highlands.

To render his support of the Hanoverian dynasty highly important, and worthy of being courted even by royalty, Mar had managed to obtain a large following of Highland chiefs. He had drawn from them a document, in which they deputed him, as their trusty adviser, to lay their allegiance and duty at their new sovereign's feet, and to make known their willingness to transfer their fidelity from the Stewart family to that of the Guelphs. Their phraseology was dextrously framed to leave the impression designed by that wily politician, that it lay entirely with him whether such a large and influential body of Highland chiefs should declare for or against the Hanoverian succession; and it is not improbable that he dictated the words in which they describe themselves as passive in his hands, and implicitly waiting his guidance. "We must beg leave," said they in their letter to Mar, "to address your lordship, and entreat you to assure the government in our names, and that of the rest of the clans who, by distance of place, could not be present at the signing of this letter, of our loyalty to his sacred majesty King George; and we do hereby declare to your lordship that, as we were always ready to follow your directions in serving Queen Anne, so we will be now equally forward to concur with your lordship in faithfully serving King George. And we entreat your lordship would advise us how we may best offer our duty to his majesty upon his coming over to Britain; and on all occasions we will beg to receive your counsel and direction how we may be most useful to his royal government." † It is also reported, but with what accuracy cannot now be determined, that Mar's brother, Erskine of Grange, had prepared a letter, expressing for himself, and also for a large group of chiefs who looked up to his counsel, sentiments similarly loyal towards the new king; but that George declined to receive a document which, he was led to believe, had been concocted at the Pretender's court, and for sinister purposes. The earl calculated on his proffered loyalty being at once gratefully appreciated and rewarded: and he imagined that he had rendered it a matter of urgent policy that the royal favour should be conspicuously extended to him.

It so happened that all the Tory leaders were specially unfortunate in their endeavours to ingratiate themselves with the new king, or even to inspire

* Unprinted Acts of Assembly referred to in Burton's History.

* Annals of King George, p. 22, where we are informed that the king himself directed the publication of the letter, as "so contrary to Mar's subsequent proceedings."

† Rae, p. 57.

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him with confidence. The Tory ministers of the late queen, as still holding office, were entitled to take precedence in the ceremony of receiving the sovereign on his landing in England; and they did not mean to waive this right, for they had arranged that, surrounded by their parliamentary supporters, they should attend, to give him the first British welcome with a heartiness which might disarm him of his whig-instilled prejudices. But, as they waited at Greenwich for the royal barge, it was notified to them that the king would land in a few minutes, and that, as the banks and roads were already densely thronged, it was impossible for them in a body to force their way into the royal presence, otherwise than separately and individually. They were grievously disappointed at being prevented from parading the alacrity of their loyalty in an imposing manner; and they seem also to have been individually frustrated in their attempts to get near the king's person, and to obtain a passing notice from his majesty in his procession from the vessel to the palace. George I. was too blunt, if not too surly, to delight in protracted ceremonies of salutation, and soon declared himself wearied by the presentations and the hand-kissing. He had sought privacy for the evening before almost any of the Tory statesmen had been introduced to him. Next morning, the Duke of Ormond was informed that his services as captain-general were no longer required by the king,* and the dismissal of the Tory ministry was equally prompt and unceremonious. On the 24th of September (1714) the Earl of Mar found himself no longer secretary of state for Scotland, the Duke of Montrose having been appointed to the post. It cannot be denied that George I. began his reign in a style not more injudicious and unconciliatory than unconstitutional and arbitrary, contrasting strongly with that exhibited by another stranger, William of Orange, whose self-determined and inflexible will pursued its own path, without suspending the liberties or offending the pride of the nation. The late ministers were obnoxious to the people as well as to the king, and their sweeping expulsion from office might have been effected otherwise than by the exercise of a despotical prerogative. He had good reason to suspect that their sympathies were with the Stewart race, and to resolve upon being served exclusively by the Whigs; still he could have had his views and aims fully gratified by keeping to a constitutional course of procedure, and without giving mortal offence to the men who were to be discarded. The king's policy was calculated to multiply the Jacobites in high quarters, and to send over irrevocably to the Pretender's side a whole cabinet, that might have been detached by a little kindness, and turned into zealous Hanoverians. Nor could the Whigs, called so summarily to supplant their Tory opponents, view the royal method of overthrowing an old, and forming a new government, with much complacency. The nation at large, too, though glad at the dismissal of men who, for a year or two, had been suspected of deadly hatred and crafty intrigue against the Protestant succession, might have been dissatisfied with the arbitrary character of the royal procedure. It is plain that George I. ignored the advantages, and violated the rights, of a "constitutional opposition party" in parliament.

Fall of the Tory ministry.

As might have been expected, this unceremonious dismissal of the Tories was accepted by them as a proclamation of war. The Duke of Ormond and Lord Bolingbroke—the latter of whom had been treated with special indignity by the king and the leading Whigs, and threatened with an impeachment, which was afterwards successfully "driven on," as he himself expressed it—repaired to France and tendered their allegiance to the Pretender; while Mar tarried for nearly a year in London only to ascertain if sycophancy and guile might not avail to obtain a reconciliation with the king, and the recovery of place and power. He would only be a rebel after proving that a profession of loyalty could not promote his selfish ambition; he would go over to James Stewart, not from any delusion about "divine rights," much less from any patriotic impulse, but simply from a well-grounded conviction that from George I. he was not to receive any special favours, or to be restored to office and influence in the state. He might imagine that his close alliance by marriage with a leading Whig family (for in the present year he had married Lady Frances Pierrepoint, second daughter to the Duke of Kingston, and sister to the celebrated Lady Mary Wortley Montague) would go far to recommend him with the king and the Whig government, especially if, when out of office, he appeared to keep aloof from all Tory and Jacobite associations and intrigues. The very meanness of his motives for remaining near the court so long might pass for rare magnanimity; and the unprincipled place-hunter, with all his base self-seeking, might come to be regarded as a disinterested and conscientious supporter of the Hanoverian dynasty, and a faithful friend to his sovereign in spite of personal discouragements and insults which had provoked others into schemes of vengeance. Mar patiently experimented for about a year, to discover if he was to be allowed to serve the king in order that he might serve himself; but he could find no symptom that he had made a favourable impression upon the royal mind. He had played and lost the game; he must now, therefore, change his hand, and transfer his allegiance and service to the Pretender.

Mar's expectations defeated.

It is mentioned in contemporary accounts that Mar went to a court levee on the 1st of August, 1715. Yet it was on the morning either of this or the following day that he set out for Scotland to raise the standard of rebellion against the king to whom he had just been paying loyal homage, and to stir up the flames of civil war. Attended by two servants, and in the company of Major-general Hamilton and Colonel Hay, the earl, disguised as an artizan, set sail from

Mar's return to Scotland.

* Rae's Narrative, p. 90.

London in a Newcastle coal-barge about to make its return passage. On reaching Newcastle, he engaged a vessel to convey him thence to the coast of Fife; and he was set ashore at Elie, where he expected to be forthwith surrounded by a powerful host of friends. Nor was he disappointed: and the celerity with which the leading Jacobites of the north obeyed the orders which he now began to issue to them far and near, proves that the rising had been previously concerted in detail with the utmost care and precision; and that, when apparently clinging to the skirts of the court in London, with eager expectation of a royal smile, he was secretly carrying on an extensive correspondence of a treasonable character with the north. Lord Bolingbroke relates how a messenger from this country had gone over to France in the beginning of July, 1715, a month before the Earl of Mar set out from London to commence the insurrection, and informed his lordship that Scotland was not only ready to take up arms, but under some sort of disaffection at being withheld from the beginning; that in England the people were exasperated against the government to such a degree that, far from wanting to be encouraged, they could not be restrained from insulting it on every occasion; that the whole Tory party was become avowedly Jacobite; that many of the officers of the army and the majority of the soldiers were well affected to the cause; that the city of London was ready to rise, and that the enterprises for seizing several places were ripe for execution; that most of the principal Tories were in concert with the Duke of Ormond; and that the others were so disposed that there remained no doubt of their joining as soon as the first blow should be struck.* He also expressed the extreme astonishment and vexation of the Jacobites that Bolingbroke should remain neutral in such a juncture of affairs, when every other friend was zealously engaged heart and hand. "He represented to me," says Bolingbroke, "the danger I ran of being prevented by people of all sides from having the merit of engaging early in this enterprise, and how unaccountable it would be for a man, impeached and attainted under the present government, to take no share in bringing about a revolution so near at hand and so certain."† That unfortunate politician mentions a still more significant circumstance: that after he had accepted the post of secretary of state under the Pretender, and on the receipt of a message from Scotland, urging "the Chevalier to hasten their rising," he dispatched a messenger to London to the Earl of Mar, to tell him that the concurrence of England in the insurrection was ardently wished and expected; "but instead of that nobleman's waiting for instructions, he had already gone into the Highlands, and had actually put himself at the head of his clans."‡ It is thus plain that the Earl of Mar, though to all appearance standing aloof from every intrigue carried on in the spring and summer of 1715, against the Guelphic court, and humbly waiting a call to serve George I., had really been for several months back the associate of the English, and the leader of the Scottish Jacobites; and that he had prepared the latter for an instantaneous co-operation with him when he should enter Scotland to commence the insurrection.

Correspondence with Bolingbroke.

On the 17th of August he left Fife, and with forty horse crossed the Tay. In his march to the north he sent to his numerous partizans among the Highland chiefs invitations to join him at a grand hunting match in Braemar Forest, on the 26th of that month; whilst those of the party whose residences lay near the route he was taking, were visited by him personally, and their presence at the great meeting of the clans secured. The place for the gathering was most sagaciously chosen, Braemar being not only accessible to, but convenient for, almost all the leading clans, as well as secluded from official observation, and guarded against the approach of government troops; whilst the pretended object, if not likely to throw further concealment around the treasonable enterprise which they met to inaugurate, was at least so legitimate as not to leave government any excuse for prohibiting the assemblage. On the day appointed, the chiefs, with many of their retainers, presented themselves at the appointed rendezvous. It is not known whether they attended for a little to the ostensible design of the gathering, for all the contemporary chronicles begin with the general council, political and military, into which the seeming sportsmen formed themselves within Braemar Castle on the first day of their meeting, their men proceeding to erect tents in front of that building for their own accommodation. The chiefs and their vassals present numbered eight hundred;* but Mar knew well, from the feudal rights and influence of many of the chiefs who attended, that these had as yet brought only a handful of their retainers, and that he might calculate on thousands, instead of hundreds, if their leaders did not shrink from resorting to arms. An immense extent of Highland territory, occupied by a large warlike population, was represented by a few of the chiefs then before him,—such as the Marquis of Tullibardine (the Duke of Athol's eldest son), the Marquis of Huntley (son of the Duke of Gordon), Lords Seaforth, Southesk, Stormont, Drummond, and Ogilvie, Glengarry, and Campbell of Glenderule, who was deputed by the Earl of Breadalbane. The military strength of these chiefs was very formidable, and they had far more numerous bodies of retainers, though, perhaps, much smaller rent-rolls, than the following noblemen, who were also in attendance at Braemar,—Lords Nithsdale, Traquair, Marischal, Errol, Carnwath, Linlithgow, Kilsyth, Kenmure, Kingston, Rollo, Duffus, Strathallan and Nairn. Even this muster-roll did not exhaust an array of nobles and chiefs committed to the sup-

The gathering at Braemar.

* Goldsmith's Life of Henry Lord Bolingbroke, p. 209.
† Life of Bolingbroke, p. 209.
‡ Ibid., p. 213.

* Keith's Autobiography, p. 11.

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port of the Pretender's cause, for a contemporary annalist, in giving the foregoing list of the principal Jacobites present at Braemar, adds, "there were also twenty-six gentlemen of interest in the Highlands whose names we have not had opportunity to get a list of." * According to the same authority, corroborated by other annalists of the time, Mar, in addressing the general council, regretted deeply the part he had taken in promoting the union, and denounced that measure as a surrender of the liberties of their countrymen into the hands of the English, "whose power to enslave them further was too great, and their design to do it daily visible." No deliverance, he proceeded to argue, was possible except through the restoration of their rightful sovereign, James VIII. As for himself, he had formed an inflexible resolution to raise the standard of the exiled prince, and uphold it to the last, freely perilling his life and all that he had. Yet, though he was nerved for disaster and defeat, he expected no such result from the loyal enterprise, but could reasonably cheer himself, and all who might follow him, with prospects of speedy and brilliant success. He went on to expatiate upon the grounds of his confidence, the unanimous response which England would make to the movement, and the extensive assistance forthcoming from France. He announced to the astonished council that he had a military chest of £100,000, a sum the largeness of which the minds of the Highlanders could in that age hardly grasp. He stated, in conclusion, that he had been appointed by their exiled sovereign to the post of commander-in-chief of all the forces that would take the field, though he did not show his commission, nor, in fact, does he seem to have possessed any such warrant until a month later. Probably he nominated himself to this office, and trusted that James would sanction the arrangement, and confirm him in that post, which, in existing circumstances, few might be disposed to court.

Mar's address to the chieftains.

The intelligence of the death of Louis XIV. (which had taken place on the 22nd of August) reached the chiefs in council, but did not paralyse their resolution, though it must have imparted additional seriousness and anxiety to their deliberations. The deceased French king had been at heart a friend of the Jacobites, and a champion of their master: self-interest leading him to sympathise with a cause which might intimidate and weaken, if it could not overthrow, the hostile strength of England; and his devotion to popery and to its permanent predominance throughout Europe, strongly inclining him to oppose, by intrigue, if not by open warfare, the continuance of the Revolution settlement and of the Protestant succession, and to aid the Stewarts, who shared his religious and despotic principles and practices, and who had always been ready to submit tamely to his ascendancy in European politics, though to the sacrifice of their own country's well-being, and even of her honour as well as their own. Yet, by the treaty of Utrecht, Louis had been disabled from all co-operation with the Jacobites. His successor was equally bound to be neutral in their cause; but the regent (for the heir to the French throne was then an infant) might so far partake of the genius both of his nation and of its princes as to prefer the excitement of war to peace with his neighbours, and "glory" to integrity; and thus, careless of the obligations of a treaty, might intermeddle in the domestic affairs of Britain, and lend powerful assistance to the Jacobite insurrection. Mar and the members of the rebel council attempted to derive encouragement from that event in France, which might have made them pause in their enterprise. They were deliberating within sight of their armed retainers, who, with those that had been left at home, were numerous enough to compose a formidable host; and the daring character of their resolutions would never, we may conjecture, be allowed to droop, so long as Braemar Castle could furnish the materials of riotous festivity, and its hospitable lord could blend diets of council with liberal feasts.

Death of Louis XIV.

On the 3rd of September, a more secret, if not also smaller, meeting of council, was held by the chiefs at Moyne, a mansion belonging to the Gordons, distant from Braemar about twenty miles. This meeting, it has been conjectured, consisted of those who had already become mutually pledged to take up arms, and who might wish greater seclusion for arranging the early movements of the campaign. In Mar's manifesto, as commander of the forces, he furnishes a list of the chiefs and nobles assembled at Moyne,* and from this it is obvious that a considerable number of the chiefs present at Braemar were absent from the consultation at Moyne. At the more select gathering the proceedings must have been greatly more energetic and decisive, for there it was at once determined that on the third day from that of their meeting they should raise the standard of King James, and commit themselves irrevocably to the terrible chances of a rebellion. Accordingly, on the 6th of September that standard was unfurled on a bold and romantic height, at Braemar, with impressive ceremonies and amidst enthusiastic acclamations, though the falling of the gilded ball from the top of the flag-staff was regarded by the superstitious Highlanders as an unlucky omen. Mar had, however, so early as the close of August sent a letter to "the king's forces in Argyleshire," calling upon them to embody themselves on the 1st of September; and again, on that day, he had instructed those forces to attempt the capture of Inverary Castle, the Duke of Argyll's for-

Council at Moyne.

Raising the standard of the Stewarts.

* Annals, p. 25.

* "The Lord Huntley, the Lord Tullibardine, the Earl Marischal, the Earl of Southesk, Glengarry from two clans, Glanderule from the Earl of Breadalbane and gentlemen of Argyleshire, Mr. Patrick Lyon of Auchterhouse, the Laird of Auldbar, Lieutenant-general George Hamilton, Major Gordon."—*Collection of Original Letters*, quoted in Burton's History.

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tified mansion,—an exploit, which, if successfully performed, could not but be of immense consequence at the opening of the enterprise, and altogether worthy of being the first blow struck on the Stewart side. But Mar's instructions were far more promptly issued than they were executed, since we find him again, on the 4th of October, urging the seizure of the castle, for which he gives an additional motive,—that his friends might obtain possession of the arms which the duke had just deposited there. Still, they were strictly enjoined to refrain, in carrying out the attack, from burning and sacking the place, or displaying any of the savage destructiveness to which the Highlanders, as he well knew, were addicted. At this stage of the insurrection he would sanction no harsher expedients than blockade and surprise, as if prudently afraid of the odium which a report of Highland excesses would excite in the Lowlands, and especially in England, to the serious disadvantage of the Pretender's cause. "I will not," were Mar's words, "begin with burning houses, so I hope you will have no occasion of doing that with the house of Inverary; and though you may threaten it, you must not put it in execution till you acquaint me, and have my return." *

Threatened attack on Inverary Castle.

The chiefs to whom these lessons of moderation were given, and who had been entrusted with the enterprise of wresting Inverary Castle out of the hands of the Duke of Argyll, and securing it as a stronghold for the Pretender, were Drummond of Bahaldie, and the notorious Rob Roy. The latter, however, did not stand in need of Mar's interdicts against assaulting the castle with fire and sword, for secretly he, at the head of the Macgregor clan, was a hireling and ally of the duke, and kept his grace apprised of every Jacobite movement and design. He was, therefore, as likely to frustrate any attempt, by blockade or crafty surprise, upon the castle, as to acquiesce implicitly in Mar's instructions.

The mildness and magnanimity conspicuous in Mar's order concerning the capture of this castle have perplexed many historians, who seem to think that extreme rigour towards Argyll—who had been a political rival, and who now was the commander of the royal forces collected for the suppression of the insurrection—would have been at once more natural and more judicious. They forget Mar's incapacity for the military post into which he had thrust himself, and the uncertainty, vacillation, and confusion of his ideas as to the "judicious" character of any manœuvre; whilst they wholly overlook the tendency of his late protracted residence in London, and of his political engagements and associations there, to mitigate, if not to eradicate, the savage disposition of a Highland chief. "Perhaps," Mr. Burton justly remarks, "to the polished courtier there was something, even when he had resumed his character of a Highland chief, repulsive in the idea of burning and sacking the dwelling-house of a man with whom he often adjusted details in council or at committee, walked in the Mall, or drank at Will's coffee-house." *

* Original Letters, p. 49.

To his tenants and followers, however, the earl showed no generosity or forbearance, but was exacting and intolerant in the extreme, for such of them as refused or delayed to rally around King James's standard were subjected to the worst species of intimidation. He indignantly complains—"It is a pretty thing when all the Highlands of Scotland are now rising upon their king and country's account, as I have accounts from them since they were with me, and the gentlemen in most of our neighbouring Lowlands expecting us down to join them, that my men should be only refractory;" and he threatens them, should they continue obstinate, with the pillage or burning of their property, and the treatment of themselves as enemies. It was not so strange as it would appear on a superficial view, that Mar's own tenantry were peculiarly reluctant to take part in the insurrection of which he was the leader. His territory, like much of the land lying on the eastern slope of the Grampians, was occupied chiefly by families of Lowland origin; and these not only wanted the patriarchal instincts which secured the devotion of each Highland clan to the will of its chief, but had hitherto seen little of his lordship to foster an attachment, he having almost always lived at a distance, "unknowing and unknown." They had, it is probable, heard of his ostentatious loyalty to King George, and, imagining that his present partiality for the exiled James would be equally short-lived, might shrink from allowing his caprice to involve them in all the consequences of open rebellion.

Mar's tenantry reluctant to rise in his aid.

The fiery cross was sent far and near through the Highlands, summoning to the camp of Mar every man capable of bearing arms. In the meantime, the Pretender was proclaimed as James VIII. by the Earl Marischal at Aberdeen, by Graham of Duntroon at Dundee, by the Earl of Southesk at Montrose, by Colonel Balfour at Perth, by the Marquis of Huntley at Castle Gordon, and by Lord Panmure at Brechin. The last-named nobleman, in joining the rebel forces, brought with him a powerful body of retainers, and was hailed as a most important accession to the cause. The proclamation of the Chevalier at Inverness was made by Brigadier Mackintosh of Borlum, who, while attending to this idle form, had the sagacity to take possession of the castle which, though from its site commanding both the town and the passage of the Ness, he found unoccupied. He placed in it a garrison of five hundred men, who could thus intercept all communication between the Ross and the Sutherland Highlands, except such as might be wished by the rebel army, and who could also render valuable service in checking the formidable hostility of the Earl of Sutherland. So easily did

Proclamation of James VIII.

Seizure of Inverness Castle.

* History, vol. ii. p. 106.

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one of the most important strongholds and passes of the north fall into the hands of the rebels, who, however, were destined to lose it almost as easily, as we shall have subsequently to relate.

Meanwhile, the government and the friends of the house of Hanover were not idle spectators of the rising. Preparations, in the shape of several important acts of parliament, had been made long before Mar arrived in Scotland to take the field. The very first statute to which King George put his name, related to the payment of £100,000 as a reward to any one who should seize the Pretender, in the event of his coming to Britain to assert his claims. The sum offered by the Tory ministers of Queen Anne for the same service had been only £5000, as was recited in the act of George I., obviously with the view of suggesting the greatly increased loyalty of the new sovereign's government and parliament. On the 16th of July (1715) the Commons, in an address to the crown, represented the necessity of forthwith stringently enforcing the laws against all who should be implicated in "tumultuous riots and disorders," of removing magistrates who were suspected of Jacobitism, and of compensating innocent citizens whose property might be destroyed in occasional outbreaks. Not only did the royal answer sympathise fully with those views and aims, but on the 20th of the same month, the king made a speech from the throne, in which he directed parliament to take immediate steps "so as not to leave the nation, under a rebellion actually begun at home, and threatened with an invasion from abroad, in a defenceless condition." On the same day he gave his assent to the Riot Act, containing a form of proclamation for the dispersal of gatherings, held by twelve or more persons, for illegal purposes; and providing immunity for such public officers as employed necessary force in effecting their dispersal. One very important clause of this act related to the wanton destruction of dissenting churches and manses by a mob, and rendered the community liable for the damage, unless the places of worship had failed to meet the requirements of the law of toleration; for the protection was offered only to those churches which were "tolerated by law, and where his majesty King George, the Prince and Princess of Wales, and their issue, were prayed for in express words." The non-jurors among the episcopal clergy derived no benefit from this clause, and could claim no compensation for any injury to their property inflicted in the course of popular outrages.

Preparations of the government.

On the 26th of July, a resolution, pledging the Commons to prepare for the imminent danger, and to put the united kingdom into an adequate state of defence, was moved by Walpole (who was just beginning to take a high place among Whig politicians), and carried without a division. The government, assured that the supplies of money from the House would be forthcoming, set about the increase of the forces, and proceeded to raise thirteen regiments of cavalry, and eight of infantry—seven thousand men in all. A smaller addition could not be wisely made to the existing army at home, where all the troops of every kind did not number more than eight thousand men, a force utterly insufficient for dealing with a rebellion or an invasion, not to speak of a crisis in which both might simultaneously occur. The new regiments, as soon as they were formed, were distributed over the east coast of England, where a descent from France was apprehended; but no change was made in the military strength of Scotland, where, it soon appeared, the chief, if not the only, danger lay.

Increase of the royal army.

At the same time, parliament suspended for six months the operation of those laws by which the subject, when arrested or imprisoned on accusation, can guard himself against an unjust or lengthened detention by hastening on his trial; and it was decreed, that no person who might, on and after the 23rd of July, be arrested by order of the privy-council on suspicion of treason, should possess the right of being bailed, or of bringing on his trial until the 23rd of January, 1716. Many formidable persons, against whom, however, no overt acts of conspiracy could have been proved, were thus restrained from mischief. A still more important measure was passed on the 30th of August, calculated to alienate land-owners from Jacobitism, and to render loyalty incalculably more profitable than before to persons even of different ranks.* By the law of subinfeudation, the barons or great vassals, while holding their estates from the crown, were the superiors over other vassals, who held their property from them by a similar feudal tenure; and often the sub-vassals had their inferiors also, whose possessions were similarly dependent upon them. The act took a skilful advantage of this division of interests in the soil, and decreed that when a crown-vassal was guilty of treason, then his tenant, the sub-vassal, became entitled to take his place, and enter into his right, as holding directly from the crown, being released from all obligations to his late superiors; whilst, in the event of the crown-vassal remaining loyal, and the sub-vassal becoming a traitor, the share of the latter in the land reverted to the former, who thus easily regained the property which he or his ancestors had formerly sold. Treason was thus invested with new terrors, and loyalty with new attractions; and a powerful motive was furnished, not only for

Habeas-corpus Act suspended.

Independency of Vassals' Act.

* "An act for encouraging all superiors, vassals, landlords, and tenants in Scotland, who do and shall continue in their duty and loyalty to his majesty King George; and for discouraging all superiors, &c., &c., there, who have been or shall be guilty of rebellious practices against his said majesty; and for making void all fraudulent entails, bailzies, and conveyances made there, for barring or excluding the effect of forfeitures that may have been or shall be incurred there on any such account; as also for calling any suspected person or persons, whose estates or principal residence are in Scotland, to appear at Edinburgh, or where it shall be judged expedient, to find bail for their good behaviour; and for the better disarming disaffected persons in Scotland."

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landlords and tenants remaining loyal, but also for each class closely watching and prying into the conduct of the other. In Highland districts, however, where chieftainship was intertwined with the very elements of society, and where there was a great gulf fixed between the chief and his dependent, so that the one could not be empowered by law to enter upon the rights or occupy the position of the other, the Vassals' Act was a dead letter; but in the Lowlands it could not but be widely influential.

Transfers of property set aside.

One of the clauses of this act was directed against the transference of property by persons on the verge of involving themselves in treasonable practices. Hitherto, in prospect of treason or rebellion, the intending traitor made over his property to another member of the family, who was either to keep aloof from the disloyal movement, or to stand forth conspicuously in opposition to it; so that many an estate, which would otherwise have been forfeited, remained safe in the family of the traitor. It was now determined that "no entails, family settlements, or gratuitous transferences of property," made after the 1st of August, 1714, by individuals subsequently convicted of high-treason, should be sustained as legal. In this comprehensive act it was also provided that the lord-lieutenants of counties should have the right to search for arms in the possession of doubtful persons, and to appropriate all that were found to the public service. Further, it empowered the lawyers of the crown, "at any time between the 1st of September, 1715, and the 23rd of January, 1716," to order the attendance of any individuals "who have their estates or ordinary residence within Scotland," at Edinburgh or elsewhere, where they must produce sufficient guarantees for their loyalty. This clause of the act was rigorously enforced, so far at least as summoning was concerned, for no less than sixty-two persons, amongst whom were several nobles and large proprietors, and indeed nearly all the chiefs who had assembled at Braemar, were cited to appear.* It is a curious fact, that out of this number only two, Sir Alexander Erskine, the Lord-Lyon king-at-arms, and Sir Patrick Murray of Auchtertyre,† complied; and it may be judged that the summary and stern summons induced not a few, who might be hesitating between loyalty and treason to cast in their lot with the insurgents.

Suspected persons summoned to Edinburgh.

The Earl of Breadalbane was amongst the number that declined to comply with the summons, though, with characteristic craft, he attempted to convince the government that there was no disloyalty in his failure to appear at Edinburgh. He sent a lugubrious description of himself, duly attested by a physician and the parish minister, as "an infirm man of fourscore years of age, much troubled with cough, rheums, defluctions, and other maladies and infirmities which usually attend old age," and, therefore, as wholly incapacitated for travelling to the metropolis. Yet, the next day after forwarding this excuse, he made his appearance at Mar's camp.*

Breadalbane's excuses.

The Jacobites had all along calculated on zealous co-operation from the Cameronians and ultra-presbyterians; but these at once showed that they were determined to support the Revolution settlement and the Protestant succession as invaluable safeguards against the civil tyranny and ecclesiastical persecution which, in the reign of the last Stewarts, had so cruelly afflicted Scotland. The Whigs and presbyterians forthwith adopted vigorous measures against the Pretender's cause, and formed themselves into associations at Edinburgh, pledged "to do their utmost to defend and maintain our excellent constitution in church and state," and to repel and crush "the invasion of a pretender to the crown, who has been educated in all the maxims of popish bigotry and French tyranny, and now comes against us with an army of Irish cut-throats, assisted by the grand enemy to the reformed interest in Europe, who hath imbrued his hands so much in Protestant blood." Large supplies of men and money flowed in upon these warlike associations, and fitly responded to the resolute and fervent appeals which were made to all who valued civil and religious liberty. A formidable army of volunteers would soon have been raised in Scotland alone, to be also maintained by free contributions; but the government looked with some jealousy on the prospect of a powerful body of armed men, especially of armed presbyterians, self-organized and self-supported; and the ardent addresses to the crown issuing from the volunteers were answered by an assurance that his majesty himself had taken measures amply sufficient for the crisis, and was anxious "to save his loving subjects from incurring further trouble and expense." The fervour of the Whigs and presbyterians, however, was not altogether damped by the cold reception given in the highest quarters to their proposals for the defence of the nation. They prepared a new bond of association, in which, without alluding to the raising of troops and money (the points that government regarded with special suspicion), they renewed their pledge to stand fast by and support each other in the maintenance of the Hanoverian dynasty. They also embodied themselves in armed companies officered by men of their own choice, and went through a regular course of military training, as "The Associate Volunteers of Edinburgh." The inhabitants of Glasgow, from their vicinity to the wild Highlanders, felt that they stood in special danger, and, in addition to other measures of self-defence, raised a powerful guard of burghers. The young men of Dumfries formed themselves into a "Company of Loyal Bachelors," and, for the purpose of repressing any jealousies, preferred being officered by married men. Into every Lowland district this enthusiastic spirit of preparation for danger spread; and all the

Loyalty of the ultra-presbyterians.

* Annals, p. 35. † Rae, p. 211.

* Collection of Letters, pp. 20, 21.

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towns had their sturdy bands of armed and drilled volunteers, whose cheerfulness and alacrity detracted nothing from the desperate energy with which, if necessary, they were prepared to fight for the liberties and protestantism of their country.

The various skeleton regiments composing the army in Scotland amounted in all to a force about two thousand strong; and, at the head of that force, General Wightman posted himself at Stirling, where he could watch the rebels of the north, and prevent them from joining the rebels of the south. The river Forth was only fordable by a bridge, in the vicinity of that town, which he could easily guard; whilst the old castle, standing on its lofty rock, was impregnable to the military science of that day. Yet, though by this wise disposition the most was made of such a handful of troops, and though the chief anxiety of government was unwisely directed towards England instead of Scotland, as the scene of the coming struggle, it was judged necessary to reinforce this small army by six additional regiments. A contingent of 6000 men from Holland, which that country had engaged to supply in the event of an invasion of Britain, or a serious rebellion there, was now ordered with the view of operating in Scotland. The Duke of Argyll, one of the ablest generals in the kingdom, a great statesman also, and, unquestionably, the most powerful of all the Highland chiefs, was entrusted with the supreme command of the army gathered and yet gathering to crush the rebellion. He had previously, on a memorable occasion, when he made his appearance before Bolingbroke and his Tory colleagues as the champion of the house of Hanover, displayed a rare promptitude and cordiality of attachment to that dynasty; and now his grace lost no time in entering upon his military duties. He waited upon the king, on the 8th of September, for his final instructions; and on the following day set out for Scotland, attended by a great number of the Scotch members of both Houses of Parliament, who expected to be of more use by going to their own country to stimulate and direct the loyal energies of all over whom they had influence, than by remaining in London to take part in the business of the legislature. The duke arrived on the 14th at Edinburgh, where he minutely examined the castle, its means and strength of resistance, gave instructions for its additional safety, and forwarded to Glasgow and Stirling all the arms and ammunition that could be dispensed with in the metropolis. On the 17th he reached Stirling, and reviewed the army there. His first care was to reinforce it; not by immediately summoning his own numerous dependents, on whose fidelity he could implicitly rely, but by inviting volunteers from the western Lowlands. Glasgow, already flourishing in commerce, and holding political and religious views in harmony with his own and those of his ancestors (between whom and the city there had ever been a good understanding), would, he expected, place a numerous band at his disposal; and, indeed, he had already dispatched from Edinburgh a letter to the provost of Glasgow, in cordial praise of the loyalty of the western capital, which possessed, as he was led to believe, "a considerable number of well armed men ready to serve his majesty." He forthwith requested that five or six hundred of these volunteers should be sent to Stirling under officers chosen by the municipal authorities. At once his desire was more than granted, and, on the 19th of the same month (September), he received between six and seven hundred men, formed into ten companies, under skilful officers. As a token of the city's cordiality, the provost was at the head of this force, though he delegated his purely military functions, as leader, to Colonel Blackadder, an officer of tried merit. The Glasgow volunteers, during their ten weeks' military service at Stirling, either bore their own expenses, or were supported from municipal contributions.

Royal army posted at Stirling.

Duke of Argyll appointed commander.

Acting on a hint from Argyll, the authorities of Glasgow dispatched letters over the west, requesting the small towns, villages, and agricultural districts, to forward their "fencible men" to be embodied in that city. The response was prompt and satisfactory. Paisley, at that time a village, was the first to send a gallant band; and Kilmarnock followed with a contingent of two hundred and twenty men; whilst the Earl of Kilmarnock led one hundred and thirty of his tenantry. Occupation was found for detachments of those volunteers, in garrisoning three stations for the defence of the Lowlands against the plundering incursions of Rob Roy's clan. Greenock, and the villages on the Renfrew coast of the Clyde, were occupied by bands, with the view of preventing any attempt on the part of the rebels to cross that river from the Macgregor territory. The forces thus posted, along with two well-furnished companies drafted to Stirling, had been raised by the heroic exertions of Lady Schaw of Greenock, who, in the absence of her husband, displayed the most active loyalty, and, aided by the parish minister, inspired the population with kindred zeal. She had urged all that could bear arms to rise for "the protection of the Protestant religion, with their laws, liberties, lives, and all that was dear to them as men and as Christians;" but she was also supposed to be actuated by a keen feud between her husband and one of the Jacobite leaders, the Master of Sinclair, who had slain two of Sir John Schaw's brothers, in circumstances more resembling a murder than an honourable combat. A detachment from the two companies she had sent to the camp at Stirling was employed to garrison the house of Touch, an ancient tower standing on the northern slope of the Gargunnock hills, which commanded not only the Forth but the Grampian range, and was admirably situated for the prevention, by a very small force, of any attempt at crossing the river.

Volunteer companies embodied.

The season of the year chosen for the insurrec-

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tion showed far greater sagacity than can be ascribed to the Earl of Mar, and was highly favourable to the rebels.

Mar profited by the harvest season.

It was the busy time of harvest, when the entire rural population of the Lowlands must attend to the crops, if all their labours during the bygone portion of the year were not to be lost, and if their whole stock and means of subsistence for the next year were not to be sacrificed. It might have been expected, therefore, that in the agricultural districts loyalty would find but few volunteers. On the other hand, the Highlanders, of whom the great bulk of Mar's army was composed, were accustomed to live by plunder, rather than by industry; and for them it was neither a disadvantage nor a grief to quit their barren hills, and commence a campaign through fertile, civilised, and wealthy districts, where they could plunder on a large scale. They were ready to fight at all seasons of the year, in expectation of a booty far more valuable than any agricultural crop which they could honestly reap. The mere circumstance, then, of the particular season selected for Mar's rising, might have operated in keeping back almost every volunteer from the Hanoverian cause, without leading a single man, out of the many thousands disposed or pledged to join the Pretender's banner, to hold aloof or to waver in the least. Still, from all quarters of the Lowlands forces came pouring in at the summons of the loyal Duke of Argyll—so serious was the view taken of the crisis, and so cordial the appreciation of the blessings secured by the Revolution settlement and the Protestant succession. A formidable body of volunteers in Dumfries was ready to march to Stirling, had not their presence at home been imperatively required to act against the Earl of Nithsdale, who had declared for the Stewarts. Four hundred men were raised by Lord Polwarth in Berwickshire, a considerable proportion of whom joined Argyll, and were subsequently stationed at Linlithgow. In Clydesdale the Duke of Douglas enlisted three hundred men, all of whom would have been forwarded to the camp at Stirling had not the commissariat supplies there been scanty. The Argyll Highlanders had not yet been summoned by their chief to join the army at Stirling, since their presence was needed at Inverary to prevent the castle from falling into the hands of Mar, who, as we have seen, was eager for its capture as an important first blow. Master of Inverary, he would have had open passage for the rebels both through the Breadalbane and the Macgregor territories to the western Lowlands.

A still more desperate attempt had been projected during the first days of the insurrection upon the Castle of Edinburgh.

Unsuccessful attempt on Edinburgh Castle.

Lord Drummond, son of the titular Duke of Perth, was at the head of the enterprise, but its execution was entrusted to a Highland gentleman named Drummond of Bohaldie, with whom were associated a body of Highlanders from Lord Drummond's estates, and a few Jacobites of the city, who are supposed to have been principally students and young lawyers. Even to hair-brained youth it would have seemed an impracticable undertaking, had not the connivance of a sergeant and some privates in the garrison been secured by an ensign named Arthur. The assault was to be made on a part of the castle which rises from a craggy steep on the north-west, near the sally-port. The soldier whose turn it was to keep guard there had agreed to drop from the wall a rope, to which the conspirators were to fasten a scaling-ladder, to be drawn up by the sentinel, and properly fixed for the quick and safe ascent of his accomplices. After making themselves masters of the fortress, they were to fire three salutes from the castle guns; and these, aided by a succession of beacons conspicuously placed through Fife and Angus, were to convey the news of their success to Mar, who was then to hasten forward with his forces, and take possession of the capital. The deputy-governor, Lieutenant-colonel Stewart, was, according to general estimation, of equivocal loyalty; at least the Jacobites did not calculate upon any prevention or counteraction of their plot by his vigilance or zeal. The attempt was to be made on the 8th of September. Ensign Arthur had told the secret to a brother of his own, a medical man in Edinburgh; and the uneasiness expressed in the countenance and manner of the latter excited the concern of his wife, who succeeded in inducing him, only a few hours before the attempt was to be made, to reveal the cause of his anxiety. She was a warm friend to the house of Hanover, and, without losing a moment, she sent an anonymous letter, disclosing the plot to Sir Adam Cockburn, the lord-justice clerk, and he as quickly communicated the intelligence to the deputy-governor of the castle, though his letter was only just in time to be received before the gates were closed for the night. Stewart, however, either disbelieving the information, or secretly favourable to the undertaking, contented himself with ordering his officers to double their guards, and to make their rounds with special care, after which he went to bed. Meanwhile, the conspirators were engaged drinking in a tavern, and at length set out upon their enterprise two hours after the time appointed. Their place of rendezvous was in St. Cuthbert's church-yard, near the foot of the castle rock. They had with them a part of the scaling rope-ladder, but the associate who carried the remainder did not arrive at the time appointed. Angry and impatient, they scrambled up the rock to the foot of the wall, and directed the sentinel to pull up and fasten that portion of the scaling-ladder which they themselves had brought. He did so, but it proved, as they expected, far too short. At this critical moment the steps of the patrol who were to relieve the sentinels were heard approaching the spot where the conspirators stood. Their accomplice immediately threw down the ladder, calling to them that their plot was ruined, and fired his piece with the view

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of covering his treason. The conspirators instantly dispersed, and made their escape under cover of the darkness along the north bank of the North Loch; but a band of the city guard, who had been directed by the lord-justice clerk to patrol round the outside of the castle, apprehended three of the youths and a captain McLean, an old Jacobite officer, who was seriously hurt by a fall from the rock. The deputy-governor of the castle was deprived of his office, and the sergeant who had betrayed his trust was hanged, but the other persons engaged in the enterprise seem to have escaped punishment.

It is now time to note the movements of the Jacobite leader, and the progress of the insurrection. Mar, and the forces accompanying him from Braemar, advanced upon Dunkeld, where they were joined by the Athol and Breadalbane Highlanders, who swelled the number of the rebels to five thousand. By slow marches they reached Perth, which a small detachment had been sent forward to occupy, as headquarters for the whole army, the possession of that town being as important to Mar in cutting off all communication between the government troops and the Hanoverians of the north, as the occupation of Stirling was to the Duke of Argyll in isolating Mar's army from the Jacobites of the south. Mar, while master of that city, was sure of abundant provisions for his troops from the rich Carse of Gowrie, and the fertile districts of Strathern and Strathmore.

Mar occupies Perth.

On his arrival at Perth, a packet from the exiled court was conveyed to the Earl by James Murray, elder brother of William Murray, afterwards the famous Earl of Mansfield. The despatches brought ought to have been both important and urgent, to justify the imminent danger to which Murray was exposed in travelling through England, where every arrival from France, if likely to be followed by a departure for Scotland, was subjected to the most searching scrutiny. The contents of the packet, however, have not been reported on good authority. It was said that they included the earl's commission as commander-in-chief of the army about to act for the Pretender, but there is reason for believing that this warrant was sent at a later date. The patent of dukedom was also said to have reached him at this time. Murray, who was reported to have been made secretary-of-state, brought oral messages of much greater interest to the Jacobite cause, and to the general body of its supporters; for he announced that vigorous assistance was forthcoming from France, and that James himself would speedily appear in Scotland, to assert his rights in person.*

Message from the Pretender.

No money, however, had come from France, and this Mar felt to be an immediate necessary, for the military chest, which he had boastingly spoken of at Braemar, was now empty. On the 3rd of October, he issued at Perth a circular to such persons as he thought could be induced to supply funds. He pressed them in rather an authoritative style to contribute, saying, "Several have very cheerfully lent their money towards so good a cause, and it is expected you will follow their good example." He then proceeded to mention the sum which he would expect to receive from each, and thus concluded—"Since a great many substantial and worthy men have, at this time, ventured their all in this cause, it hath been advised to use harsh means with such as withdraw from assisting in so good a cause; but the good opinion I have of your cheerful compliance in this matter, engages me to address you in this manner."* On the following day he set about issuing instructions for collecting the land-tax, which, for "land-ward" or rural property, he fixed at twenty shillings sterling on £100 Scots of rent, a rate so high as thirty per cent.; whilst all landowners who should have failed to join King James's standard before the 12th of October, were to pay sixty per cent. The land-tax fell very lightly upon burghs; but, on seeing the comparatively small produce of that tax in important towns, Mar did not hesitate to exact (or desire, as he mildly phrased it) from the principal citizens the payment of a much larger sum in the shape of "a benevolence for the good cause." With the proceeds of taxes, forced gifts, and forced loans, he was able to give each soldier a regular allowance of "threepence a day and three loaves, or that quantity of meal in place of the bread," an allowance which, he remarks in a letter, was "fully as good as that of the soldiers at Stirling." A printing-press was at the service of both the hostile armies, and a war of proclamations was regularly waged. "In this warfare," says Mr. Burton felicitously, "the words of the men of King James were stronger than the words of the men of King George;" and, certainly, it would have been undignified in a statesman and general like the Duke of Argyll, who was, moreover, the champion of the Revolution settlement, to imitate the coarseness of Lord Mar. The duke had begun his address for the raising of forces with the following words: "Whereas our gracious sovereign King George has been pleased, for the better suppressing the present rebellion, to order and appoint two companies to be added to each regiment of foot;" and Mar thus commences his rejoinder: "Whereas, by the laws of God, the right of blood, and the ancient constitution of these kingdoms, our sovereign lord James VIII., by the grace of God, of Scotland, England, France, and Ireland, King, Defender of the Faith, has the undoubted right to the crown of these realms;" and he goes on to comment upon what had been "published by the commander-in-chief of *the pretended king's* forces in this kingdom," and to warn all of the "sin and danger" of obeying the "rebellious order."

Mar raises contributions.

Rival proclamations.

Mar's inactivity at Perth proved his utter incapacity for the post he occupied at the head of the rebels. He spent many weeks in simply receiving recruits, and collecting taxes and loans. By the

* Annals, p. 42.

* Original Letters, p. 47.

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middle of October, he had a force amounting to twelve thousand men, ready for some considerable exploits; yet the only achievement of the Jacobite army worthy of notice, was performed by a small detachment of cavalry led by the gallant Master of Sinclair. This was the capture of a vessel conveying a store of arms from Edinburgh Castle to the north, where the Earl of Sutherland stood in need of them for his retainers. The vessel had been compelled by contrary winds to seek anchorage near the harbour of Burntisland; and her position and the value of her cargo having been reported to the rebels at Perth, Sinclair set off with four hundred horsemen, each trooper having a foot soldier mounted behind his saddle. The party travelled so rapidly that they reached Burntisland about midnight; and then, whilst the cavalry posted themselves so as to prevent any warning or aid being conveyed from the town to the vessel, the foot soldiers seized upon several boats lying in the harbour, and rowed at once to their destined prize, of which they took possession almost without resistance. This nocturnal exploit supplied Mar's army with four hundred and twenty stand of arms. These were very much wanted, since the earl had been grievously disappointed at not receiving the promised stores from France, and which, probably, had been intercepted through the energetic representations made by the British ambassador to the French government. From a careful inventory of the arms which were on the eve of being shipped from France for the use of the rebels, it appears that they would have equipped four thousand cavalry and twelve thousand infantry; whilst for bands of the undisciplined Highlanders there was a large provision of pikes and swords. Forty iron and twelve brass field-pieces were among the stores destined for the camp at Perth; but the interdict of the French authorities, who were constrained, for decency's sake, to interfere, and the vigilance of Admiral Byng's squadron of observation, prevented their exportation; and only a few small supplies of arms were smuggled out of France and carried safely to Perth. The foreign troops that were to have accompanied the munitions never left the French coast; hence, Murray's assurances proved deceitful. Mar, pressed by a want of artillery, even for the fortification of Perth, procured some cannon from Dunnottar (sixty miles distant) and from Dundee.

Seizure of arms by the rebels.

Failure of the French supplies.

Whilst Mar and his army remained in a state of inactivity, the lawless Highlanders followed their freebooting practices with the utmost energy and with rare success, improving their many opportunities of finding plunder across the border of the western Lowlands. Rob Roy and the Macgregors were the principal marauders, their territory being conveniently near the richest fields of spoil. Their numerous incursions were strictly on their own account; and the plunder was conveyed to their own strongholds, and not to the Jacobite camp at Perth, though they professed to be under Mar's banner. Early in October, the Macgregors had, by a lucky venture, seized upon the ferry-boats and other vessels on Loch Lomond, and taken them to Rowardennan, within their own country. They had thus obtained the means of following their plundering vocation by water as well as by land. Large flocks of sheep and cattle were taken on board the new marauding fleet, and conveyed quickly and safely to the Macgregor territory. The sturdy Whigs and presbyterians of the immediately adjoining Lowland district combined to redress their grievances, to storm "the piratical stronghold," and, if possible, to recapture the Loch Lomond boats. For this expedition Paisley sent a hundred and twenty volunteers; and the other neighbouring towns contributed an aggregate force of about four hundred. The leaders had the sagacity, also, to procure the services of a "hundred well-hearted and well-armed" seamen from a war vessel lying at that time in the Clyde. The whole party manned two men-of-war's boats, and three other boats, on all of which heavy guns were placed, and these were towed from the Firth of Clyde into the river Leven, the outlet of Loch Lomond, to make their way up the lake, along the shore of which a detachment, who could not be accommodated in the boats, marched, ready to co-operate. These were joined by upwards of forty of the Grant Highlanders, whose costume and arms are thus described by a contemporary historian, who was an eye-witness, if not a follower, of the expedition: "They wore short hose and belted plaids, and were armed each of them with a well-fixed gun on his shoulder, a strong handsome target, with a sharp-pointed steel of about half an ell in length screwed into the navel of it, on his left arm, a sturdy claymore by his side, and a pistol or two, with a dirk and knife, in his belt." The enthusiasm of the whole party broke out in acclamations and salutes from the artillery, though this noisy style of approach was exceedingly injudicious, if they really wished to come to blows with the freebooters, for the Macgregors thus received warning of the approach of their assailants, and had time to take refuge in inaccessible hiding places. When the fleet of boats reached Rowardennan, there was neither any sight nor sound to indicate the neighbourhood of the marauders. The men in the boats fired their large guns, and a party of the volunteers climbed up the precipitous and lofty banks of the loch, and for an hour kept beating their drums; but no Macgregor appeared. As they were returning, after making this display, to their companions on the loch, they were so fortunate as to come upon the boats which the Macgregors had concealed among the thick brushwood on the banks of the lake. The Lowlanders returned in triumph, having destroyed or carried off the boats, the seizure of which was the object of the expedition. The Macgregors were thus compelled to return to their predatory habits by land. They scattered them-

Plundering habits of the Macgregors.

Reprisals of the Whigs.

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selves over Fife, as well as the cultivated portions of Perthshire, and seized upon cattle, grain, and money, which, they falsely alleged, were for the army at Perth. In their petty depredations, they had a special fancy for shoes, and did not scruple to strip the feet of civic and clerical functionaries whom they chanced to meet with, and whom they consoled with the assurance that his gracious majesty James VIII. would be happy to afford them full compensation.

On the 6th of October, Ogilvie of Boin arrived from France, bringing at length Mar's commission to lead the forces, which his lordship ingeniously terms a "new commission," though he had never produced any old one. The messenger bore also written instructions from the Pretender, and letters from Lord Bolingbroke. The former might have proceeded from a despot in the possession of undisputed as well as unlimited sovereignty, and must have been highly offensive to all whose sense of personal and national independence was not crazed by the "divine right" inherent in the Stewart blood. For a prince in James's position, and with his prospects, to issue orders in a style which asserted that everything in Britain was only and always *his*, and that it could not be withheld from him, though he might do with it as he pleased, was insanely indiscreet, and showed that he was the worthy heir of his tyrannical and foolish father. After authorising Mar, at the head of a council, to "assemble all our forces by sea and land, raise the militia, issue out orders for all suspected persons, and seize all forts and castles and put garrisons in them," he empowers the commander and his associates "to take up in any part of our dominions what money, horses, arms, and ammunition and provisions you will think necessary for arming, mounting, and subsisting the said forces under your command, and to give receipts for the same, which we hereby promise to pay." Bolingbroke's letters announced that James would ere long land in the north of Scotland, to encourage and direct the momentous enterprise.

Arrogant orders from the Pretender.

Meanwhile the Jacobites in the north of England and the south-west of Scotland had also taken up arms in the cause of their exiled prince. A treasonable correspondence had for some time been carried on by the Roman Catholic gentry of Northumberland with their friends in London, and preparations were made to take the field on the first favourable opportunity. The government having received intelligence of this design, took measures to prevent the expected insurrection, seized the horses, arms, and ammunition which had been collected for this purpose, and hastened to apprehend a number of the Jacobite leaders. The Habeas Corpus Act was at the same time suspended.

Rising of the Northumbrian Jacobites.

Among the noblemen and gentlemen who were ordered to be taken into custody were Thomas Forster of Bamborough, member of parliament for the county of Northumberland, and the Earl of Derwentwater, the son of one of Charles the Second's illegitimate daughters, and a devoted adherent of the Jacobite cause. Having received warning of their intended arrest, these two individuals absconded, and remained for some time in concealment among their friends in Northumberland; but after consultation with some of the principal northern Jacobites at the house of Mr. Fenwick of Bywell, they resolved that rather than run the risk of imprisonment and trial, they would encounter what seemed the lesser peril of open rebellion.* In adopting this course they no doubt trusted to the general understanding, if not express promise, that hundreds of their political associates would at once join them in their hazardous enterprise. But in this expectation, as events proved, they were doomed to disappointment. Lord Derwentwater was known to be hearty in the cause, but the authority which he possessed over the tenantry of his extensive estates, and the workmen in the large mines which belonged to him at Alston Moor, had either been exerted very feebly, or had been counteracted by some opposing influence, for the entire force which he was able to muster, including his domestic servants, amounted to only forty persons. His horses had been for some time in the custody of a neighbouring justice of the peace, according to the order of council; but when his lordship wanted them they were returned. It is hinted by a historian of the period that a considerable bribe paid to the justice was the ready means of unlocking the doors of the stables in which his lordship's horses were confined.

Attended by his small body of retainers, the earl met Mr. Forster and his friends, according to appointment, on the 6th of October, at a place called Greenrigg, on the top of a hill in Northumberland. Their united force amounted to only sixty horsemen, who were chiefly gentlemen and their servants. What was wanting in numbers was not compensated by military skill or heroism: Forster was a weak, vacillating, spiritless creature, while Derwentwater, though an amiable man, was destitute of the talent and military experience necessary for such an enterprise.

The party of insurgents, having consulted as to their future movements, marched first to a place called Plainfield, on the river Coquet, where they were joined by a number of friends, and then to Rothbury, a small market town, where they quartered for the night. Next morning they proceeded to Warkworth, where they were joined by Lord

First movements of the insurgents.

* Lady Derwentwater was bigotedly attached to the Stewart cause, and it is said that when the earl visited his house secretly during the time he was in hiding, she reproached him with great asperity, declaring "it was not fitting that the Earl of Derwentwater should continue to hide his head in hovels from the light of day when the gentry were up in arms for the cause of their rightful sovereign. It is also said that she at the same time threw down her fan, indignantly exclaiming—"Take that, and give your sword to me!" These stinging reproaches are alleged to have had a great effect in inducing the unfortunate nobleman to take up arms against his better judgment.

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Widdrington, great grandson of the famous peer of that name, "one of the most goodly persons of that age," who had been killed fighting for Charles II., in 1651. Forster was now chosen commander-in-chief, not on account of his superior influence and station, or from any supposed abilities or military knowledge; but merely because he was a Protestant, it being judged unwise to excite popular prejudice against their cause by placing a Roman Catholic at their head. On Sunday morning Mr. Forster sent Mr. Buxton, the chaplain of the insurgents, to the parson of the parish, with orders that he should pray for King James by name; and that in the Litany he should introduce the names of Mary, the queen-mother, and all the dutiful branches of the royal family, but omit the names of King George and his family. But the parson prudently declined compliance, and, quitting the place altogether, took refuge in Newcastle; on which Mr. Buxton took possession of the church, and performed divine service. On the following day Mr. Forster, in disguise, proclaimed James III. with sound of trumpet, and all other formalities which the circumstances of the place would admit. From Warkworth the rebels marched to Alnwick, where they renewed their proclamation, and received some friends. Proceeding next to Morpeth, they were joined at Felton Bridge by seventy horse from the Scottish border, so that they now amounted to three hundred, the highest number which they ever attained. Some of their adherents remained undecided till the last fatal moment. Patten mentions that one of their number, John Hall, of Otterburn, attended a meeting of the Quarter Sessions, which was held at Alnwick for the purpose of taking measures for quelling the rebellion, but left it to join the insurgents, with such precipitation that he forgot his hat upon the bench. The insurgents received many offers of assistance from the country people, but were obliged to decline them, as they had neither arms to equip nor money to pay them. They therefore deemed it advisable to accept none but such as came mounted and armed.

Forster appointed commander-in-chief—

—he proclaims James III.

At this period Forster received information of a dextrous exploit performed by one of their friends, a Newcastle skipper of the name of Lancelot Errington. The small fort of Holy Island was then guarded by a few soldiers, who were exchanged once a week from the garrison of Berwick. It seems to have occurred to the Jacobites that this fort might be of considerable service to them, as affording a station for making signals to the French ships, which they expected to land on that coast with reinforcements of troops and supplies of arms. Accordingly Errington, accompanied by a few Jacobite friends, sailed on the 10th of October to make an attempt upon it, and as he was in the habit of supplying the garrison with provisions, his appearance excited no suspicion. He was admitted as usual into the port near the castle, and subsequently, while part of the garrison were visiting his ship, he entered the castle itself, and made himself master of it without experiencing the least resistance. As soon as this was accomplished, Errington attempted to apprise his friends at Warkworth of the exploit which he had performed, in order that immediate assistance might be sent to him. Unluckily his signals were not perceived by them; while the Governor of Berwick, having received intelligence of the capture of the fort, resolved to make an effort for its recovery before Errington could receive the necessary supplies of men and provisions. The next day he dispatched a party of thirty soldiers, and about fifty volunteers, who, crossing the sands at low water, attacked the little fort, and instantly overpowered the handful of defenders. Errington was wounded and taken prisoner, but subsequently contrived to escape.

Holy Island captured by the Jacobites—

—it is retaken.

The main body of the insurgents had in the meantime experienced a severe disappointment in the failure of their attempt to obtain possession of the important town of Newcastle. As they had many friends in the place, and Sir William Blackett, one of its representatives in parliament, and a great coal proprietor, and therefore possessed of extensive influence among the keelmen, was understood to be warmly inclined towards their cause, they expected an easy capture of the town, intending to make it a grand stronghold for their party. But the great body of the inhabitants, like those of all the thriving towns in the country, were zealous for the reigning family, and prepared to defend the place with the greatest alacrity. Newcastle, though not regularly fortified, had strong walls and gates, which were well secured and defended by seven hundred volunteers, while as many more could very soon have been raised among the keelmen or bargemen employed on the Tyne. The Earl of Scarborough, Lord-lieutenant of Northumberland, and a number of the neighbouring gentry, supported the well-affected portion of the citizens in their resolution; and, in the course of a few days, the arrival of a body of regular troops put this important post out of danger. Frustrated in their designs on Newcastle, the insurgents turned aside to Hexham, from which they were led, few of them knowing whither, to a large heath or moor near Dilston, and where they halted, waiting for an opportunity to surprise Newcastle. But hearing of the arrival of General Carpenter with part of those forces with which he afterwards attacked the insurgents, they again retired to Hexham, where they proclaimed King James, nailing the proclamation to the market-cross, where it was allowed to remain several days after they had left the town. They had, a few days before, sent a message to the Earl of Mar, informing him of their proceedings, and entreating him to send them a reinforcement of foot soldiers, of which they stood greatly in need.

Unsuccessful attempt upon Newcastle.

The insurgents turn aside to Hexham.

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While the Northumbrian insurgents were thus employed, the Jacobites in the south-west of Scotland had also taken up arms, and placing Viscount Kenmure, a Protestant nobleman of high character, at their head, proposed by a sudden effort to possess themselves of the town of Dumfries. The citizens, however, prepared for a resolute defence, and being vigorously supported by the Marquis of Annandale, the lord-lieutenant of the county, and by many of the Whig gentlemen of the neighbourhood, they succeeded in baffling the enterprise, which, if successful, must have been attended with credit to the arms of the insurgents. Lord Kenmure, finding that he could not, with a handful of cavalry, propose to storm a town the citizens of which were determined on resistance, resolved to unite his forces with the Northumberland gentlemen who were in arms in the same cause; and for that object proceeded through Hawick and Jedburgh, over the Border to Rothbury, where, on the 19th, the junction was effected.

Insurrection in the south-west of Scotland.

Junction of the Scotch and English insurgents.

"The two bodies," says Sir Walter Scott, "inspected each other's military state and equipments with the anxiety of mingled hope and apprehension. The general character of the troops was the same, but the Scots seemed the best prepared for action, being mounted on strong hardy horses fit for the charge, and though but poorly disciplined, were well armed with the basket-hilted broadsword, then common throughout Scotland. The English gentlemen, on the other hand, were mounted on fleet blood horses, better adapted for the race-course and hunting-field than for action. There was among them a great want of war-saddles, curb-bridles, and, above all, of swords and pistols; so that the Scots were inclined to doubt whether men so well equipped for flight, and so imperfectly prepared for combat, might not, in case of an encounter, take the safer course, and leave them in the lurch. They were unpleasantly reminded of their want of swords on entering Wooler. Their commanding officer having given the order, 'Gentlemen, you that have swords, draw them.' 'And what shall they do who have none?' inquired a fellow among the crowd, with some drollery.

Defective equipment of the rebels.

"Out of the four troops commanded by Forster, the two raised by Lord Derwentwater and Lord Widdrington were, like those of the Scots, composed of gentlemen, and their relations and dependents. But the third and fourth troops differed considerably in their composition. The one was commanded by John Hunter, who united the character of a Border farmer with that of a contraband trader; the other by a person named Douglas, who was remarkable for his dexterity and success in searching for arms and horses—a trade which he is said not to have limited to the time of the rebellion. Into the troops of these last-named officers many persons of slender reputation were introduced, who had either lived by smuggling, or by the ancient Border practice of horse-lifting, as it was called. These light and suspicious characters, however, fought with determined courage at the barricades of Preston."*

Border free-booters.

Meanwhile, intelligence of this rising in the south of Scotland and in the north of England, having reached Mar, he was urged to quit Perth, and to cross the Forth, for the purpose of effecting a junction with the forces in the south. He, however, pleaded the intelligence of the prince's intention to arrive almost immediately in the north, as an excuse for remaining where he was, and for declining to break through the Duke of Argyll's army, and the *cordon* of English men-of-war which were cruising in the Firth. If he were to march south with his men, James, he argued, on landing in the north, would find himself without an adequate force, unless he brought with him a foreign army; and all the government troops under Argyll would be stationed between the prince and his faithful adherents who had taken up arms in his cause. Such a representation was plausible enough; but though his movements had neither been arrested nor hampered by expectations of the Chevalier's speedy arrival, Mar would have shrunk from the difficulty of leading his men to the south through the formidable guard and defences of Argyll; nor would he have ventured to force a passage for his troops across the Firth of Forth, where a strong English fleet had gathered to block up this, the shortest route between the rebels of the north and their southern friends. It was essential, however, to the success of the insurrection, that considerable detachments from Mar's army should be sent to strengthen the cause in the south; and it was arranged that two thousand five hundred men, under Brigadier Mackintosh, of Borlum, a bold and skilful veteran, should attempt the exploit of eluding the English squadron of observation in the Firth, and marching southwards. The difficulties in the way of this enterprise were surmounted with great adroitness. The rebels were masters of the whole Fife coast, and considerable bodies of them, engaged in collecting the land-tax, or in recruiting, or in exacting allegiance from the population, had frequently been observed by the English squadron, so that such a party as meant to cross the Firth might appear on the shore without exciting any suspicion in the English naval officers. The brigadier's men took possession of all the boats that belonged to the numerous villages on the coast. As the gathering together of so many boats, and the bustle connected with provisioning those

Mar declines to leave Perth.

A detachment sent across the Firth.

* "Tales of a Grandfather," 3rd series, vol. i. p. 261. It is supposed that not a few of these Borderers joined the insurgents purely for the more convenient exercise of their calling. When it was reported that Hunter had quartered his troop near Carpenter's camp, a gentleman who knew his character well, exclaimed—"Then we shall hear no more of Carpenter's dragoons; let Hunter but get near them, and he will not leave them a horse to mount on."

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in which the troops were about to be transported, were sure to reveal the plot to the men-of-war cruising in the Firth, a clever trick was adopted to put the watchers on a false scent. All the boats not needed for the embarkation of the troops were sent to the neighbourhood of Burntisland, as if the rebels were only waiting for an opportunity to cross at that part of the coast. The English vessels, deceived by this manœuvre, left their anchorage, sailed close to the shore, and began to fire upon the fort and the craft in the harbour. While this was going on, the rebel troops destined for the south were preparing to cross at Elie, Pittenweem, Crail, and other small ports twenty miles eastward, and out of sight of the ships. They divided themselves into two companies, one to cross on the night of the 12th of October, and the other on the following night. The first detachment had made the passage safely before the English squadron saw through the artful arrangement; and the second was far on its way when they were descried by the men-of-war, who immediately weighed their anchors and gave chase. But as wind and tide were both against them, they only succeeded in capturing a single boat. A few other boats, with two or three hundred men on board, were driven upon the Isle of May; but the remainder, amounting to upwards of sixteen hundred men, reached the southern shore in safety. They quickly gathered together (for they had landed at various points) at Haddington, where the way was open to the south-western border, which was held by their friends under Lord Kenmure. Brigadier Mackintosh, however, resolved upon another and very different enterprise. Edinburgh was only seventeen miles distant, and the road thither easy; the citizens, as he learned, were in a state of great consternation, and it seemed quite practicable to attack and take the capital, if not the castle, long before the Duke of Argyll could arrive with succour from Stirling Castle. The enterprise suited the daring leader and his troops, elated with the passage of the Firth, and eager for the rich spoils to be found in Edinburgh; and, having rested only for a single day in Haddington, they pushed rapidly towards Edinburgh. But the provost and burgesses of the city had already heard of the passage of a large rebel force across the Firth, and, apprehending an attack, had sent immediate notice to the Duke of Argyll, and had called out and placed at the most vulnerable points the city guard, the trained bands, and the volunteers. The messenger dispatched to solicit the assistance of the royal general, reached the camp at Stirling before midday, (October 14th), and at ten o'clock that night, the duke, at the head of a picked force of three hundred dragoons, and two hundred foot soldiers mounted upon farm horses, rode into Edinburgh, through the West Port, just as the Highlanders, sorely fatigued with the day's march, had reached Jock's Lodge, within a mile of the eastern gate of the city.

Marches upon Edinburgh.

On hearing of the duke's arrival, the insurgents turned aside to Leith, and breaking open the prison, they released the men who had been taken prisoners in the boat captured by the man-of-war. They then took possession of the citadel, a strong fort which had been constructed upwards of sixty years before by Oliver Cromwell, and nothing but the gates, along with a few trifling outworks, had been either destroyed or injured in the course of the stormy years which had passed by since its erection. The main fortifications were intact, and they now enclosed some commodious dwellings, which had not formed any part of the original structure, but had been used as bathing quarters by some of the citizens of Edinburgh. How the government had neglected to take possession of a stronghold which, if not valuable to them on account of its proximity to Edinburgh Castle, might become of immense consequence to the rebels, cannot now be conjectured. Old Borlum, as he was called, and his followers lost no time in preparing to repel the expected attack of the enemy. On the ramparts they planted cannon, which they had removed from the ships in the harbour; and with large beams of wood, and planks, barrels, and other lumber, they strengthened every weak point of the defences, and carefully barricaded the entrance. They had obtained a supply of victuals and brandy from the Custom House, which they rifled in passing, and were therefore quite prepared for a desperate resistance.

Takes possession of Leith.

Early on the following day (15th October) the Duke of Argyll, taking six hundred of the city troops in addition to his own men, summoned the Leith citadel to surrender. He threatened an assault and battery by heavy artillery, if his demand was not complied with: and he further intimated that, in the event of a single soldier under him being killed in the course of the siege, he would give no quarter to the rebel garrison. A scornful defiance was returned: "As to surrendering, they laughed at it; and as to bringing cannon and assaulting them, they were ready for him; they would neither take nor give any quarter; and if he thought he was able to force them, he might try his hand."* The duke, after attentively reconnoitering the fort, and calculating that any attack of his would be effectively met in the flank, resolved, with the concurrence of his officers, to delay the assault, and led back his troops to the city. The rebels, anticipating his speedy reappearance with more adequate means of attack, resolved to abandon the place before the next day, and resume their march southwards, as Mar had expressly enjoined. When he had formed this resolution, Borlum sent a boat across the Firth with an express to acquaint Mar with his movements. By causing a shot to be fired at the boat as it left the shore, he deceived the men-of-war cruising in the

Argyll threatens Leith fort.

Mackintosh abandons the fort.

* Rae, p. 262.

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Forth, and induced them to allow it to pass, in the belief that it belonged to their friends.* At nine o'clock they quitted the citadel, taking advantage of a cloudy sky, and keeping along the beach towards the east, round the head of the pier. Yet the darkness, which favoured them with its concealment, occasioned one or two tragic occurrences. A Highland soldier saw a horseman approaching, and challenged him in Gaelic. The language in which the challenge was given was totally new and unintelligible to the stranger, who hesitated for a reply, and was forthwith shot dead. The body was recognised as that of a Mr. Malloch, of Mutrie-Shields, a Lowland laird, who had joined the insurgents on that day. When the troops had got beyond Musselburgh, some false alarm arose, and led to a random firing, which had a fatal result for a Highland sergeant and soldier.

Halt at Seton House.

Early on the morning of the 10th, the troops arrived at Seton House, the strongly fortified mansion of their friend the Earl of Winton, which was protected by a high wall. Here they were in the midst of agricultural plenty, and their foraging parties experienced no difficulty in procuring provisions. A detachment of troops from Edinburgh, reinforced by the Whig landlords of the district, appeared before Seton on the first day of its being garrisoned by the rebels, but retired without risking a contest. On the following day, Lord Rothes, at the head of five hundred men, made a similar demonstration, but did not venture to attack the insurgents. But on the 19th, Mackintosh, having received fresh instructions to resume his march from the Earl of Mar, who had manœuvred so as to draw the Duke of Argyll back to Stirling, departed with the Highlanders from Seton House, and marched towards the Borders to meet Forster and the southern insurgents. General Wightman immediately took possession of Seton as a government stronghold.

Junction of the bodies at Kelso.

Mackintosh now received fresh orders from Mar to carry out his original instructions, and to proceed without further delay towards the Borders, for the purpose of forming a junction with the cavalry, under Lord Kenmure and Mr. Forster.† He accordingly directed his march through the lonely wilds of Lammermoor, and reached the village of Longformacus on the evening of the 19th of October. He continued his march next day to Dunse, where he proclaimed the Chevalier. On the 22nd he proceeded to Kelso, which had been appointed as the place of junction with the southern insurgents. On the approach of the brigadier, a body of militia and volunteers, who had assembled for the defence of the place, under Sir William Bennet of Grubbet, hurriedly evacuated the town, and retired to Edinburgh.

The southern insurgents reached Kelso on the afternoon of Saturday the 22nd, and, learning that the Highlanders were still a few miles distant, the Scottish part of the cavalry marched through Kelso, without halting, to meet their northern allies at Ednam Bridge, and conducted them in triumph into the town, with the bagpipes playing. Their combined forces, when mustered, were found to amount to about six hundred horse, and one thousand four hundred foot. The day after their arrival was entirely spent in appropriate religious exercises. Orders were given by Viscount Kenmure, who commanded when in Scotland, that the troops should attend divine service in the magnificent Abbey founded by David I., then occupied as a presbyterian place of worship. Mr. Buxton, who has been already mentioned, read prayers, after which, Mr. Patten, chaplain to Mr. Forster, and the historian of the rebellion, preached a sermon on hereditary right, from Deut. 21st and 17th—"The right of the first-born is his." In the afternoon, Mr. Irvine, an old Scottish episcopalian clergyman, delivered a discourse full of earnest exhortation to his hearers to be zealous and steady in the cause in which they had embarked, which discourse, by his own information to Mr. Patten, he had preached nearly thirty years before in the Highlands, to Lord Dundee and his army, a little before the battle of Killiecrankie. "It was very agreeable," says Patten, "to see how decently and reverently the very common Highlanders behaved, and answered the responses according to the rubric, to the shame of many that pretend to more polite breeding."

Next day, October 24th, the whole army marched to the market-cross, with drums beating and colours flying; and a circle having been formed, with the chiefs and officers in the centre, King James was proclaimed by Mr. Seton of Barnes, claimant of the vacant Earldom of Dunfermline. The manifesto of the Earl of Mar was next read, at the end of which the people shouted, "No union! no malt-tax! no salt-tax!" such being the popular grievances of the period. Here, as at other places, the rebels appropriated the public revenues to their own use. They also instituted a search for arms, and seized several pieces of cannon brought by Sir William Bennet from the ancient fortress of Hume Castle, where they had in former times been employed for the

* In a letter of the 13th Oct., Lord Mar says: "I wish, with all my heart, that they may have gone towards Haddington, and so on south, to meet our friends who are in arms there. In my last orders to them before they embarked, I recommended this most to them, and I am now in some pain in case they should not follow it, but march straight to Leith or Edinburgh; for, by the accounts I have, I am persuaded D. [Duke of] Argyll will immediately either march to Edinburgh himself, or send a considerable part of his army there; but if our people march immediately south, they will be get out of his reach before he can come up with them."—*Mar Papers*, quoted in Burton's History.

† In his march through East Lothian the brigadier was with difficulty prevented from burning Hermandston, the seat of Dr. Sinclair, in revenge for the death of the youngest son of Mr. Hepburn, of Keith, who was killed on the 8th of October, in resisting an attempt made by Dr. Sinclair and Mr. Hepburn, of Humbie, to arrest Keith, in his own house, just as he was setting out to join the troop of Jacobites under the command of the Earl of Winton. Hermandston, however, was plundered by Lord Nairne's Highlanders of everything of the least value.

purpose of annoying the English in their incursions into Scotland. They likewise plundered the mansions of several gentlemen in the neighbourhood, and destroyed all the corn they could find upon their estates.*

The insurgents remained in Kelso from the 22nd to the 27th of October, and hearing that General Carpenter had advanced as far as Wooler, for the purpose of attacking them, they held a council of war to deliberate on the course which they should pursue.

Disputes between the English and Scotch insurgents—

One plan of operations was advocated by the Scots, another by the English. The former proposed to follow out the design with which Mar had sent the Highlanders across the Forth, by moving westward along the Border, reducing in their way the towns of Dumfries, Ayr, and Glasgow, and then, uniting with the insurgent clans of the West Highlanders, operate upon the rear of Argyll's army, while the Earl of Mar should attack him in front. In this way they contended, there was every chance of their being able to drive the Duke of Argyll entirely out of Scotland. The English portion of the insurgents, on the other hand, insisted that they should march southwards, and attack General Carpenter, who was coming towards them at the head of about nine hundred newly levied troops, who were not only very raw soldiers, but much fatigued with forced marches. Their great superiority of numbers would have made them almost certain of victory, which would have cast no small lustre on their arms, and have drawn many accessions to their force. Either of these plans, if decidedly pursued, seemed to promise success; but, unfortunately, the irreconcilable difference of opinion as to their comparative merits between the two portions of the army, rendered it impossible to adopt either course. The Highlanders positively refused to enter England, and the English were determined to advance no further into Scotland. In the end a half-measure was agreed upon. They

—unwise course adopted by them.

resolved to march neither against Carpenter nor Argyll, but to move westward along the Border—a course which might advance them equally on their road, whether they should finally determine to march to the west of Scotland or into Lancashire. Like all half-measures, this foolish scheme was signally unsuccessful; for General Carpenter and his dragoons falling into their track, and following in their rear, gave to their march the appearance of a flight. On the horse arriving at Jedburgh, an alarm was given that Lord Lumley, who had lately raised a body of light horse in Northumberland, had attacked their foot, who were considerably in the rear. This intelligence produced no little consternation, and Charles Radcliffe, mounting his horse, called on "all those who had any courage" to mount and follow him. Some of those who stood beside the general tore off the white cockades from their hats, to make themselves appear guiltless in the eyes of those by whom they expected to be immediately taken. Others sought places of concealment throughout the town. The greater part eventually mounted their horses, and marched out to meet the foot, but the alarm proved false; so they returned, says Patten, "worse frightened than hurt." After remaining for two days at Jedburgh, the insurgents resolved to cross the hills into North Tynedale, and, accordingly, Captain Hunter, who was well acquainted with the country, was dispatched thither to provide quarters for the army. But the Highlanders having still resolutely refused to cross the Border, they were eventually obliged to alter their intention, and to march towards Hawick. Here Lord Derwentwater, his brother, Mr. Charles Radcliffe, and the other leaders, were hospitably entertained at a house belonging to the Duchess of Buccleuch.

Renewed disputes between the English and the Highlanders.

While lying at Hawick, the disputes between the Highlanders and the English respecting their final course came almost to an open rupture, and the former separated themselves from the horse, and, drawing up on a moor above the town, declared that they would on no consideration go into England to be kidnapped and made slaves of, as their ancestors were in Cromwell's time. And when the horse, exasperated at their obstinacy, threatened to surround them and force them to march, they cocked their pieces, and calmly observed that if they must needs be made a sacrifice, they were determined at least that it should be in their own country. While this humour lasted they would allow no one to speak to them but the Earl of Winton, who earnestly advocated the plan of marching northward, and falling upon Argyll's rear. The English forces adhered with equal obstinacy to their own scheme of marching into England; Lord Derwentwater and his brother alone took part with the Highlanders, being of opinion that they would be better able to serve the cause in which they were embarked by joining the army in Scotland than by continuing their route to England, where it was uncertain what assistance they might obtain, many of their friends there being men of fortune, and having too large an interest at stake to embark in the affair without strong assurance of success. Lord Derwentwater conceived it the wiser policy to strike a bold stroke in Scotland, and endeavour to complete the conquest of that country, which would enable them to raise a powerful army, and march upon England with an overwhelming force, possessing at the same time resources for supplies, and a place of retreat in case of any disaster. Whereas, in England, should they be defeated, the cause would be ruined, as they had no means of retrieving the misfortune. The leaders having refused to listen to this prudent counsel, Charles Radcliffe begged for only one hundred horse, that with them he might take his fortune along with the Highlanders. This also was refused, lest it should weaken their forces. At length, after several hours' debate, the Highlanders consented to continue with the army so long

* Appendix to Patten's History of the Rebellion of 1715.

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as it should remain in Scotland, but on no account to enter England.

On Sunday, October 30th, they entered Langholm. Here they were informed by a gentleman, who had that morning seen Carpenter's troops enter Jedburgh, that they were so completely worn out by fatigue, as to seem almost incapable of resistance. But although this information was laid before a council of war, it was found impossible to come to any resolution to take advantage of it, and the utmost that the Scots could get their associates to consent to was, to join in an attack upon the town of Dumfries. The citizens of this town, however, who thus saw themselves a second time threatened by the insurgent forces, again assumed an attitude of resistance, and marched out to occupy a position in front of the place, on which they threw up some hasty fortifications. At the same time they received intelligence from General Carpenter that if they could but defend themselves for six hours, he would within that time attack the rear of the enemy. On the morning of the 31st of October the insurgents left Langholm for the purpose of attacking Dumfries, and an advanced party of four hundred horse had proceeded as far as Blacket-ridge, when they were met by an express from their friends in Dumfries, informing them of the preparations which the citizens of that town had made for its defence. Immediately on the arrival of this message, the dispute was renewed between the Scots and English; the former insisting on their original plan of forming a junction with the Earl of Mar, while Mr. Forster and his friends obstinately adhered to their proposal of entering England, affirming that they had received letters which assured them of the general co-operation of the numerous Roman Catholic gentry, and that upon appearing there they would be joined by twenty thousand men. Lord Derwentwater continued strongly to protest against the proposed measure, as certain to end in their ruin, but his remonstrances were not heeded. The rest of the English leaders urged the advantages of their plan with such vehemence as to bear down all opposition. After a long altercation they finally resolved upon the invasion of Lancashire, provided they could obtain the consent of the Earl of Winton and Brigadier Mackintosh, who were not present at the consultation, and who had all along strenuously opposed the measure. Mackintosh's opinion, however, had undergone a change on the subject. He is loudly accused of being determined by a love of plunder, which would have better become a lower rank in the army; and it is alleged that on this occasion he had been gained over by the prospects of personal advantage held out to him by the English gentlemen. The messenger dispatched by the council to ascertain if the brigadier would agree to their project, found him in the middle of the river Esk, in the act of stopping about three hundred of his men, who, already aware of the design of taking them into England, had commenced a retreat towards the Highlands. On the message being delivered to him he immediately decided in favour of the proposal to march into England, where there were "both meat, men, and money," and accordingly exerted himself to prevail upon his men to obey the orders of the council. He succeeded with the greater part, but a detachment of about five hundred resisted all his arguments, and, disregarding his orders, broke away entirely from their companions, with the purpose of returning home through the western districts and by the heads of the Forth. The difficulty of finding provisions, however, compelled them to separate into small parties, and the greater part of them were, consequently, captured by the peasantry about the upper part of Clydesdale, and committed to prison. The Earl of Winton was also so strongly dissatisfied with the resolution adopted by the general body that he left the army with a considerable part of his troops, and proceeded some distance towards the north, as if he had renounced the enterprise entirely. Being overtaken, however, by a messenger from the council, and entreated to accede to their wishes, he stood for some time pensive and silent, apparently pondering the various chances of the two courses presented to his choice. At length he broke out with an exclamation, which was certainly characteristic of his romantic and somewhat extravagant mind—"It shall never be said in history to after generations that the Earl of Winton deserted King James's interest and his country's good." Then taking himself by the two ears he added—"You or any man shall have liberty to cut these out of my head, if we do not all repent it!" But though this unfortunate young nobleman again joined the insurgent forces, it was remarked that he ceased to take any interest in the debates or deliberations of his party. Patten, indeed, states that "he was never afterwards called to any council of war, and was slighted in various ways, having often no quarters provided for him, and at other times very bad ones, not fit for a nobleman and his family; yet, being in for it, he resolved to go forwards, and diverted himself with any company, telling many pleasant stories of his travels, and his living unknown and obscurely with a blacksmith in France, whom he served some years as a bellows-blower and under-servant, till he was acquainted with the death of his father, and that his tutor had given out that he was dead, upon which he resolved to return home; and when there, met with a cold reception." The main body of the insurgents, weakened by the desertion of the five hundred Highlanders, entered England on the 1st of November, and took up their quarters for that night at Brampton, a small market town in Cumberland, near Carlisle, where, as usual, they seized the money collected for the excise on malt and ale. Here Mr. Forster opened a commission which he had received during the march from Lord Mar, authorising him to act as general in England. It

They threaten Dumfries.

A portion of the Highlanders refuse to join them.

The Earl of Winton.

They resolve to march into England.

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is by no means improbable that the desire to obtain the supreme command of the army might have made this gentleman the more anxious for having the march directed on his native country; and a slight success which he met with at this period seemed to afford some justification of his scheme.

Flight of the English militia.

The horse militia of Westmoreland and of the northern parts of Lancashire had been drawn out to oppose the insurgents, and at Penrith they were joined by the *posse comitatus* of Cumberland, amounting to twelve thousand men, headed by Lord Lonsdale and the Bishop of Carlisle. But this enormous host was composed of ignorant and undisciplined rustics, ill armed and worse arrayed, who had formed to themselves such a dreadful idea of the fierceness and irresistible valour of the rebel army, that they were no sooner made aware of the approach of an advanced party of these than they were seized with a panic, and took to flight in all directions. The insurgents collected a considerable quantity of arms which the fugitives had thrown away in their flight, and took a great number prisoners, who, being of little value to their captors, were immediately set at liberty—a kindness which they repaid by shouting "God save King James, and prosper his merciful army!"* Lord Lonsdale, deserted by all save about twenty of his own servants, found shelter in the old castle of Appleby.

In Penrith they collected the money belonging to the revenue, and seized what arms they could find, but did no injury to the town, the principal inhabitants of which treated them from the first with all manner of civility. Patten mentions that some individuals requested permission from Mr. Forster to pull down or burn a presbyterian meeting-house, but he at once rejected the request, observing, "That he intended to gain by clemency, and not by cruelty."† From Penrith the insurgents marched next day to Appleby, where they halted two days to refresh themselves, the Highlanders being very much fatigued by the forced marches which they had for some time made, although the horse had carried their arms most of the way.

Indifference of the English people.

From Appleby they proceeded to Kendal, and from Kendal to Kirby Lonsdale, everywhere proclaiming King James, and levying the public money. Hitherto they had seen nothing of that enthusiasm in their cause which the English leaders had taught their associates to expect. Most of the leading Roman Catholics, indeed, in Cumberland and Westmoreland—such as Mr. Howard of Corby, and Mr. Curwen of Workington—had been previously secured by the government in Carlisle Castle. Instead of increasing, the number of insurgents rather diminished; for at Penrith seventeen Teviotdale gentlemen abandoned their cause, thinking it hopeless. At Kirby Lonsdale, however, a number of the Roman Catholic gentry of Lancashire, with whom Forster had been corresponding, came up and enrolled themselves.

An individual of the name of Gwyn, who accompanied the insurgents, is stated to have taken a curious mode of exhibiting his zeal for their cause during the march. At every church which they passed he carefully erased King George's name from the prayer-books, substituting that of King James, in a nice hand, resembling print, so that the alteration could scarcely be perceived.

James proclaimed at Manchester.

Their next remove was to Lancaster; and during the march they learned from Mr. Charles Widdrington, brother to Lord Widdrington, who had been sent forward to warn their friends in Lancashire of their approach, that King James had been proclaimed at Manchester, the inhabitants of which seemed disposed to embark in the insurrection, and form a company for that purpose; and that the gentry of the country in that direction had declared their intention to join them. This cheering intelligence raised the spirits of the Highlanders, who had loudly complained that all the specious promises held out to them respecting the vast reinforcements by which they were to be joined had proved a delusion; and with the confident expectation of success, they continued their march to Lancaster. The notorious Colonel Charteris, who then occupied the town, wished to defend the place by blowing up the bridge over the Lune, in order to prevent the enemy's passage; but this being opposed by the inhabitants, he retired, and the insurgents entered the town without hindrance. They had here the satisfaction to release several of their friends imprisoned in the county jails; especially one Thomas Syddal, who had headed a mob at Manchester in pulling down a dissenting chapel. They remained at Lancaster two days, and then pushed forward to Preston, a town equally Jacobitish and Catholic, from which Stanhope's regiment of dragoons, and a body of militia, thought it prudent to retire on their approach.

The insurgents reach Preston.

They receive a large reinforcement.

At Preston the insurgents were joined by nearly all the Roman Catholic gentry of the district, with their servants and tenantry, to the number of about twelve hundred. But this large accession of force might in various respects be considered an incumbrance rather than a help, the greater number of the new recruits being very imperfectly armed, and none of them having any notion of discipline. Forster, who was entirely ignorant of war, began now to assume the airs of a conqueror, thinking that the forces of the government would never be able to face him. But the veteran brigadier, who knew the value of such an undisciplined rabble, entertained a very different opinion. "Are these the fellows that ye intend to fight Willis with?" he said in derision to Forster, as he pointed through a window to a pack of louts who passed along the street. "Gude faith, man, an ye had ten thousand

Incompetency of their leader.

* Letter about the Occurrences on the way to and at Preston. By an Eye-witness.

† Patten's History of the Rebellion of 1715.

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of them, I would engage to beat the whole with a squadron of Willis's dragoons." *

The design of the rebels was now to possess themselves of Warrington Bridge, with a view to securing Liverpool. But while they were planning an attack on this celebrated seaport, which the citizens were making active preparations to defend, the government forces were advancing towards them from several quarters, and taking measures for crushing the insurrection altogether. Of this, however, strange to say, the insurgents had no knowledge. And though a very large body of the gentry of the country, and a considerable portion of the populace, were friendly to them, so thoroughly had the spirit of delusion possessed the whole party, and pervaded all their proceedings, that they suffered themselves to be completely surprised. The Jacobites in the west of England had, during the past year, raised so many riots and disorders, that the government had been obliged to send more troops to that quarter than to any other district of the country—a circumstance very unfortunate for the rebels. These troops were now quartered in the neighbouring towns of Manchester, Chester, Birmingham, Stafford, and Wolverhampton, and they received orders from General Willis, who commanded in Cheshire for the government, appointing them to rendezvous at Warrington Bridge, on the 10th of November, intending to place himself at their head, and dispute with the insurgents their approach to Manchester. In the meantime, General Carpenter, on learning that the rebels were in full march into England, had also crossed the Border, and hastened, by forced marches, to Durham, where an express reached him from General Willis to quicken and direct his march. On the 11th, just as the insurgents had taken possession of Preston, Willis left Manchester for Wigan, with four regiments of cavalry and one of foot—for the most part newly raised, but commanded by experienced officers. At Wigan he was joined by Pitt's regiment of dragoons, which had been quartered there, and also by Stanhope's, which had retired from Preston on the approach of the insurgents. Having there learned that General Carpenter was advancing from the opposite quarter, and would be ready to take the rebel forces in flank, he determined to march straight upon Preston next day.

Approach of the royal forces.

These tidings came like a thunderbolt on the rebel army. It was not till the evening of the 11th that Forster was made aware of Willis's approach, by a letter which one of their friends had sent to the Earl of Derwentwater. The intelligence seems to have completely disheartened and confounded him, and the result showed how incapable was this boastful man of commanding such a bold enterprise. Instead of summoning a council to deliberate on the emergency, or issuing any orders for defence, he sent the letter to Lord Kenmure, and went to bed. It was not till he was roused by Lord Kenmure and other officers from his unseasonable slumbers, that he directed any measures to be taken for defence. A hurried council was now held, and it was determined to send out an advanced party of horse towards Wigan, to plant strong guards at Derrin and Ribble Bridges, and to get the whole army in readiness to fight at the shortest notice.*

Plans of defence.

There were two plans of defence open to the choice of the insurgent general—either to march out and dispute with the royal forces the passage of the river Ribble, by which Preston is covered; or to remain within the town, and defend it by the assistance of such temporary fortifications and barricades as could be hastily constructed before the enemy's approach. The first of these courses had many obvious advantages. The bridge across the Ribble was long and narrow, and might have been easily defended by a handful of men against a numerous army. It seems to be generally admitted, that if Forster had contested the passage of the bridge with General Willis, while at the same time he rendered two adjacent fords impassable, which might easily have been done, he might have made an effectual resistance—even, perhaps, have destroyed the royal army.

Between the bridge and the town there extended a long and deep lane, bordered with steep banks surmounted by strong hedges. The lane was in some places so narrow that two men could not ride abreast. This, it seems, was the place where, in 1648, Cromwell experienced such a determined resistance from the royalists, who are said to have rolled down large stones from the heights upon him and his men, one of these stones coming so near him that he could only escape by making his horse leap into a quicksand. But Forster made no attempt to avail himself of this advantageous pass. River, bridge, and road were all left open to the assailants. Possessed with the idea that "the body of the town was the security of the army," the rebel general abandoned all exterior defences, and commanded the guard of one hundred chosen Highlanders, which the council had placed at the bridge, under Farquharson of Invercauld, to retire into the town. He, at the same time, withdrew another detachment of fifty Highlanders, who had taken up a most advantageous post in Sir Henry Haughton's house, near the extremity of the town corresponding with the bridge.

Folly of Forster.

Within the town, however, the insurgents had taken judicious measures for their defence, and pursued them with zeal and spirit. Four barricades were thrown up across the principal streets; not, however, at their extremities towards the fields, but a good way up, near the centre of the town. The danger was thus avoided of the enemy coming through the numerous lanes at the termination of the streets, and attacking the insurgents in the

Erection of barricades.

* Annals of King George II., p. 136.

* Letter about the Occurrences on the way to and at Preston. By an Eye-witness.

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rear of their defences. The Jacobite leaders seem at this juncture to have acted with great courage. The Earl of Derwentwater, in particular, stripping to the waistcoat, encouraged the men to labour, both by presents of money and by animating exhortations, and the works were speedily completed.

One of the four barricades was situated a little below the church. The defence of it was committed to Brigadier Mackintosh, who was supported by the gentlemen volunteers posted in the church-yard, under the command of Lords Kenmure, Nithsdale, Winton, and Derwentwater. The second was formed at the end of a lane, which was defended by a party of Highlanders, under Lord Charles Murray, third son of the Duke of Athol. The Laird of Mackintosh, with his clan, was posted at the windmill barricade, on the road to Lancaster. The fourth barrier was drawn across the street leading towards Liverpool, and was manned by Hunter, the Northumbrian freebooter, with his moss-troopers, and the gentlemen of Teviotdale and Berwickshire, with part of the Earl of Strathmore's regiment, under the command of Major Millar and Mr. Douglas. Each barricade was protected by two pieces of cannon, and troops were also posted in the houses near the barricades, and especially in all the houses which, from their forming the corners of lanes, presented two sides towards the expected assailants.

General Willis, on reaching the bridge over the Ribble, was surprised to find it undefended; and supposing that the insurgents intended to assail his men by an ambuscade from behind the hedges, he proceeded with the greatest caution. On finding that the hedges were also unoccupied, he came to the conclusion that the insurgents had evacuated the town altogether, and were endeavouring by forced marches to return to Scotland.* As he approached the town, however, he saw the barricades which Forster had thrown up, and learned the real state of the case. Having taken a survey of the defences, he prepared for an immediate onset; and to make the assault with more effect, he determined to attack only two of the barricades at once. His troops were accordingly divided into two parties, one under Brigadier Honeyman, the other under Brigadier Dormer. The former, at the head of five different companies of dismounted dragoons, one from each of five regiments, made a furious attack on the barrier below the church, defended by Brigadier Mackintosh. But their intrepid assault was met with equal courage; and so destructive a fire was poured upon them, not only from the barricades, but from the adjacent houses, that they were beaten off with considerable loss. The Cameronian regiment, however, led by their lieutenant-colonel, Lord Forrester, who displayed singular bravery and coolness during the action, succeeded in effecting a lodgment near the barricade, and took possession of a tall house, from which they annoyed the defenders, though they were unable to carry the post.

General Willis attacks the rebels—

During this hot attack, the Earl of Derwentwater and his brother displayed great bravery, animating their men, by words and example, to maintain their ground with undaunted resolution. His lordship not only kept his post, but was able to send fifty men to assist Lord Charles Murray, with which timely aid the Highlanders were enabled to maintain their difficult position. At all points Willis was beaten back, and he was finally obliged to withdraw his forces, having suffered considerable loss.

—and is repulsed.

When the government forces retired from the various points of attack, they set fire to the houses betwixt them and the barricades; and had not the weather been uncommonly serene, the whole town must have been burned to the ground. During the evening of Saturday, and all the subsequent night, the royalists kept up an almost incessant firing at the posts of the besieged, but with very little effect, as they were in general secure under cover from the shot.

Early next morning, November 12th, the same day on which the Earl of Mar fought the indecisive battle of Sheriff Muir, General Carpenter arrived with a part of his cavalry, accompanied by the Earl of Carlisle, Lord Lumley, and a considerable number of the gentry of the country. His arrival of course greatly brightened the prospects of the government troops, and left the besieged no hope of escape or relief.

Arrival of Gen. Carpenter.

Willis immediately proceeded to explain his dispositions to Carpenter; and then, as the inferior in rank, offered to resign the chief command to his superior officer. But General Carpenter generously refused to take the charge of the siege, observing, that as Willis had begun the affair so auspiciously, he deserved the honour of finishing it. Various alterations were now made in the disposition of the forces; the town was completely invested on all sides; and preparations were made for a renewed assault. The situation of the insurgents had now become desperate. They had, it is true, succeeded in repulsing their assailants in the previous attack, but it was evident that, cut off from all assistance, and cooped up in the streets of a burning town, where they had few men to maintain an extended circle of defence, their fate was inevitable. Every avenue of flight was now closely guarded; and of those who made a desperate attempt to sally, the greater part were cut in pieces, and only a very few escaped by hewing their way through the enemy. "The scene of unavoidable destruction," says Sir Walter Scott, "had different effects upon the different characters of the unfortunate insurgents in Preston; in like manner as the approach of imminent peril has upon domesticated and savage animals when they are brought to extremity—the former are cowed into submission, while the latter, brought to bay, become more desperately ferocious in their resistance.

Renewal of the assault.

* Patten's History, p. 105.

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The English gentlemen began to think upon the possibility of saving their lives, and entertained the hope of returning once more to the domestic enjoyments of their homes and their estates; while the Highlanders, and most of the Scottish insurgents, even of the higher classes, declared for sallying out, and dying like men of honour, with swords in hand, rather than holding their lives on the base tenure of submission."

The only one of the English leaders who seems to have joined the Scots in this opinion was Charles Radcliffe, who, with his usual intrepidity, declared "he would rather die, sword in hand, like a man of honour, than yield to be dragged like a felon to the gallows, there to be hanged like a dog." Forster, however, was completely disheartened; and at the instigation of Lord Widdrington, and a few others, Colonel Oxburgh, who was an Irish Catholic, and had been Forster's principal adviser in military matters, went out to ask terms of surrender. This step, it must be observed, was taken without the advice, and even without the knowledge, of the leading men in the army. And the common soldiers were so exceedingly adverse to the idea of a surrender, that, according to the report of an eye-witness, they would unquestionably have shot Colonel Oxburgh before he had gone out of the barrier, if they had been aware of the message with which he was charged.

The rebels offer to treat.

Oxburgh's mission was coldly received by the English general, who, irritated by the loss he had sustained on the preceding evening, seemed at first disposed to reject the proposition altogether, and declared that "he would not treat with the rebels who had killed several of the king's subjects, and must expect to undergo the same fate." Oxburgh employed many arguments to soften the general, and entreated him, as "a man of honour and an officer, to show mercy to people who were willing to submit." Willis, at last, relented so far as to say, "that if the rebels would lay down their arms, and surrender at discretion, he would protect them from being cut to pieces by the soldiers until further orders from government." An hour was allowed them for the consideration of this proposal.

When Oxburgh returned, and reported the result of his mission, Captain Dalzell, brother of the Earl of Carnwath, went out, in the name of the Scots, to ascertain what conditions would be granted to them; but Willis refused to give any other terms than those which he had already offered through Colonel Oxburgh. Dalzell then requested time to take the proposal into consideration, which was granted by Willis, on condition that the insurgents should give him hostages that they would not throw up new intrenchments, or make any attempt to escape. Colonel Cotton accompanied Dalzell back to Preston, for the purpose of bringing out the hostages. He speedily returned to the general's tent, bringing with him the Earl of Derwentwater and Colonel Mackintosh, who had been selected for this service, and having received the parole of the other leaders of the rebel forces, that they should observe the proposed conditions.

The news of the intended surrender filled the great body of the common soldiers with the deepest indignation. The Highlanders, especially, were terribly enraged, declaring they would die sword in hand, and insisted on making an attempt to cut their way through the royal forces. "Had Mr. Forster," says an eye-witness, "appeared in the streets he would have been slain, though he had had a hundred lives." As it was, he narrowly escaped being killed in his own room. A Scottish gentleman, named Murray, who had waited upon him to remonstrate against the surrender, was so enraged as to fire a pistol at him; and but for the interposition of Mr. Patten, the Jacobite chaplain, who struck up Murray's arm at the moment of the discharge, the ball would certainly have pierced Forster's body.

Next morning, at seven o'clock, Mr. Forster sent a message to General Willis, informing him that the insurgents were willing to surrender on the terms proposed. Colonel Mackintosh, who was present when the message was delivered, could not help expressing his conviction that the Scotch would not submit on such conditions. They were a people, he said, of desperate fortunes; and he, who had been a soldier himself, knew what it was to be a prisoner at discretion. "Then go back to your people again," exclaimed Willis, "and I will attack the town, and not spare one man of you." Mackintosh accordingly proceeded to Preston, but immediately came back with the assurance that Lord Kenmure, and the rest of the Scottish leaders, were willing to surrender on the same terms with the English. The royal troops then entered Preston in two detachments, and meeting in the market-place, where the whole of the insurgents were drawn up, they disarmed, and formally made them prisoners.

Their unconditional surrender.

Among the captives taken at Preston, were Lords Derwentwater, Widdrington, Nithsdale, Winton, Carnwath, Kenmure, Nairne, and Charles Murray, and members of the ancient northern families of Ord, Beaumont, Thornton, Clavering, Patten, Gascoigne, Standish, and Swinburne. The number of prisoners taken, of all kinds, was only fourteen hundred, among whom there were about two hundred domestic servants, followers of the gentlemen who had assumed arms, and upwards of two hundred gentlemen volunteers, the rest consisting of the Highlanders, under the command of Brigadier Mackintosh. It is evident, therefore, that the greater part of the Lancashire peasants, who had joined them at Preston, had either got out of the town during the blockade, or escaped recognition at the surrender. Of the insurgents, only seventeen had been killed in the defence, while between sixty and seventy of the royalists were slain, and as many more wounded.

On laying down their arms, the unhappy garrison were confined in one of the churches, and treated with considerable rigour, being stripped and ill used by the soldiery. In consequence of

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these outrages many of the prisoners were so much in want of decent clothing that they were obliged to strip the pews of their baize linings to protect themselves from the severity of the weather. No distinction was made of rank and condition, or of degrees in guilt; and the private men, who had merely followed what was, in their eyes, the paramount duty of yielding obedience to their chiefs, were treated with all the severity due to wilful rebellion. About five hundred of the inferior prisoners were sent to Chester jail, and many others to Liverpool and various prisons near the place where they were taken; but those of most note were conveyed to London, where they arrived on the 9th of December. They were introduced into the city in a kind of triumphal procession, which was much less dishonourable to the unfortunate sufferers than to the mean minds who pandered to the passions of the mob by planning such an ignoble triumph. When the prisoners reached Barnet, they were all pinioned with cords, like the vilest criminals. At Highgate they were met by a strong detachment of horse grenadiers and footguards; halters were put upon their horses, and each man's horse was led by a private soldier, and their ears were stunned by the drums of their escort beating a triumphal march and by the shouts of the populace, who loaded them with every kind of scurrilous abuse and insult. In this manner they were led through the streets of the city, and divided among the four principal prisons, the noblemen being secured in the Tower.*

In the north the Pretender's cause was not meeting with such success as could compensate for the disasters and final ruin of the Jacobites who had marched into England. Inverness, with all the castles and forts in the neighbourhood, fell once more into the hands of the government, in consequence of the Fraser clan having changed sides in the contest. Simon Fraser—better known by his subsequent name, Lord Lovat—had appeared in his own district, and found that, whilst the main body of his clan had followed its legal head, Mr. MacKenzie of Fraserdale, to the rebel camp, no fewer than three hundred men had disobeyed the Jacobite call, and remained at home. Simon felt that now, by an energetic maintenance of the Hanoverian cause, he who was the natural, might again become the legal, chief of the clan; and he forthwith resolved on a course of loyalty, as, at present, most conducive to his own interest. Accordingly, he summoned the three hundred clansmen to place themselves under his command, and sent a message to those of their brethren who had joined the rebels, requiring their immediate return from Lord Mar's camp, and threatening them, should they refuse or delay compliance, with the extreme penalties which a Highland chieftain could, in those days of feudal despotism, award. A better illustration could not be selected, of the different respect paid in the Highlands to the natural and to the merely legal head of a clan, than is afforded by the conduct of the Frasers. Though they were under the eye not only of their legal chief, but also of Lord Mar and his Highland army, and had with apparent cordiality rallied around the standard of the exiled Stewart, yet, on receiving Simon Fraser's orders, they acted as if they had no alternative except to obey, and they at once abandoned the rebel camp, in spite of their attachment to the cause, and their expectations of a large booty from the plunder of the enemy. Meanwhile, Duncan Forbes, afterwards lord-president, held possession of the ancient fortalice of Culloden in the government interest, whilst his father-in-law, Hugh Rose, occupied the adjoining fortress of Kilravock, and, with a small but intrepid garrison, protected a considerable district from the incursions of the Jacobite forces. The territory north of Loch Ness was in the keeping of the loyal Earl of Sutherland. In the event of the recapture of Inverness by the friends of the government, the pass from the north Highlands to the south of Scotland would be in their hands. Lovat, at the head of the Fraser clan, joined Forbes and Rose for the achievement of this important result. Their combined forces, along with a small party from the clan of the Grants, numbered about thirteen hundred men. Before, however, they had completed their plans for the siege of Inverness, the terrified garrison took to flight, and, on the night of the 13th of November, secretly dropped down the river in boats, and escaped to the northern coast of the Moray Firth.

The Clan Fraser abandons the cause of the rebels.

From the first, Mar had shown his utter incapacity for the enterprise which he had undertaken. He had, indeed, succeeded in collecting a large body of troops; but he was destitute of the experience, military skill, and daring, which were necessary to guide them to victory. Nor was his incapacity long concealed from the Highland officers, who, chafing under the delay of meeting the enemy, and loathing the novel drudgery to which Mar had set them of fortifying the camp, exaggerated the opportunities of successful attack which he neglected. The chieftains, therefore, began to murmur loudly against his timidity, which they were far from regarding as wise caution; and they bitterly felt how ruinous, as well as ridiculous, was protracted inaction in the circumstances in which they were placed. They well knew that the inactive duties of a camp were peculiarly disliked by their men, and that if the procrastinating system were much longer pursued many of them would desert the standard altogether.* Discontent pervaded the whole of the

Discontent of Highland chiefs.

* The Last Earl of Derwentwater, p. 20; Patten, p. 97, *et seq.*

* One of their leaders said he was afraid the Highlanders would desert their colours in three cases:—first, if they were long without being brought to action they would tire, and go home; secondly, if they fought and were victorious they would plunder, and go home; thirdly, if they fought and were beaten, they would run away and go home. (Master of Sinclair's MS.; Browne's "History of the Highlands," vol. ii. p. 317.)

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Jacobite army, and showed itself in such various forms, as convinced Mar of the necessity of raising his camp and marching southwards without further delay.

On the 10th of November the earl broke up the encampment at Perth, and marched to Auchterarder. On the 12th he directed the main body of the northern and the western clans, along with the squadron from Fife, and other two squadrons of horse, to advance upon Dunblane, whilst he himself brought up another division more leisurely, intending to rest with it near the old Roman camp of Ardoch.* Intelligence, however, was sent by the wife of the laird of Kippendavie, to the first division of the army as it approached Dunblane, that the Duke of Argyll had already appeared there at the head of the government forces, on his way to meet the rebels. The clans and the squadrons of cavalry composing the van of the Jacobite army at once halted; and the rear, commanded by Mar, was quickly brought up, the whole army occupying an eminence north of the Sheriffmuir, where they spent the night of Saturday, 12th November, under arms. The Duke of Argyll, who had received exact intelligence of the movements of the rebels, quitted Stirling on the morning of the 12th, and marched forward to Dunblane. He took possession of the town; but, from fear of a surprise, he led out his troops, and caused them to bivouac about two miles to the north-east, above the house of Kippenross. Though the night was bitterly cold, the duke issued peremptory orders that no tent should be pitched, either by officer or private soldier. He himself repaired to a sheepcote at the foot of a hill to the right, where he passed the night, sitting on a bundle of straw. Shortly after midnight he caused six rounds of ammunition to be served out to each man, in addition to twenty-four which had been previously distributed. The hostile armies were now separated by an elevated and uneven waste, called Sheriffmuir, from its having formerly been the rendezvous for the militia of the sheriffdom of Monteith. Owing to its gentle elevation and extent, it afforded a full view of the surrounding country, whilst its own surface came as completely within the vision of the whole neighbourhood. Yet, though neither of the armies could take up a position on the muir without all its movements becoming visible to the other, such was the peculiarity of the ground, that when it was occupied at the same time by both the armies, they might, on certain spots, be screened from each other's observation.

Mar marches to Dunblane.

Next morning both armies were early under arms. The insurgents were drawn up on the east of the road to Dunblane, having the Sheriffmuir in front. They were formed in two lines, the first consisting of ten battalions of foot under General Gordon, with Clanranald, Glengarry, Sir John McLean, and other Highland chieftains. The second line consisted of the Mackenzies and Gordons, with the battalions of Panmure, Tullibardine, Strathallan, Drummond of Logie-Almond, and Robertson of Struan. Both lines were protected on the flanks by some squadrons of horse. The Highland army numbered altogether nearly nine thousand men. At an early hour Mar observed the Duke of Argyll, with a number of his officers, upon an eminence above Dunblane, reconnoitring the position of the rebels. Rightly judging that the duke meant to offer him battle, he called a council of war in front of his cavalry, and addressed the assembled officers and chiefs in an animating speech, depicting the wrongs of their prince and country, and congratulating them that they had now an opportunity of revenging their wrongs in open battle. He then asked them if they were ready to engage. The Marquis of Huntly was the only officer who openly objected to fight, but some few were heard in an under tone to recommend a return to Perth till the spring; but the chiefs and other officers were eager to encounter the enemy, and the voices of the dissentients were drowned by loud shouts of "fight! fight!" The Jacobite officers immediately galloped off to their posts, and as soon as this resolution was made known to their troops, it was welcomed with loud cheers and the tossing up of hats and bonnets.

While the rebel army was thus engaged, the Duke of Argyll, after consulting with his officers, resolved not to wait the attack of the enemy on the grounds occupied by his troops, but to lead up the hill, and to encounter the insurgents on the elevated part of the moor. His army was drawn up in two lines. The first was composed of six battalions, numbering about eighteen hundred men, and having three squadrons of dragoons on each flank. The second line consisted of only two battalions of foot, with a squadron of dragoons to protect each extremity. On the right the duke commanded in person, whilst General Witham had charge of the left wing, and General Wightman brought up the centre. The entire army did not number more than four thousand men, for the Glasgow volunteers had been left behind, though their officer, Colonel Blackadder, had pronounced them as fit as they were willing to take the field and share in any service imposed on the duke's ablest veterans. But the marked inferiority of the royal army in numbers was well compensated by their valour, hardihood, and discipline. To a man, they were animated, not only by admiration for the many estimable and heroic qualities, personal and ancestral, of their leader, but also by intense yet intelligent zeal for the great cause of the civil and religious freedom of their country imperilled in the struggle, and the maintenance of which was, they keenly felt, entrusted to their swords. A unity, resolution, and fervour of patriotic spirit gave the best impulse to this compact and well-disciplined host, which was thus far from being so unequally matched as a comparison of numbers might indicate, against the Jacobite

* At Ardoch the Procestrium of the Roman camp is still plainly traced.

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army, which they were about to encounter. The latter was nearly nine thousand strong, and doubtless included some of the most martial of all the Highland clans; but it also consisted of a large proportion of untrained serfs and worthless camp-followers, who could only confuse and encumber any military movements; whilst it was further weakened by the absence of any close bond of union between its Highland and its Lowland divisions, and by the timidity and incapacity of the commander-in-chief. Still, the headlong charge of the clansmen might, in a moment, with whirlwind fury sweep down and rout such a small army as that led by Argyll, and render the duke's skill, and the steady bravery of his men, of no avail; for frequently had a disciplined force, deploying strictly according to rule, and handled by a general who was carrying out an elaborate plan of battle, been broken, cut up, and dispersed by the sudden assault of an irregular body of Highlanders sweeping down with resistless onset the opposing ranks.

Battle of Sheriffmuir.

The Jacobite general now put his troops in motion, and advanced towards the enemy, having divided his two lines into four columns, with the cavalry on the flanks. The royal forces at the same moment were advancing up the hill from the opposite side; but, owing to the peculiarity of the ground, the hostile armies did not see each other until they were almost hand to hand. When they met on the summit of the moor it was found that both had diverged considerably to the right, so that the opposing lines did not fairly confront each other, and the left wing of both was outflanked. The right wing of the royalists was fully formed; but a portion of the centre and left had not yet reached their proper position. As soon as the Earl of Mar perceived the disadvantageous situation of Argyll's army, he resolved instantly to begin the attack before their arrangements were completed, and, having sent orders to the other parts of his line immediately to fall on, he put himself at the head of the clans, pulled off and waved his hat, and, with a huzza, led forward his men against the left wing of the enemy which was in the act of forming. The chief of the Macleans, placing himself in front of his clan, exclaimed with a loud voice,—"Gentlemen, this is a day we have long wished to see. Yonder stands MacCallummoer for King George, and here stands MacLean for King James. God bless MacLean and King James! Charge, gentlemen!"

The Highlanders now stripped off their plaids, fired and then threw away their muskets, and, drawing their swords, rushed with loud yells upon the enemy. Their fire was instantly returned by the royalists, and, to the dismay of the Jacobites, the gallant young captain of Clanranald fell mortally wounded. His clansmen gathered around him, and, in spite of his spirited encouragement to them to fight courageously, they stood absorbed in grief. But Glengarry, observing their dejection, sprung forward, and throwing his bonnet into the air, cried aloud, in his native language,—"Revenge, revenge; revenge, to-day! and mourning to-morrow!" Roused by this appeal, the Highlanders instantly resumed their headlong assault, broke through the line of the enemy, and drove them from the field with great slaughter. The Earl of Mar pursued the fugitives for half-an-hour, and took a number of prisoners; but intelligence having reached him that a disaster had befallen his left wing, he retraced his steps, and took up a position on the stony hill of Kippendavie.

The left wing of the rebel forces was the first to begin the attack, and poured two volleys upon the corps commanded by the duke, with a precision and effect which the most experienced officers in the royal army declared they had never seen surpassed by the best disciplined troops. The royalists, however, kept their ground, and the battle continued to rage for some time without any decisive result. Argyll, perceiving that his small body of men could not make any impression upon the dense masses of the enemy in front, and afraid that they might outflank him, ordered Colonel Cathcart to lead a strong body of cavalry across a morass, which the frost had rendered passable, and attack the Highlanders on the flank. This movement was executed with great promptitude and skill, and was attended with complete success. The insurgent cavalry, borne down by the superior weight of the English dragoons, after a stubborn resistance, were compelled to give way. The clansmen were, at the same time, attacked and driven back by Argyll's foot. The first line of Mar's left wing was thus mingled indiscriminately with the second, and a general rout ensued. The insurgents, however, though broken, made a desperate effort to retrieve the fortunes of the day. In the course of their retreat, the cavalier horse, chiefly composed of Perthshire and Angus gentry, made no fewer than ten attempts, at different places, to rally and charge their pursuers. But their small country horses were unable to resist the weight of the royal cavalry, and at length, after three hours' hard fighting, Mar's left wing was driven across the river Allan, a distance of about three miles from the field of battle. The insurgents suffered severely in their retreat, in spite of the praiseworthy humanity of the duke, who called upon the dragoons to "spare the poor blue bonnets." The young Earl of Strathmore, who showed great gallantry in rallying his Angus regiment, was killed by a dragoon after quarter had been given to him, and the Earl of Panmure was wounded and made prisoner, but was rescued by his brother, Harry Maule.

Indecisive result of the battle.

At this period the duke received information of the defeat of his left wing, on which he relinquished the pursuit of the enemy, and returned to the field of battle.* He had now with him

* On his march some one having remarked to his Grace that he feared the victory was not complete, the duke

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scarcely a thousand men, who were much exhausted, while the victorious right wing of the rebels, drawn up on the hill of Kippendavie, amounted to four times that number. In these circumstances he judged it prudent to act on the defensive, and having posted his men behind some enclosures near the bottom of the hill, with two pieces of cannon on his right and left, he waited the expected attack of the enemy. But Mar, in spite of his vastly superior numbers and advantageous position, showed no inclination to renew the fight. "Oh, for an hour of Dundee!" exclaimed an old chief, enraged at the incapacity and inactivity of his general. On the approach of night the Highlanders began to retire from the hill towards their rear, and the duke, on hearing the receding sound of their bagpipes, and seeing the ranks in front gradually disappearing, filed off his men to the right towards Dunblane. He spent the night with his troops under arms, on the fields which lay betwixt the town and Sheriffmuir, while his opponent retired to the Roman camp at Ardoch, where he bivouaced for the night.*

Early next morning Argyll visited the field of battle, and took possession of six pieces of cannon and other trophies, including seven waggons and a great quantity of muskets, broadswords, and plaids, which the Highlanders had thrown away when about to charge. Thirteen pairs of colours and three standards, including the royal one called "The Restoration," also fell into the hands of the royal general. The insurgents are believed to have lost about seven or eight hundred men, while, according to the official account, the royal army had two hundred and ninety killed, a hundred and eighty-seven wounded, and a hundred and thirty-three taken prisoners, making a total of six hundred and ten.* The Earl of Forfar, a scion of the famous house of Douglas, and a brave and experienced officer, received no fewer than sixteen wounds, besides a pistol-shot in the knee, of which he died at Stirling three weeks after the battle. The Duke of Argyll took a considerable number of prisoners; but, in the confusion of the fight, the greater part made their escape. The remainder, including the Lord Strathallan and his brother, Murray of Auchtertyre, Drummond of Logie Drummond, Walkinshaw of Barrowfield, and about eighty other gentlemen, were carried to Stirling.

Fruits of the victory reaped by the government.

Both generals claimed the victory; but all the advantages of the contest remained with the government. The duke maintained his position, and completely frustrated the attempt of the rebels to descend into the Lowlands; while Mar, abandoning his project of marching across the Forth, retreated, first to Auchterarder, and then to his former quarters at Perth. According to their usual custom after a battle, whether victorious or defeated, the clansmen deserted in great numbers. The Camerons, Mackenzies, and Gordons retired in a body, while the other clans melted away insensibly; so that the Jacobite leader soon found his army reduced nearly one half. Many of those who remained were disheartened by their failure, and the obvious incapacity of their general. The Highland chiefs, indeed, who still rallied round the Jacobite standard, were eager for another battle, and urged Mar to take the field at once, while the royalists were exhausted by the late contest. "If we have not yet gained a victory," said General Hamilton at a council of war held immediately after the battle, "we ought to fight Argyll once a week till we make it one." †

But many of the Jacobite officers were now convinced that the cause was hopeless, and the news of the capture of Inverness by Simon Fraser, which took place on the 12th of November, the day before the battle of Sheriffmuir, greatly deepened this disheartening impression. The Lowland portion of the rebel army in particular began to be seriously alarmed at the consequences of an unsuccessful rebellion, not only to their liberties and estates, but also to their very lives, which they felt had been wantonly staked. There could not be a doubt that the enterprise, if not forthwith self-abandoned, would be speedily and summarily crushed, and that, in either case, they and all its abettors would be at the mercy of a sovereign reputed to be stern and ungenerous, if not sullenly implacable; and who might, moreover, be strongly impressed with the

replied in the words of an old song, called the "Bob o' Dunblane:"—

"If it was na weel bobbit, weel bobbit, weel bobbit;
If it was na weel bobbit, we'll bob it again."

* The author of the fine old satirical ballad on the battle of Sheriffmuir justly says of this confused and indecisive struggle, "There is nothing certain, except that there was actually a battle, which he witnessed."

"There's some say that we wan;
Some say that they wan;
Some say that nane wan at a', man;
But ae thing I'm sure,
That at Sheriffmuir
A battle there was, which I saw, man;
And we ran, and they ran,
And they ran, and we ran,
And we ran, and they ran awa, man.

* * * * *

So there such a race was
As ne'er in that place was;
And as little chase was at a', man,
Frae ither they ran
Without touk o' drum;
They did not make use o' a paw, man.

* * * * *

Rob Roy he stood watch
On a hill for to catch
The booty, for aught that I saw, man;
For he ne'er advanc'd
From the place he was stanc'd,
Till nae mair was to do there at a' man," &c.

This noted freebooter drew down upon himself the unsparing lash of the satirist by his refusal to take any part in the battle, alleging that if his friends, the Jacobites, could not do it without him, they could not do it with him.

* Patten's History, p. 98.

† "True Account of the Proceedings at Perth." By a Rebel. Chambers' History of the Rebellion in Scotland, p. 286.

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necessity of making the punishment of the present insurrection a terrible warning against its repetition. A considerable number, therefore, of the Lowland gentlemen were anxious to open negotiations with the Duke of Argyll, and to lay down their arms, if he could assure them of an amnesty. When the news of the reduction of Preston reached the rebel army, "some, who had been caballing privately before began to speak openly of capitulating with the enemy, and found others more easily to join with them."* It is curious to find that these views and wishes were branded as indications of cowardice by the Highlanders, although they were in the habit of quitting the camp whenever they thought proper, and many of their fellow clansmen had already returned to their homes. They had often eluded the vengeance of the government by betaking themselves to the inviolable sanctuary found in their inaccessible mountain-fastnesses; and they no doubt expected, by adopting the same expedient in the present emergency, to effect their escape from amidst the ruins of an unfortunate insurrection, and from the penalties of the vindictive law of treason. It was not till the close of the rebellion of 1745 that these turbulent chiefs were at length made to feel that a triumphant government could send its ministers of vengeance into the most remote and pathless districts of the country, to smite the rebel in his securest stronghold, and to prove that Highlanders and Lowlanders were equally amenable to British law.

The Lowlanders desire to negotiate.

At the head of those who were favourable to negotiation was the Master of Sinclair, who was severely blamed by the Jacobites for his inactivity during the battle of Sheriffmuir, and who had followed Huntley to Strathbogie, to persuade that fugitive lord to make separate terms for themselves. He alleged, in justification of his departure from Mar's camp, that his life was in imminent peril, as there was a plot on the part of several Highlanders to murder him. It is curious to find the proposals for the amicable termination of the struggle, and the surrender of the insurgents, brought under the attention of the Duke of Argyll by no other person than Lord Mar himself. The Jacobite leader's apology for this strange step is that he was fully apprised of the intrigues carried on by the master of Sinclair and others, and that he judged it wise and fair by a *general*, to prevent a merely *partial*, surrender; since the latter would involve as thorough an abandonment of the Jacobite enterprise, whilst it would secure the royal pardon for only a few of the insurgents, and leave the great body, along with the most honest leaders of the party, exposed to the worst severities which the law could inflict.† It was through the Countess of Moray, aunt to Argyll, that Mar inquired if the duke had been entrusted with the power to negotiate with the insurgents. Argyll was not only a supporter of the house of Hanover, but a genuine patriot, who was warmly interested in the well-being of the Scottish people of all ranks. Hence this great statesman and warrior was deeply solicitous, on the ruin of the Jacobite enterprise, that those of his countrymen in the north, who had foolishly committed themselves to it, should be allowed to return quietly to their loyalty, instead of being rendered desperate by implacable rigour. It is understood that the duke highly approved of the proposal made to him on the part of his rebellious countrymen, and was desirous that government should readily accept their offered submission; but he had to reply to Mar, that it was not in his commission to treat with those who had taken up arms against King George,—that in the meantime he could only accept their unconditional surrender, but that he would immediately request the government to invest him with powers for negotiating. In consideration of what Argyll had done in Scotland during the last few months, when his small and indifferently-equipped army had furnished the only obstacle which the powerful forces of the rebels had encountered, as well as his stedfast adherence to the Hanoverian dynasty, his recommendation of a forgiving policy towards the Scottish rebels might well have been favourably attended to by government. His commission, however, was not extended so as to embrace the powers of negotiating for which he applied; and his old commission, which he had sent to London for renewal, was not even returned to him. Thus early was indicated the implacable policy of the Hanoverian kings, whose rigour in enforcing the severest penalties of the law rendered desperate the discontented and the misguided, whom a lenient treatment would have served to reclaim.

Proposed submission of the Master of Sinclair—

—favoured by the Earl of Mar.

Moderation of Argyll.

Meanwhile, the troops of Mar were rapidly decreasing, whilst the duke's army was receiving important reinforcements from England, and was in daily expectation of three thousand Dutch soldiers. In this altered posture of affairs, it is probable that the Jacobites would have cast themselves completely upon the mercy of their opponents, and surrendered unconditionally to Argyll, but for the solitary hopes which the expected presence of their exiled prince excited. Never, however, was a forlorn hope more cruelly disappointed, for James appeared at length in the camp of the rebels only to witness the ruin of the insurrection. When the tidings first reached him that his friends had taken up arms in his behalf, he had gone from Lorraine to St. Maloes, where he spent some time in shipping off supplies for Scotland. He lingered so long at this place that he was ultimately prevented from sailing by some British men-of-war which lay before the harbour. He then traversed the country in the disguise of a mariner, and with only six attendants disguised as French naval officers embarked

Arrival of the Pretender.

* Journal of Mar's Proceedings, published at Paris.
† Ibid.

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PRINCE EUGENE OF SAVOYE.

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at Dunkirk about the middle of December, on board a small vessel of eight guns, which consented, whilst professing to be bound for Norway, to convey him and his few followers to the north-east coast of Scotland.

The rest of his domestics were directed to follow him in two small vessels, bringing with them some stores for the use of the army at Perth. On the 22nd of December the Chevalier landed at Peterhead, whence Lieutenant Allan Cameron, of Lochiel, one of his attendants, was immediately sent off to Perth with the news of his arrival. Next day he set out for the head-quarters of the army, and on the 24th reached Fetteresso, the principal seat of the Earl-Marischal. Here, on the 27th, he was waited on by the Earl of Mar and about thirty other gentlemen, who had set out from Perth to meet the prince as soon as they received intelligence of his landing. He was detained at Fetteresso by two successive attacks of ague, and spent the time in receiving addresses from the "Episcopal clergy of the diocese of Aberdeen," and from the magistrates and town-council of that city. The address of the clergy, after expressing thanks to God for the Chevalier's "safe and happy arrival" in Scotland, referred, in somewhat fulsome terms, to his "princely virtues," which, "are such," they say, "that in the opinion of the best judges, you are worthy to wear a crown though you had not been born to it."

Before leaving Fetteresso, the prince exercised some of the prerogatives of royalty by conferring titles on several of his adherents. The Earl of Mar was elevated to a dukedom, and it is reported that the honour of knighthood was conferred upon the Jacobite provost of Aberdeen. Resuming his journey southward on the 2nd of January (1716), the Chevalier passed successively through Brechin, Glammis, and Dundee, to the royal palace of Scone, which he reached on the 6th, and next day made his public entry into Perth.

His arrival was a source of great disappointment to his adherents, who had expected that he would bring with him a supply both of men and stores; while he, on his side, was deeply mortified to find that so many of the insurgents had already abandoned his standard, and that the cause was on the brink of ruin. Having expressed a desire to see "those little kings (the chiefs) with their armies," of whom he had heard so much, a select body of the clansmen was turned out for his inspection. Their appearance and mode of handling their arms gave him great satisfaction, but when he ascertained how small was the number of Highlanders in the camp, he gave visible tokens of his surprise and chagrin. On the other hand, the warlike mountaineers were equally disappointed with the appearance and demeanour of the prince, which differed widely from the exaggerated description of his personal qualities given by Mar. An eye-witness, supposed to be the Master of Sinclair, thus describes the person and behaviour of the Chevalier, and the effect which they produced on the minds of his followers:—"His person was tall and thin, seeming to incline to be lean rather than to fill as he grows in years. His countenance was pale, but perhaps looked more so than usual, by reason he had three fits of ague, which took him two days after his coming on shore. Yet he seems to be sanguine in his constitution; and there is something of a vivacity in his eye that perhaps would have been more visible if he had not been under dejected circumstances, and surrounded with discouragement; which it must be acknowledged were sufficient to alter the complexion even of his soul, as well as of his body. His speech was grave and not very clearly expressive of his thoughts, nor overmuch to the purpose; but his words were few, and his behaviour and temper seemed always composed. What he was in his diversions we know not; here was no room for such things. It was no time for mirth. Neither can I say I ever saw him smile. Those who speak so positively of his being like King James VII. must excuse me for saying, that it seems to say they either never saw this person, or never saw King James VII.; and yet I must not conceal, that when we saw the person whom they called our king, we found ourselves not at all animated by his presence; and if he was disappointed in us we were tenfold more so in him. We saw nothing in him that looked like spirit: he never appeared with cheerfulness and vigour to animate us. Our men began to despise him. Some asked if he could speak. His countenance looked extremely heavy. He cared not to come abroad among us soldiers, or to see us handle our arms or do our exercise. Some said the circumstances he found us in dejected him. I am sure the figure he made dejected us; and had he sent us but five thousand men of good troops, and never come among us, we had done other things than we have now done."* The friends of the house of Hanover, aware of the very unfavourable impression made on his followers and soldiers by the Chevalier, sought to deepen it by unsparing ridicule upon his physical characteristics. In a clever pamphlet, professing to be "a hue and cry after the Pretender," the following description occurs, which must have greatly annoyed the Jacobites, and would have stung the Highland clansmen, had they been able to read it, into a frenzy of wrath:—"Whereas, one James Stewart, *alias* Oglethorpe, *alias* Chevalier, *alias* Pretender, *alias* King, *alias* no King: neither Cæsar nor Nullus: neither a man nor a mouse: neither a man's man nor a woman's man, nor a statesman, nor a little man, nor a great man: neither Englishman nor Frenchman, but a mongrelion between both: neither wise nor otherwise: neither soldier, nor sailor, nor cardinal: without father or mother, without friend or foe, without foresight or aftersight, without brains or bravery, without house or home, made in the

Hanoverian ridicule of the Pretender.

* "A true Account of the Proceedings at Perth," &c., written by a rebel.

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figure of a man, but just alive, and that's all; hath clandestinely lately eloped from his friends through a back door, and has not been seen or heard of since; and, whereas, the said *alias* pretended to come here, to watch and fight, to bring men and money with him, to train an army and march at the head of them, to fight battles and besiege towns, but in reality did none of these, but skulked, and whined, and speeched, and cried, stole to his head-quarters by night, went away before morning, and having smelled gunpowder, and dreamed of an enemy, burnt the country, and ran away by the light of it."*

The Chevalier's affectation of royalty.

But, in spite of the depressed state of his affairs, the Chevalier had lofty notions of his rank, position, and claims; nor was there a reigning monarch in Europe who played the part of king with more minute care, and with a nicer regard to etiquette, or exacted more elaborate homage from any of his subjects. Unconscious of moving about in a wretched travesty of royalty, he never laid aside the manners proper to a levee at St. James's Palace. With apparently as strong a faith in the universal efficacy of royalty as could be cherished by any of the simple and deluded individuals who approached him, the Chevalier spent a certain portion of each day in touching for the "king's evil." He issued six proclamations; the first appointing a national thanksgiving for his safe arrival in his own dominions; the second, enjoining the clergy to pray for him; the third, legalising the circulation of foreign coin; the fourth, summoning the Estates of the kingdom to assemble for deliberation; the fifth, commanding all able-bodied males, from the age of sixteen to sixty, to rally around his standard; and the last, appointing the ceremony of his coronation to take place on the 23rd of January (1716). Before this date arrived, however, the unfortunate prince was painfully intent on the ways and means of escape and personal safety, to the neglect of due preparations for the pomp of his coronation, though, for a few days after the appearance of the proclamation, enthusiastic Jacobite ladies employed themselves in collecting jewellery to adorn his crown.

Prospects of the rival armies.

The comparative numerical strength of the two contending armies was, indeed, calculated to depress, if not to extinguish, all the Pretender's expectations of success for the insurrection. Desertions from the Jacobite camp had been put a stop to for a little by the presence of James, but they soon recommenced on a larger scale than ever, giving him reason to apprehend that ere long he would be left in Scotland without even a body-guard. The government forces were also preparing to come to close quarters with them, and finish the struggle. Argyll had been joined by Cadogan at the head of the long-expected Dutch troops, and of several English regiments. These reinforcements, amounting to six thousand men, reached the duke's camp towards the end of December (1715). It is difficult, with our scanty information on the point, to understand why this important assistance was withheld from Argyll during many weeks when it was so much needed, and was not granted until it might have been dispensed with altogether, and when the duke's own men, without foreign or English auxiliaries, could easily annihilate the fast collapsing rebellion. It is not an improbable conjecture, though it would cover the government with infamy, that, at head-quarters, whilst, of course, the defeat and destruction of the Jacobite enterprise were earnestly desired, there was no wish that Argyll and the Scotch troops should have the glory of victory. It may even be that, as the contest was confined to Scotland, the government was not unwilling that it should go on for a while in that dissatisfied and troublesome country, and that in its progress the leading men on both sides should destroy each other, and thus rid England of the constant annoyance and the stubborn opposition which she had encountered from various factions in Scotland since the period of the union. A civil war in Scotland, raging for several months, might not only finally dispose of many obnoxious persons of influence, but also render the general population more inclined to peace and obedience. If all this could be effected without endangering the Hanoverian cause, or giving the Pretender any important advantage; if the two contending Scotch armies could go on damaging and destroying each other without yielding a clear superiority to the Jacobites; if, in short, the campaign were made up of exterminating fights, which yet were only drawn battles, and if then adequate reinforcements were sent from England to decide at once the dynastic struggle and crush the Jacobite rebellion, immense advantage would result to the English government at the same time that the insurrection was suppressed. Unquestionably, the Duke of Argyll was both hated and feared, if not by the house of Hanover and King George individually, yet by the ministerial champions of the Hanoverian cause; and it is not less certain that the support and encouragement afforded him by the government were far from being cordial or timely, as if they had been desirous of failure and ruin for the Scotch resistance against the Jacobite enterprise, and anxious to demonstrate the necessity of English intervention for its final suppression.

Policy of the English government.

The insurgents began to fear that if they remained longer at Perth they would be forthwith surrounded and attacked by Argyll's army, whilst they were in no condition to meet the onset. The leaders in the camp deliberated on the measures to be taken for preventing, if possible, the march of the royal forces northwards. They had reason to believe that the duke would not be hindered by the season, unless they could continue to subject him and his troops to its severest inclemencies, by removing every shelter, as well as fuel and provisions, from the districts through which he must march. They

* A pamphlet in the Advocate's Library, quoted in "Burton's History."

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did not scruple to adopt this extreme step, which was sure to involve in manifold miseries all the unoffending inhabitants of those districts, old and young, women and children. Warrants were accordingly issued for desolating all the country which lay between them and the duke, and for "burning and destroying" every village, "with the houses, cows, and forage." The inhabitants, from the new-born babe to the aged and infirm, were to be driven out by fire from under every roof which had sheltered them, to the merciless storms of a winter's sky. All the food that could be found was also to be destroyed; and these terrible sufferings of famine and cold were to be inflicted on the entire population, in order that Argyll's soldiers might be prevented from approaching or pursuing the insurgents, by the want of all shelter and food. This severe measure was carried into effect, and the villages which lay between "the slopes of the Ochils and the Grampians," along with Crieff, Muthill, and Auchterarder, were completely destroyed by fire, and the inhabitants driven forth to experience all the severity of cold and hunger. The scenes of outrage and suffering were worthy of the savages employed in the work; and the Chevalier, whose natural disposition was by no means cruel, seems to have repented of lending his sanction to the barbarous proceeding. He endeavoured to throw off the blame not only from himself, but also from his followers and troops, and to fasten the entire responsibility upon the supporters of the Hanoverian dynasty. "It was, indeed," he says in a letter to the Duke of Argyll, "forced upon me by the violence with which my rebellious subjects acted against me, and what they as the authors of it must be answerable for, not I." The compensation which he promised the unhappy sufferers was more creditable to his head and heart than such an apology. He issued a warrant, dated 26th January, calling upon all who had suffered from the burning to send in estimates of their losses, and assuring them that these should be fully made up; but Mar, who countersigned the document, did nothing to carry it into effect, and the Prince's promises of redress appears to have remained unfulfilled. Mar himself had, indeed, professed to burn the villages and their provisions with the greatest reluctance and grief; but, as has been well remarked, "it was not in ruined villages or starving wanderers to touch a heart so hardened with selfish ambition." Before quitting the country, however, the Chevalier left a sum of money in the hands of General Gordon, with injunctions that whatever was not needed for the subsistence of the troops should be given to the relief of the inhabitants of the burned villages; but there is no evidence that any portion of this money ever reached the persons for whom it was intended.

Destructive tactics of Mar's army.

The Prince promises compensation.

Argyll, on being reinforced, proceeded to set about his final operations for crushing the insurrection. He sent detachments to clear Burntisland, and other towns on the Fife coast, of the rebels, who offered a stubborn resistance until the attacks upon them by land were seconded by an overpowering fire from the government vessels of war in the Forth. After the arrival of artillery from Berwick, the duke, on the 21st of January, made his first movement towards the north, General Guest, at the head of a battalion of dragoons, marching in advance, to ascertain whether or not an army could force its way through districts where the snow lay several feet in depth. Assistance was obtained from the country people in the difficult task of clearing the roads for the march of the main body. It was only on the 29th that the whole army set out. The progress was slow, and the night of the 30th was spent in the roofless village of Auchterarder. On the 28th, the Jacobites in the camp at Perth had been apprised by their scouts of Argyll's approach; and a council was summoned, which sat day and night deliberating, or rather wrangling in hopeless variance, about the steps to be taken. The Highlanders eagerly desired to wait for Argyll's approach and give him battle. Their chiefs argued that, weak as the defences of Perth were, yet the frost and snow would contribute greatly to strengthen them, since it was impossible for Argyll to throw up the necessary field-works during the rigour of the season. The defenders, it was maintained, would fight under cover, whereas the besiegers must carry on their operations without any shelter. Mar, however, as might have been expected, saw clearly that the attempt to maintain their position against the overwhelming force of the royalists, was certain to involve the whole army in ruin. He called a council of war on the evening of the 29th, and represented to his officers the impossibility of holding out the town against the expected assault of the enemy. The failure of the projected invasion of England by the Duke of Ormond, the powerful reinforcements which the Duke of Argyll had received from the continent, together with the great diminution of their own forces, rendered it necessary that they should abandon the enterprise. The truth of these statements could not be gainsaid, and the council accordingly resolved to retreat to some point farther north, where they could more advantageously make a stand, or take refuge among the hills, if this should be deemed expedient. The resolution to retreat excited great indignation among the common soldiers. Some of them loaded the principal officers with abuse, and even proposed that they should take the prince out of the hands of his present advisers, and, with him at their head, renew the struggle for the crown. "What would you have your officers to do?" inquired one of them in perplexity. "Do?" was the indignant reply; "what did you call us to take arms for? was it to run away? What did the king come hither for? was it to see his people butchered by hangmen, and not strike a stroke for their lives?

Argyll advances northward.

Divided councils in the rebel camp.

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Let us die like men, and not like dogs!" These angry protests, however, were of no avail, and many of the Highlanders, on seeing that there was to be no fighting, resolved that they would retreat according to their own fashion; and desertions now took place daily by hundreds. On the 30th of January—which by a curious coincidence was the anniversary of the martyrdom of the Pretender's grandfather, Charles I.—the insurgents began their retreat. Crossing the river Tay, which was now so thickly covered with ice as to bear both horse and man, they marched along the Carse of Gowrie to Dundee, and then to Montrose, which they reached on the 3rd of February. On the evening of the 4th, the unfortunate Prince, in compliance with the urgent recommendations of his officers, reluctantly consented to take refuge on the Continent; and without bidding farewell to his army, or giving them any hint of his departure, he walked by a private lane to the shore, where, in company with Mar, he entered a boat which quietly and quickly conveyed him to a French vessel in the harbour. He embarked in this ship, along with some of the principal persons of his suite, and, immediately setting sail, they landed safely seven days after near Gravelines. It is alleged that Mar expressed a strong desire to remain behind, and share the fortunes of the army; but he was overruled by the Chevalier, who was of opinion that his deserted forces would, in his absence, more easily make terms with the government.

James and Mar retire to France.

As soon as the insurgents were made aware of the flight of the prince and their general, many of them immediately quitted the army, and sought refuge among the Grampian Hills. The remainder, amounting to little more than a thousand men, were conducted by General Gordon to Aberdeen, which they reached on the 6th of February. Here he opened the sealed paper of instructions, which he had received from the Chevalier before his departure, and found that he was requested to inform his followers that the disappointments the prince had met with had obliged him reluctantly to leave the country; that he thanked him for their faithful services, assured them that he would continue to watch over their welfare, and recommended them to keep together in a body until General Gordon should order them to disperse. After reading this document, Gordon informed them that after that day their pay would cease. They quitted Aberdeen on the 7th; and next day the Duke of Argyll, who had followed close on their footsteps, entered the town at the head of four hundred dragoons. The main body of the insurgents marched westwards through Morayshire and up Strathspey into the wilds of Badenoch, where they quietly dispersed. But a party of about a hundred gentlemen took the route to Peterhead, where they found some vessels which conveyed them to France. Another party of about a hundred and sixty officers and gentlemen volunteers, including Lord Duffus, Sir George Sinclair, Sir David Thriepland, and General Ecclins, subsequently quitted the hills where they had taken refuge, and, passing through the low country of Moray, took boat at Burghead, and crossed the Moray Frith to Caithness. This gallant band afterwards proceeded to the Orkney Islands, where they found a French vessel, which conveyed them to Gottenburgh. Here they received a cordial welcome from the Swedish king, and most of them entered into his service. Thus ended the rebellion of 1715.*

Final dispersion of the insurgents.

For some time before the final suppression of Mar's enterprise, the question was often anxiously considered throughout the country, what punishment would be inflicted upon those who had been implicated in its rise or progress? and what was to be done with the many hundreds of rebels who had been taken prisoners at Preston and Sheriffmuir, and were now in confinement waiting their trial? It was feared by those who were acquainted with the policy of the Hanoverian government, and with the personal character of the monarch, that terrible severities would precede a general amnesty, and that the extreme vengeance of the law would be allowed an ample range ere the royal mercy would intervene. It was not likely, nor perhaps was it proper, that the insurgents, on laying down their arms, should be treated as mere prisoners of war—for there is a wide difference between a foreign war and a rebellion at home. In the former case, when the sword has been sheathed, common magnanimity requires from the conqueror as unconditional a release of prisoners as can be made by the vanquished. But when an armed insurrection has been overthrown and crushed, its leaders and followers are, and should be, in the eyes of government something more than defeated antagonists, who, on submitting themselves, may be forgiven and received into friendly relations. They have been guilty of treason and rebellion, and a due regard to the future stability of the government, and the peace of the country, demands that their crimes should not go unpunished. If traitors and rebels were to be treated as unfortunate, rather than as criminal, national institutions and interests would be continually endangered by insurrections; and there would be no end to the schemes of wild ambition, turbulence, and discontent. Still, the Jacobite enterprise of 1715 had not a few peculiarities calculated to obtain for several of its leaders, and for the main body of their followers, an exemption from the vengeful operation of the law against high-treason; whilst such an intervention of royal mercy would have been conducive to the stability, or at least to the tranquillity, of Hanoverian rule. Not that the weak and unprincipled leader of the insurrec-

Punishment of the rebels.

* Patten's Hist. of the Rebellion of 1715; Rae's Hist. The Last Earl of Derwentwater, in *Chambers's Miscellany*, by the Editor; Letters about the Occurrences on the way to and at Preston; Collection of Original Letters and Authentic Papers relating to the Rebellion; Lancashire Memorials.

tion, who ought to have had his eyes open to all the miseries which it would entail upon his countrymen at large, as well as upon his own followers, was entitled to any relaxation of that punishment which the law awarded to his crime. Had Mar fallen into the hands of government, it might have been difficult even for such a humane Scotchman as Duncan Forbes, to show reasons for the exemption of the Jacobite leader from the extreme penalty of treason. Widely different, however, was the position of many of his companions in the enterprise, including all the ignorant clansmen who formed the rank and file of the insurgent forces. The Highlanders followed their chiefs, according to their use and wont, without hesitation. The conduct of their leaders, too, is capable of palliation. The Revolution settlement was but recent, and the Hanoverian dynasty still more so; and as the expulsion of the Stewarts was carried professedly by the voice of the nation, a new struggle, in which the question of sovereignty should be tried and tested again, was resolved upon by the party that had formerly been defeated. The ungenerous, if not positively unfair treatment which Scotland was experiencing at the hands of the British government, seemed to justify an attempt to overturn the existing order of things which, though but of yesterday, and without any deep root in the affections of the people, had inflicted upon the nation extensive injury and disgrace. In Scotland, moreover, the Hanoverian dynasty appeared weak and unprotected, and wanting in those formidable resources and displays which are calculated to overawe incipient insurrection. Hence a rebellion promised to command speedy and entire success; and success, it is known, turns a rebellion into a guiltless and patriotic revolution. But, apart from these peculiar circumstances, which form a strong apology for the rising of 1715, sound policy required the government, after the suppression of the rebellion, to be merciful rather than severe towards the rebels. This view was strenuously urged by the ablest and most sincere friends of the Hanoverian cause to be found in Scotland. The foremost of these was the celebrated Duncan Forbes, who earnestly remonstrated against the infliction of excessive severities on the rebels as mischievous and suicidal. He predicted that extensive executions and forfeitures of titles and estates would alienate his countrymen of all classes from the new dynasty, and lay the foundation of another rebellion. But the government disregarded such representations and appeals, and proceeded to put the law against treason into immediate operation. As the rebels punished were for the most part exclusively Scottish, the king and his ministers, in carrying out their vindictive proceedings, appeared to be animated by hostility to Scotland, rather than by the love of justice.

Criminality of Mar.

Comparative innocence of the Highlanders.

The Preston prisoners were the first to suffer. Lord Charles Murray, Captain Dalzell, brother to the Earl of Carnwath, Captain Philip Lockhart, Major Nairne, Ensign Erskine, and Captain Shaftoe, an Englishman, were tried by court-martial, and, having been proved to have been officers in the service of the government, were condemned to be shot. Captain Dalzell pleaded that not only had he resigned his commission, but the vacancy had been filled up; and Lord Charles Murray, in addition to a similar defence, proved that he had received no pay whilst in the Jacobite service. The lives of both were spared; but the others suffered on the 2nd of December, 1715. The rank and file who had been captured at Preston were brought to trial in Liverpool, a city specially distinguished for its attachment to the Hanoverian dynasty. Sentence of death was passed upon a large number, of whom twenty-two were executed at Manchester and Preston. A considerable portion of those who thus endured the extreme penalty of the law, must have belonged to the humblest class, as they have the description of "labourer" affixed to their names. The execution of such men, in the circumstances of the case, was equally impolitic and cruel. The remainder of the prisoners taken at Preston, amounting to upwards of seven hundred, and consisting for the most part of Highlanders, submitted to the king's mercy, and were sold as slaves to some West India merchants, and transported to the plantations.

Trials at Preston.

On the day of the opening of parliament (January 9, 1716) Mr. Lechmore, an influential member of the House of Commons, after a long and vehement speech, in which he descanted upon the guilt of the insurgents and the "many miraculous providences" which had baffled their designs, moved to impeach Lords Derwentwater, Widdrington, Nithsdale, Winton, Carnwath, Kenmure, and Nairne, of high-treason. No opposition was offered, and the impeachment was carried up to the lords on the same day. On the next day the accused were brought to the bar of the house, to hear the articles of impeachment read. On the 19th they were again placed at the bar, when they all pleaded guilty except the Earl of Winton, who had further time allowed him to prepare his answers. On the 9th of February the impeached lords once more appeared in Westminster Hall, and were condemned to suffer death as traitors, according to the ancient and barbarous form of the law, but the sentence was afterwards mitigated, and orders were issued that they should be merely beheaded.

Impeachment of the rebel lords—

—they are found guilty—

Great interest was made with the court and both houses of parliament in behalf of the condemned noblemen. The royal clemency was repeatedly implored by their wives; but the king turned away from them with contemptuous indifference. Appeals were made to the cupidity, as well as to the compassion, of his majesty's ministers; and Sir Robert Walpole declared in the House of Commons that £60,000 had been

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offered to him if he would obtain the pardon of the Earl of Derwentwater. Several of the staunchest Whigs in the house, among others, Sir Richard Steele, were inclined to mercy; but Walpole, though usually distinguished by personal lenity and forbearance, took the lead in urging measures of severity, and moved the adjournment of the house till the 1st of March, it being understood that the condemned noblemen would be executed in the interval, but he carried his motion only by a majority of seven.

In the upper house, however, a still more effectual stand was made on the side of mercy. A petition craving the intercession of the lords was presented from the condemned noblemen, and was supported by the Earl of Nottingham, president of the council. This unexpected defection from the ministerial ranks made the resistance of the government unavailing, and an address to the king, praying that he would reprieve such of the condemned lords as should deserve his mercy, was carried by a majority of five. This result surprised and alarmed the ministers, who met in council the same evening, and drew up the king's answer to the address, stating that "on this and all other occasions he would do what he thought most convenient with the dignity of his crown and the safety of his people." The Earl of Nottingham, together with his brother, Lord Aylesford, and Lord Finch, his son, was removed from office. It was resolved, however, to comply with the feeling and opinion of the House of Lords, so far as to respite the Earl of Carnwath and Lords Widdrington and Nairne, but, to prevent any further interference, the three remaining peers were ordered for execution next morning. The same evening, however, Lord Nithsdale escaped out of the Tower in female disguise, through the agency of his heroic wife. The king, on being told next morning of his escape, observed, "It was the best thing a man in his condition could have done."*

—three of them reprieved.

Escape of Lord Nithsdale.

The number of noble victims was thus finally reduced to two, the English Lord Derwentwater and the Scottish Lord Kenmure, and at an early hour on the morning of the 24th of February they were brought to the scaffold on Tower Hill. Lord Derwentwater was first conducted to the fatal spot. He was observed to turn very pale as he ascended the steps, but his voice was firm and his demeanour steady and composed. He passed some time in prayer, and then requested permission to read a paper he had drawn up, which was readily granted to him. In this paper he declared that he now repented of having pleaded guilty at his trial; that he never owned any other but King James III. for his rightful and lawful sovereign, whom he had an inclination to serve from his infancy; and that he hoped his death might contribute to the service of his king and country, and the re-establishment of the ancient fundamental constitution of these kingdoms. After reading this paper he turned to the block, and viewed it closely, and finding a rough place in it that might hurt his neck, he desired the executioner to chip it off; he then knelt down and prayed fervently, then rising up, he pulled off his coat and waistcoat, and, fitting his head to the block, told the executioner that upon his repeating for the third time the sentence "Lord Jesus receive my spirit!" he was to perform his office. At these words, accordingly, the executioner raised his axe, and severed the earl's head from his body at one blow. This unfortunate nobleman was only in his twenty-eighth year at the time of his death.

Execution of Derwentwater and Kenmure.

In a few minutes after Lord Kenmure mounted the scaffold, and suffered the penalty of the law with heroic resolution. He made no speech and delivered no paper, but merely expressed his regret, like Lord Derwentwater, for pleading guilty to the charge of high-treason, and prayed for "King James." Shortly after his death a letter, which he had written to the Chevalier, was published, in which he maintained the title of "the person called the Pretender, whom he believed to be the true son of James II.," and declared that he died for his faithful services to him.*

The trial of the Earl of Winton was postponed till the 15th of March. Throughout the proceedings, which lasted two days, this eccentric nobleman preserved a manly and dignified bearing. He repudiated the charge of being a traitor, though he admitted that he had joined the Jacobite army; but he stoutly maintained that he had been driven to take this step by the treatment which, without any provocation, he had received from royalist officers. "To his great misfortune," he pleaded, "he could not be quiet or safe in his closest retirement; for many persons, both officers and others, of the militia of the shire of Lothian, under the specious pretence of serving the government, but in reality actuated by private pique and revenge, several times, contrary to law, forcibly entered by night into his dwelling-house, called Seton Palace, rifled it, turned his servants out of doors, and carried away the provisions of his family. The most sacred places did not escape their fury and resentment. They broke into his chapel, defaced the monuments of his ancestors, took up the stones of their sepulchres, thrust irons through their bodies, and treated them in a most barbarous, inhuman, and unchristian-like manner."† As might have been expected, the earl was found guilty and condemned to death, but availing himself of his mechanical skill, he sawed through with great ingenuity the bars of the windows of his prison, and made his escape. He ended his chequered life at Rome in 1749, and with him terminated the main branch of the long and illustrious line of the Seton family.

The Earl of Winton's escape.

* State Trials, vol. xv.

* State Trials, vol. xv.

† State Trials, vol. xv. p. 824. "The edifice," says Mr. Burton, "here alluded to, still a beautiful fragment of early pointed Gothic, stands as the last relic of the magnificence of Seton Palace."

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In the beginning of April a commission for trying the other rebels met in the Court of Common Pleas, when bills of high-treason were found against Mr. Forster, Brigadier Mackintosh, Colonel Oxburgh, Mr. Menzies of Culdares, and eighteen of their associates. Forster escaped from Newgate on the 10th of April by means of false keys, and reached Calais in safety. The trials of the other prisoners were fixed for the 4th of May, but about eleven o'clock the preceding night Brigadier Mackintosh, with fifteen of his companions, broke out of Newgate, after knocking down the keeper and turnkey, and disarming the sentinels. Eight were retaken, not knowing how to thread their way through the complicated streets, or where to find refuge; but old Borlum, and seven others, made their escape. The government proceeded with the trial of those who remained. A considerable number were found guilty, and Colonel Oxburgh and Mr. Paul, a nonjuring clergyman, with three others, were hanged, drawn, and quartered at Tyburn. By virtue of an act of grace passed in 1717, the Earl of Carnwath, and Lords Widdrington and Nairne, were released from the Tower; the other prisoners confined in Newgate, and in the castles of Lancaster, Carlisle, Edinburgh, and Stirling, including Lords Strathallan and Rollo, were set at liberty at the same time.

Escape of Forster and other prisoners.

Execution of five of the rebels.

Act of indemnity.

Before this act was passed, however, the government had incurred great and deserved odium by appointing a commission of Oyer and Terminer to sit at Carlisle about the close of 1716, for the trial of the Scottish prisoners confined in the castles of Edinburgh, Stirling, and Blackness. This proceeding drew forth the indignant reprobation of all Scotchmen, including even those who were the firm supporters of the Hanoverian dynasty, as well as cordial advocates of the union. Those prisoners, eighty-nine in number, were removed from the fortresses in which they had been originally confined, and were lodged in Edinburgh Castle to await their trial. Their transference to England, when the offences charged against them had been committed in their own land, was bitterly condemned throughout Scotland as illegal in character and vindictive in aim. A subscription, to which many ardent Hanoverians, including even government officials, contributed, was at once raised in the north, to provide the ablest counsel for the prisoners, who had been hurried away by a troop of soldiers from the independent jurisdiction of their own country. Some distinguished members of the Scottish bar attended the Carlisle assizes, to watch the proceedings against their countrymen, and to volunteer assistance to their English counsel. To the allegation that the treaty of union had been violated by the removal of the prisoners from Scottish jurisdiction, it was replied for government, that an act of parliament empowered them to try the rebels wherever it was most convenient. This act, however, had been framed with an exclusive reference to England, and for the purpose of relieving Lancashire from the extraordinary number of untried prisoners who crowded its dungeons; and the knowledge of this circumstance only increased the indignation felt throughout Scotland, since it showed that trials could not be transferred even from one county to another in England without a special act of parliament to legalise this step, while a large body of prisoners had been removed from Scotland and its independent jurisdiction to undergo trial at Carlisle, altogether in the face of the treaty of union between the two kingdoms, and without the shadow of a sanction from the British legislature. The English lawyers, it is believed, were led—whether or not from the representations of their Scottish brethren—to hesitate about the propriety, if not the safety, of subjecting to capital punishment prisoners brought into England in such a manner. Thirty-six were discharged without a trial, on the ground of want of evidence. Twenty-five pleaded guilty, and had sentence of death pronounced upon them, but not one was ever brought to execution. Several appear, however, to have been transported to the plantations.

Trial of Scotch prisoners at Carlisle.

The grace of the Act of Indemnity seems to have been considerably marred, either by the number of exceptions specified, or by the difficulties placed in the way of taking advantage of the security which it provided; for we find that a year after the passing of the act, prosecutions were instituted in Scotland against several who had been concerned in the "rising" of 1715. A commission of Oyer and Terminer was sent to the north, accompanied by lawyers and officials from England, to explain and superintend the operation of the English law of treason, which had been but recently extended to Scotland, and was there a novelty far from welcome. The court was opened at Perth on the 17th of September, 1718, but the bills presented there against "Fullarton of that ilk," and one Fairbairn, who had been printer in the service of the Jacobite army, were ignored. At Dundee the commission was equally unsuccessful. At Cupar true bills are said to have been found against Lord George Murray, Sir James Sharpe (the representative of the notorious archbishop of that name), Sir David Thriepland of Fingask, and the son of More of Stonywood; but for some reason or other they were dropped at this stage. At Kelso all the bills presented were ignored. Government soon saw how hopeless it was to reach the rebels in Scotland by means of the new treason law imported from England.*

Failure of prosecutions in Scotland.

* Burton, vol. ii. pp. 218, 219.

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CHAPTER LX.

GEORGE THE FIRST AND SECOND.

A.D. 1716—1736.

SCOTLAND had scarcely become tranquil when the government, in some way which has never yet been explained, obtained intelligence of the hostile designs of the King of Sweden, who had threatened to deal with the British monarch as he had successfully done with Augustus of Poland. The restless and daring Swede—many of whose past enterprises would have been deemed mad had they not, contrary to all expectation but his own, been successful—conceived a project more audacious than any that he had yet undertaken; and with insane rashness he vowed to drive George I. and the Hanoverian race from the throne of Britain, and to bring back the exiled Stewarts in the plenitude of their ancient rights and prerogatives. Certain information about this aggressive undertaking, and about the intrigues of the Swedish ambassador in London to secure the assistance of the Jacobites, had reached the British cabinet; and the ministers resolved upon prompt measures. The conduct of Count Gyllenborg, as ambassador from Sweden at the English court, was a flagrant violation of international law; and the government did not scruple to resort to such proceedings against him as nothing but the enormity of his offence could have justified. On the night of the 29th of January (1716) the count's residence in London was unexpectedly surrounded by a military force under General Wade, who proceeded to carry out his secret instructions. Entering the house, and desiring to be at once conducted to the count, he found the ambassador busy among his papers. These the general forthwith seized upon, and summoned in a detachment of his soldiers to secure the person of the count, and to assist in the search for further documents. Madame Gyllenborg refused to unlock a cabinet, which had attracted the general's suspicions, though she assured him that it only held a quantity of linen and plate; but on his breaking it open, he discovered papers which, beyond all doubt, demonstrated the complicity of the Swedish ambassador and his royal master in a treacherous movement against the Hanoverian dynasty, and completely justified the unceremonious and violent proceedings instituted by the government. Amongst the documents was a correspondence between the count and Baron Gortz regarding "a design to raise a rebellion in his majesty's dominions, to be supported by a force from Sweden."* The principal papers were published by order of the British government, both as a vindication of the very unusual step taken against a foreign ambassador, and as a note of warning to the nation to hold itself prepared for rebellion at home combined with aggression from abroad. Not that there was much to be dreaded from Charles of Sweden, who, in a contest with his old enemies, was now experiencing such a series of disasters as might well deter him from adding to the list of his mortal foes the powerful government of Britain. He was besides without resources for the invasion he had projected, and to this fact his wily agent, Baron Gortz, could not shut his eyes. The baron says in one of his letters, "The only thing I see wanting for our purpose are men-of-war and transports"—a rather serious want in the prospect of conducting an invasion!* But such considerations might not have deterred the daring and indomitable Swede from an enterprise on which his heart was set, especially when he anticipated an alliance with Peter the Great, who could easily supply what was wanted. The Earl of Mar had a near relative belonging to the czar's household, and standing high in the imperial favour—a physician of the name of Erskine—who was to use all his influence in promoting a league between the Swedish and Russian monarchs for the overthrow of King George of England, and the restoration of the Stewarts. A cannon-ball, however, put an end to the ambitious and wild career of Charles of Sweden, and to the projected invasion of Britain; and thus was left, "to point a moral and adorn a tale," the name at which our country was disquieted, and "the world grew pale."

Aggressive design of the King of Sweden.

A foreign priest took, however, the place of the slain monarch in furnishing grounds of uneasiness, if not of apprehension, to the Hanoverian government, and to their supporters throughout the country; but the designs of Alberoni, who had conspired to overthrow the regency of the Duke of Orleans, with a view to promote the union of France and Spain, were detected in time to be effectually frustrated. The regent was naturally led to regard Britain as the more eligible ally, to discountenance the pretensions of the Stewart race, and to join the quadruple league against Spain. To this country the Jacobites as naturally began to turn for friendship and help. The Duke of Ormond had been summoned from France by the cardinal to attend a conference at Madrid, and he went, accompanied by two young Scotchmen, the Earl-Marischal and his brother, subsequently known as Marshal Keith. France and Spain being at war, the three travellers were compelled to exercise the greatest caution and care in disguising their movements and motives. They appear, however, to have taken no part in arranging the project, to the accomplishment of which they were to devote themselves; it was committed to them in a matured shape by its

Intrigues of Cardinal Alberoni.

* Tindal, vol. ii. p. 507.

* Gortz, when explaining how the invasion was to be carried on, says—"We were to carry with us a sufficient train of artillery, arms for ten or twelve thousand men more, with requisite stores of ammunition. We were to land at the places whither we should be directed, so that we should have carried with us all that is necessary for acting except horses, which we expected to find in the country."—*Letters*, p. 52.

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author, the cardinal. The Duke of Ormond was to land in England with such military forces and supplies as the Spanish treasury, then in an exhausted condition, could provide. The Keiths were anxious to procure from Spain four thousand stand of arms and ten thousand pistols, but had to be satisfied with only a half of that complement. Six companies of foot-soldiers were to be included in the expedition to cover the landing. The younger Keith was appointed to the difficult and dangerous duty of conveying secret intelligence of the enterprise to all the exiled Jacobites scattered over the French dominions, and of obtaining their energetic co-operation. He consulted with Seaforth, Tullibardine, Campbell of Glanderule, and other leading men among the refugees of Scotland; and at length, with these associates, he set sail for Havre, on the 19th of March, 1719, in a vessel of only twenty-five tons, which, after very narrowly escaping capture by the English men-of-war that were waiting for the appearance of the larger force under the Duke of Ormond, safely reached Stornaway, where the Earl-Marischal, with his friends and forces from Spain, had already arrived. Unpleasant differences prevailed in the company to which the earl was attached. Alberoni had always intended to entrust his lordship with the command of the expedition, but Tullibardine showed a commission in his favour, signed by the Chevalier himself, at a time when the invasion by Charles of Sweden was confidently expected. Tullibardine took the chief command of the men; but Marischal refused to relinquish that charge over the vessels which he had received from Alberoni.

Landing of the invaders—

It had been settled that the invading forces were to effect a landing on the west coast, and afterwards march upon Inverness, which, being occupied by an insufficient garrison, could offer little resistance, and which, moreover, would be a natural centre for the rallying of the various clans that had taken part in the late rebellion. Their dissensions and mutual animosities, however, had occasioned a ruinous delay; and King George's ministers were both apprised of their design in all its details, and prepared summarily to crush it. In the middle of May, a period long after the time that had been fixed upon, the landing took place on the shore of the lonely Loch Alsh. When the men had disembarked with the stores, the vessels returned to Spain. The invaders began operations by fortifying a position for themselves near one of the inner windings of the loch, and by taking possession of the fortalice of the Mackenzies, Island Donald Castle, a stronghold which they hoped would be as impregnable as it had been for centuries of Highland warfare. It was not proof, however, against modern artillery, and the fire of three government vessels, which had entered the loch, quickly demolished it. The invading force already landed, including Spaniards and Scotchmen, amounted to fifteen hundred men, who encamped in Glenshiel. On hearing that the main expedition had been overtaken and scattered by a storm, and on seeing the small probability of the clans rallying again around the standard of the Pretender, they appear to have lost all spirit and energy. General Wightman, at the head of sixteen hundred men, alongside of whom also were detachments from those clans that were on the government side, such as the Frasers, Munroes, and Sutherlands, advanced westward from Inverness in the beginning of June. On the 11th he came within sight of the Jacobite position in Glenshiel, and found it of such a formidable character, that, as he confesses in his despatches, he hesitated about giving the invaders battle on ground so very advantageous to them. He determined, however, to come to an immediate issue with them, and had the sagacity to order a detachment of his troops farther up the mountain, to harass the enemy from above during the main attack, which commenced at five o'clock. The fight continued for upwards of three hours, the enemy struggling to keep their ground with an obstinacy quite unusual in Highland forces when failing of victory in the first onset and collision. Neither side at the close could claim a clear superiority; but in the Jacobite camp it was resolved on the following day that the Spaniards should surrender as prisoners of war, whilst the Highlanders should quietly take themselves off and disperse to their homes, as they easily could do across the mountains, where pursuit by the government troops was quite impracticable. Lords Seaforth and Tullibardine, though wounded, were assisted by friends to make their escape. The loss in Wightman's force consisted of twenty-one men slain, and twelve wounded—a very inconsiderable drawback from the satisfaction of conducting to Edinburgh two hundred and seventy-four Spanish prisoners.

—dispersed by General Wightman.

The Stewart court transferred to Italy.

It would be uninteresting to follow the Scottish refugees and their master throughout their petty intrigues, wranglings, jealousies, and ambitious aims on the continent, though the mock court of the Pretender was characterised by the peculiar vices, passions, and follies which at that time invariably haunted the circle within which a *de facto* sovereign luxuriously and tyrannically spent his days. Lord Stair, the British ambassador in France, had prevailed upon the Regent Orleans, not only to withdraw all encouragement from James's pretensions, but also to order the Pretender to leave France, and to reside elsewhere, so that he and his party might have fewer opportunities of harassing the Hanoverian government. It was the regent's policy to be on good terms with that government, though he was also desirous of having a claimant for the British throne at hand, with whom, in the event of a rupture between the French and English governments, he might menace the latter. Lord Stair succeeded in extorting a stipulation that the Pretender should henceforth

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reside beyond the Alps, and never in any circumstances whatever be allowed to set his foot on the French soil. Accordingly, the Jacobite court was established in Italy, the classic province of Albano having been chosen by James as the place of his retreat.

Treachery of the Earl of Mar.

Amongst the refugees who constituted the court of the exiled family, there were some who were guilty not only of desertion, but of treachery. The Earl of Mar was the chief culprit, as his previous character and conduct might have led us to expect. His associate, Lockhart, accuses him of having embezzled £2000—a sum which had, with the greatest difficulty, been raised by the Jacobites for the promotion of their common cause. He seems also to have held communications with Sunderland, the British minister, and to have proposed a strange plan for enlarging the continental dominions of the Elector of Hanover, provided the restoration of Great Britain to the Stewarts were conceded. The details of Mar's interviews with Lord Stair during the period of the latter's embassy in France, have not fully transpired; but they suffice to prove that the Jacobite leader was a traitor to the cause he had sworn to maintain, and that self-aggrandisement was his only principle. So important were his services to the Hanoverian dynasty that the government paid him an allowance which, along with the jointure to his wife from his forfeited estates, realised more than £3000 of annual income. It is not improbable that he would also have received a pardon, if that could have been effected without an act of parliament; still, in many respects, he stood almost as well as if his loyalty to the reigning monarch had been untainted. It is not surprising that the other Jacobite exiles regarded the special favours bestowed upon Mar by the British government as unequivocal proofs that he had basely gone over to the winning side, and betrayed as well as deserted his former associates. He endeavoured to remove such suspicions by the assurance that the Hanoverian favours were granted to secure nothing more than his neutrality in the contest between the two rival dynasties; and he had the effrontery to represent to the Jacobite court his perfect willingness to evade the easy conditions imposed on him by the government, and to cheat King George by continuing to serve King James with undiminished, though well-disguised activity and zeal. The most decisive proof of his treachery was to be found in a state-paper which he laid before the French regent. This document, entitled "the Memorial," professed to set forth a scheme for the entire and permanent subjugation of Britain by France; but the Jacobites indignantly saw in it an ingenious artifice for rendering the Stewart family hateful to the British people, and for effectually alienating from them and their cause all British sympathy. The project, framed towards the close of 1723, ostensibly aimed at the reduction and humiliation of the power of England by dismembering both Ireland and Scotland, and restoring these as independent kingdoms. Irish and Scottish parliaments, it was urged in the paper, would invariably support France against the English government and legislature, and repeal all old treaties which had become obnoxious across the channel. The whole scheme was to be carried into effect by a powerful French army co-operating with the Jacobite forces. The invaders, it was arranged, were, after their conquest of Britain, not to quit the country until the new constitution of each of the three separate kingdoms had been established in all its details, and put into regular and easy operation. The Jacobites at once believed that Mar's design, in devising this project of securing French predominance and British subserviency, and in attempting to gain for it the Chevalier's sanction, was to render the latter intensely unpopular in Britain, where the idea of coming under the French yoke would not for a moment be tolerated. James, however, not only withheld his approbation from the proposal, but did not even acknowledge the receipt of "the Memorial."

"The Memorial."

Mar was subsequently superseded, as leading adviser in the Jacobite court, by Colonel Hay, brother of Lord Kinnoull, who received from the Chevalier the title of Earl of Inverness. This new minister's influence and honours were traced, by court gossip, to the charms and easy virtue of his wife. Whatever truth there may have been in this report, and in the picture which it furnishes of the immorality of the circle of friends and agents around the exiled prince, it must be remembered that the unfavourable impressions of Jacobite morals originated with, and were propagated by, the members of the Jacobite court. The Chevalier's best friends in Scotland were grievously annoyed by such rumours, and on the prince's marriage with the Princess Clementina Sobieski they hoped that he would be rescued from the snares of the dissolute of either sex, and become the head of a household too pure to encourage the vicious practices of his court. James, however, proved himself a genuine Stewart in morals, as in despotic principles; and his wife, after giving birth to two sons, was glad to escape from daily outrages of which she had unavailingly complained, and to take refuge in a nunnery. It was natural that the Jacobites in Britain should be strongly dissatisfied with the conduct of their master and his advisers, as creating such formidable obstacles in the way of his restoration to the throne of his ancestors. Lockhart proposed the appointment of an executive in Scotland to represent the exiled monarch, and named the individuals whom he deemed worthy of the responsibility. James, however, returned an equivocal answer, and expressed his desire that his Scottish supporters should, without receiving a regular commission, continue to act for, and to watch over, his interests. Lockhart was pleased

Immorality of the Chevalier's court.

Executive commission for Scotland.

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JOHN, DUKE OF ARGYLL & GREENWICH.

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to accept this wish as equivalent to a commission for the men whom he had recommended, and proceeded to set them to work as authorised officials. They were at a loss what to do about the oaths of allegiance and abjuration, which the government of George I. had resolved to exact strictly; and definite instructions were solicited from the court in Italy; but James, knowing that it would be madness to command them, in existing circumstances, to resist the government, yet, unwilling to recommend them formally to abjure all his rights of sovereignty, and acknowledge those of the usurper, refrained from sending any reply, or giving the least sanction from himself to the advice which his courtiers forwarded to Scotland.

Ingratitude of the government to Argyll.

It is time to revert to the Duke of Argyll, through whose instrumentality the rebellion had been crushed, and who had done more both for the Protestant and the Hanoverian settlement, as accepted throughout Scotland, than any other statesman or general. The unworthy recompence of his invaluable exertions in the council and the field was—deprivation of all the offices he held under government. This unceremonious and unjust dismissal of the duke provoked and alarmed his countrymen, who took every constitutional method of showing that they entertained a very different opinion regarding Argyll's merits and claims. They came forward with votes of fervent thanks to the dishonoured patriot, as the man who had annihilated the Jacobite enterprise, and saved the country from the horrors of restored tyranny and popery. His fall was generally ascribed to the humanity which he had exhibited in the hour of victory, and to the moderation of his councils. The Jacobites at once imagined that the great statesman would be ready to revenge the flagrant injustice with which he had been treated by the government and the House of Hanover. They believed that a man of the duke's ability and influence would not hesitate to exchange the obscurity to which he had been ungratefully doomed, for some high post in the Stewart service, which would give him an opportunity of repaying Hanoverian scorn. But they knew not the patriotism and integrity of the degraded chief, who, though deeply exasperated, refused to accede to any proposals for his espousal of the cause against which he had lately fought. According to Lockhart's account, a Colonel Hutcheson was deputed to open, on the Pretender's behalf, negociations with Argyll, the annalist himself having assured the exiled court that the duke would accept an offer, "provided it was handsomely introduced, and dexterously managed." The diplomatist, if we may believe Lockhart, at first reported favourably of the progress he was making; but ere long the suit proved an utter failure, and the duke's conversion to Jacobitism was acknowledged to be hopeless. Lockhart, indeed, does more than insinuate that Mar contrived to meddle with and spoil the negociations by intercepting a special communication that contained concessions from the duke, which ought to have been immediately welcomed by James. The latter, however, being kept in ignorance of Argyll's views, could not respond; and this silence provoked the yielding statesman to put an end to the correspondence, and to all the hopes of the Jacobites that the most formidable foe of their cause was about to withdraw his allegiance from the House of Hanover, and join their ranks. But the story, so far, at least, as it reports any leaning on the part of the duke to Jacobitism, or any encouragement given by him to the attempt to seduce him from his loyalty, not only requires confirmation, but is incredible. It is not improbable that serious endeavours were made by the representatives of the exiled court to tamper with the dismissed minister, though the Chevalier himself subsequently repudiated all knowledge of the design.

Jacobite proposals.

The Duke of Argyll, however, was, not only from his sagacity and general talents for statesmanship, but also from his paramount influence over the great body of his countrymen in the Lowlands as well as in the Highlands, too important an ally and supporter to be long neglected and kept in the shade by the Hanoverian government; and we soon find him reinstated in the favour of George I., and his court. In 1719 he became lord-steward of the household, and received a British dukedom, and these honours were but the precursors of more substantial distinctions, for in a short time, Walpole entrusted him with the government of Scotland, and made him, in reality, though not in name, viceroy of that kingdom. Whenever that celebrated statesman was dissatisfied with the duke, he bestowed his favours upon the duke's brother, Lord Ilay; hence, for some years, the Argyll family monopolised the administration of affairs in Scotland. In 1723, however, great changes took place in the management of Scottish business. The forfeiture of the estates of the Scottish nobility and gentry who had taken part in Mar's rebellion, had, on the suppression of the enterprise, become a leading public question. A very large extent of territory in Scotland awaited the disposal of government; and how to distribute it for the public benefit involved more difficulty than would appear on a superficial consideration. The plan actually adopted inflicted many wounds on Scottish pride, and showed that the insurrection had had no salutary effect, as a warning, on the recklessly offensive character of English legislation. Parliament had passed an act entrusting the management of the affairs to a large commission, consisting of gentlemen who had the greatest parliamentary influence. The terms and purpose of the act seemed to have aimed at special popularity, for the confiscations were to be carefully regulated so as not in the least to enrich the crown, but all their produce was to go at once into the public exchequer, and from first to last to be placed be-

Dispute about the forfeited estates.

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yond the reach of royal appropriation or misapplication. Yet, alongside of those provisions, there were several features in the statute which could not but displease and mortify the Scottish nation. The estates were to be disposed of as summarily as if they had been smuggled articles in the possession of officers of the revenue; whereas, according to the long-established system of land registration in Scotland, and many other definite rules for holding and transferring property, the enforcement of such a prompt procedure was utterly impracticable. There was a host of creditors and others who had claims on the forfeited estates, and who applied to the Scottish officials, with whom it was usual, and, according to the Scotch law, constitutional to lodge any such claims. A body of "receivers" had been appointed by the parliamentary commission; but they had no place or functions in the eye of the law, and the commission could invest them with none. The court of session, on the application of the claimants, granted sequestration of the estates; but the commissioners neither knew what this meant, nor had the power to revise it. Complaining that they were interfered with and utterly thwarted in the discharge of their duties by a body which called itself the court of session, and possessed an authority sufficient to nullify all their orders and decisions, the commissioners demanded from government increased powers for meeting the difficulties, and the opposition which assailed them at every step. A bill was immediately brought in to enable the commission to overcome the resistance raised in Scotland. The judges of the court of session, however, boldly came forward to vindicate and maintain in its integrity the Scottish law, of which they had the administration. They argued that, according to the treaty of union, the laws regarding property, liberty, and life in Scotland, were, along with the independence and freedom of the Scottish courts, to be preserved inviolable. The appointment of another tribunal, which, though neither recognising nor being bound by the regulations of Scottish law, should be empowered to deal authoritatively with a very large portion of the property of the country, was not, they contended, one of the alterations which the imperial parliament might from time to time legitimately and beneficially introduce. It was entirely unconstitutional, as well as in direct violation of the terms of the union. The judges also mentioned that they had never been consulted in the framing of a bill which so vitally affected law and justice in Scotland, but had only heard of its existence and character by accident, otherwise they would have been too late in appearing to protest against it. This weighty and unanswerable remonstrance did not, indeed, arrest the passing of the bill, which, though strenuously opposed by the Duke of Argyll and his brother in the House of Lords, was carried by a small majority. The act invested the commissioners with power at once to sell the estates, and meet the claims of creditors in the way followed under the bankrupt law. It annulled all the sequestrations of the court of session, and directed that those persons who "held under them" should be proceeded against in exchequer. Some concession was made, however, in allowing appeals from the proceedings of the commission to a court of delegates, which included the lords of session.

Contest between the court of session and the commission.

Act passed by the British parliament.

Most of the confiscated property was purchased by the York Buildings Company, with the commendable design of introducing a spirit of agricultural and commercial enterprise into districts which had been kept in a neglected and semi-barbarous condition by the long reign of feudalism. This corporation, however, being English, was thwarted in its philanthropic intentions, and got involved in endless litigation. Nor did the sale of the estates contribute a large aggregate sum to the public exchequer, since from an apparent combination on the part of the Scottish gentry, the property, when exposed to sale, realised comparatively little money, especially after the burdens had been deducted. The Scottish lawyers witnessed this palpable failure with satisfaction. They had already found an excellent opportunity for exhibiting their disapprobation of the liberty which the government had taken with the venerable institutions of their country. Mr. Patrick Haldane, a Scottish country gentleman, was rewarded for his services on the forfeited estates commission by an appointment as a judge of the court of session in 1722; and the faculty of advocates, headed by Duncan Forbes, vehemently opposed him as a disqualified person. The objections urged against him were based on ludicrously small grounds, but they sufficed to obtain from the court of session a decision that Haldane's appointment was invalid. Angry communications were forthwith exchanged between the court and the government. The usually calm character of the Scottish bench was broken up, for on the announcement in the court of session that the House of Lords had, on the 4th of February (1723), reversed their decision; the judges were in a fury, and raged indecorously against the nominee and all his supporters. Various new charges were brought against Haldane affecting his "good fame and character;" but a class of dignitaries called the extraordinary lords of session, who had not taken their seats on the bench since the Revolution, came suddenly forward, and, by a small majority, carried a decision in Haldane's favour. The ministry, however, had the sagacity to see that an appointment carried through in the face of such an opposition would be deeply injurious to the administration of law in Scotland, and voluntarily cancelled it. They, at the same time, passed an act decreeing that the court of session should in future have no power to interfere with the nomination of a judge.

Forfeited estates purchased by the York Buildings Company.

Court of session resist a nominee of the crown.

except simply to examine him as to his professional qualifications, and that with the crown should rest the absolute right of appointment to a seat on the bench. This act (1723) also abolished the class of extraordinary lords of session as a relic of an obsolete system.

Disarming measures in the Highlands.

The measures taken by government for disarming the Highlanders shortly after the rebellion of 1715 were now declared by General Wade, who had made a tour through the north, to have been very ineffectually carried out. He reported that nothing but old and useless arms had been delivered up by the clans, and that really serviceable weapons were still possessed in great abundance by the Highlanders, who kept them concealed. In 1725 a better method was adopted to effect the disarming of the clans by summoning all to meet at a certain place, and surrender all the weapons they had in reserve, General Wade himself being present to superintend the delivery. The clans complied with great apparent cordiality: one clan alone, the Mackenzies, yielded up nearly eight hundred stand of arms; and the general described his mission as thoroughly successful, though it was subsequently proved that he had been greatly deceived by the profuse professions of loyalty which he received from the insurgent chiefs, and by their assurances that no arms were kept back. The Chevalier himself, in a letter to Lord Seaforth and other Highland chiefs, had confessed his inability to assist any movement which his friends might then project, and recommended them to make the submission required by the Hanoverian government, and to hope for better days, when they should recall an allegiance which was now extorted from them by the pressure of adverse circumstances.

A new rising projected—

Bishop Atterbury, however, who was dispatched from the exiled court with this message, took it upon himself to keep it back, and set about the organization of a new enterprise to relieve the Highlanders from the Hanoverian yoke. He obtained from a source now unknown the large sum of 180,000 livres, to be expended in brandy, biscuits, and ammunition for the Jacobite forces in Scotland. Still more encouraging than this donation was the rumour that the Czar of all the Russias meant to co-operate cordially with the invaders. The bishop easily induced James to lend his sanction to the attempt, and to give the warlike churchman full power to command the Jacobites in France, and to place himself at the head of the proposed expedition to Scotland. This commission was granted on the 15th of June, 1725, and was to be in force for half a year. Cameron of Lochiel, his son, and Sir Hector McLean, had previously been apprised of what was going on; and now, on the 7th of June, Allan Cameron, the brother of Lochiel, left Rome with royal instructions for "the noblemen and gentlemen chiefs of the clans of the Highlands of Scotland." He was deputed to summon them to resist the government orders for disarming, and to assure them that their sovereign would send over, in good time, a skilful commander, with officers, arms, ammunition, and provisions. But the messenger found, on reaching Morven on the 14th of August, that all his instructions were worthless, and the enterprise too late. It turned out that the first orders of James, urging submission to the government, had, in spite of Atterbury's suppression of them, been made known to the various clans, and had been also very promptly obeyed. Lord Seaforth, as soon as he heard of his exiled sovereign's wish, called upon all his inferiors and serfs to give up their arms. He was so bitterly denounced by certain influential Jacobites for having taken this course, that in a spirit of disgust, aggravated by the marked ingratitude with which his great services and sacrifices had ever been regarded by James, he abandoned the Stewart cause.

—its failure.

Formation of roads by General Wade.

General Wade originated a much more effectual measure for the prevention of hostilities against the government in the Highlands than the partial disarming of the clans. He intersected these remote regions by military roads, and opened, through districts hitherto inaccessible, a pathway for troops and heavy pieces of artillery; thus giving the central government new and, comparatively, ample means of communication with the north. He also placed an armed galley on Loch Ness, and built several forts in important localities.

Disturbances about taxation.

Whilst these works were being carried on in the Highlands, the government attempts to adjust national taxation had disturbed the tranquillity of Scotland. In 1724 it had been resolved to raise £20,000 in Scotland by a tax on malt. This tax, it will be remembered, had been imposed by parliament shortly after the union, but never collected. Government now determined to raise at least a portion of the sixpence per bushel, which had hitherto been only a nominal impost in Scotland. Lockhart accuses government of intending to levy sixpence a barrel on ale in Scotland, and to deprive that country of the export bounty on grain, though England was still to retain the latter privilege. The projected tax excited a storm of indignation, which the Jacobites sought to direct. Various bodies of the country gentlemen sent up angry addresses to parliament; and there was a design amongst not a few of the constituencies to mark those members from Scotland who should support the odious measure, and to declare that they were no longer their representatives. Some even talked of electing other representatives, to meet in Scotland and form an independent parliament for native legislation, should the obnoxious tax be persisted in. The measure, however, as originally brought forward, was abandoned; but a malt duty was substituted and carried. It amounted only to threepence on each bushel, yet, according to the intentions of the government, it was to raise in Scotland no less a

Opposition to the malt-tax.

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sum annually than £20,000 sterling; and, in the event of a short-coming, there was to be a surcharge on maltsters to make up the deficiency. The Scottish representatives offered no opposition to the tax as thus modified, and imagined that their constituents would submit to it with as little reluctance as they could be expected to display under any fiscal novelty. The Scottish people, however, were not so easily pacified, and their hostility against the new measure speedily became as fierce as against its unfortunate predecessor. The method, too, of raising the malt-tax was odious on account of its inquisitorial character.

The brewers in the principal towns of Scotland assembled at Edinburgh, and resolved to offer a determined resistance, which they knew would be seconded by popular clamour. The latter did, indeed, precede the action of the former; and before the brewers could commence their hostile operations, a formidable demonstration on the part of the infuriated multitude took place. This, though at first directed against a single individual, was an indication of the popular wrath against the new tax and all its supporters; and the affair assumed both a comprehensive and a serious aspect before it was ended. Daniel Campbell, of Shawfield, member of parliament for Glasgow, was suspected of having communicated to government not only the information which was necessary for the laying on the obnoxious malt-tax, but also with specific intelligence regarding the evasion of tobacco duties, which was systematically practised in Scotland. He was himself a wealthy and enterprising merchant, and was regarded with peculiar dislike by the mob both as a traitor to his country, and as a member of that new commercial class which had hitherto monopolised all the advantages of the union. Some ominous indications of popular feeling excited his fears for the safety of the splendid mansion which he had recently erected, and having communicated his apprehensions to General Wade, the commander-in-chief of the government forces in Scotland, a detachment of one hundred and ten men was sent from Edinburgh to prevent disturbance. The 23rd of June, (1724) was the day on which the obnoxious malt-tax was to come into operation; and fears were generally entertained lest it would be made the occasion of a riot. It passed off, however, without any positive disturbance, though an "extreme restlessness" was exhibited by the populace. On the following day it was generally known that a body of English troops had been sent from Edinburgh at the request of the unpopular member. The presence of the military was at once interpreted by the masses as the evidence of a design to enslave their country; and the exciting cry was raised that Campbell had brought the soldiers, that he might establish military law, and butcher all his fellow-citizens who were patriotic enough to offer resistance. About midnight, the crowd, that had been dispersed all day into anxious groups here and there in the streets, gathered together, and were reinforced by thousands whom wild reports had brought out of their houses. The excited multitude, headed by a man disguised in a woman's dress, attacked Campbell's mansion, which they speedily demolished and laid in ruins.* Campbell himself was at the moment supping with the magistrates, who were congratulating each other that the danger was past. In the midst of their rejoicings, news came of the sudden rising of the mob, and the fate of the member's house. The troops had been quartered over the town; and on their commander, Captain Bushell, asking the provost if he should beat to arms, and assemble his men to operate against the mob, the chief magistrate was either unable or unwilling to return a definite answer. The rioters could therefore take their own time in dispersing from the scene of outrage. Next day, the troops were removed to the guard-house, which forthwith became the principal object of the mob's hostility. The sentinels were loaded with abuse and pelted with stones, until at length their patience was exhausted, and they were compelled in self-defence to fire upon their assailants. Eight persons in the crowd were killed, and a considerable number were wounded. Immediately a cry arose in the city that the English soldiers were wantonly slaughtering the inhabitants, and the citizens rushed to an old magazine of arms and provided themselves with the means of self-defence and of vengeance. The soldiers were in imminent danger of being torn to pieces by the infuriated mob; but at the urgent entreaty of the provost, they quitted the city, and retreated to Dumbarton, insulted and pursued by the populace a considerable part of the way.

Malt-tax riot in Glasgow.

When the tidings of this formidable riot reached Edinburgh, the celebrated Duncan Forbes, of Culloden, who had been recently appointed lord-advocate, immediately set out for Glasgow with a powerful force, consisting of seven troops of dragoons, a regiment of foot, an independent Highland company, and a field-piece. An immediate investigation was instituted into the origin of the outbreak, and the conduct of the provost and bailies, who were severely censured for their neglect of duty. The result of this inquiry was that several persons, along with the magistrates, were apprehended and conveyed to Edinburgh, to await their trial. The lord-advocate having refused to admit them to bail, they petitioned the court of justiciary on this point; and as the members of that court were far from being reconciled to the government, they ordered the petitioners to be released on bail. The refractory bailies returned to their own city amid popular demonstrations of

* Campbell received from the city the sum of £9000 in compensation for the loss occasioned by the riot. With this sum he purchased the Island of Islay from Campbell of Calder, a cadet of the Argyll family, and ancestor to the Earl of Cawdor, to whom this island, along with Jura, had been granted on the forfeiture of the Macdonalds. It may be mentioned as a striking proof of the rise in the value of land in Scotland, that Islay was lately sold to Mr. Morrison of London for £452,000.

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triumph; nor did they undergo any subsequent prosecution, though not a few of the Glasgow rioters were severely punished. The outcry against Captain Bushell for ordering his men to fire upon the mob without magisterial authority, made it necessary that he should be put upon his trial. He was found guilty, but received a royal pardon.

Strike of the Edinburgh brewers.

The opposition to the malt-tax was carried on in Edinburgh in a different way, yet with greater pertinacity. The court of session had issued very minute regulations regarding the price of ale, as if lawyers were better fitted to decide upon this question of trade than either brewers or purchasers. The brewers, having provided a large surplus stock of liquor, met and agreed to stop brewing, rather than comply with the regulations. Duncan Forbes was equally resolute that the brewing should go on, and threatened to commit the recusants to prison on a charge of conspiracy. In the end, the brewers were compelled to yield, finding the combined influence of the court of session and Lord Ilay too powerful to be resisted.*

The Duke of Roxburgh dismissed from office.

The various annoyances to government, which were of such frequent occurrence in Scotland, seemed to indicate that some of the government officials of that country were either incompetent for, or remiss in the discharge of, their duties; and, as a warning, the Duke of Roxburgh, the Scottish secretary-of-state, was dismissed, and the office was abolished.†

Prevalence of smuggling.

The malt-tax was only the commencement of fiscal troubles in the north. Scotland was as yet too poor to be placed on the same level as regarded taxation with the rich sister country; and the burdens imposed on the scanty and poverty-stricken population of the former were intolerable, though they had long been patiently borne by the prosperous inhabitants of the latter. Hence arose in Scotland strong temptations to smuggling, for which great facilities existed in the extensive sea-board of that country. The trade in contraband goods became all but universal, all classes giving it either an active or a passive support, and looking upon the bold smuggler as both a patriot and a hero. The revenue officials were utterly unable to repress or even to check the illegal traffic, since the whole community, instead of lending them assistance, did everything to thwart their operations. Those officials, who were either Englishmen, or Scotchmen chosen, as was alleged, on account of their treachery to Scottish interests, received but little support even from local authorities. If, in their occasional collisions with smugglers, they shed blood, they were at once prosecuted; and an outcry was raised that Englishmen should not be allowed to slaughter Scotchmen with impunity. At length these revenue quarrels led to a well-known tragic incident, familiarly termed "the Porteous mob," for which Sir Walter Scott has obtained an imperishable place in the literature and history of Scotland. The little seaport towns with which the coast of Fife is thickly studded, were at this time much frequented by bands of daring smugglers, who had been pirates and buccaneers in their youth, and were constantly at war with the revenue officers. One of these contraband traders, named Wilson, had, in revenge for several seizures and fines, determined to rob the collector of the customs in Pittenweem, and by the assistance of a youth, named Robertson, and two other accomplices, he succeeded in his design. The depredators, however, were apprehended and tried; Wilson and Robertson were condemned to death, and, as the government had been greatly exasperated, no hope was entertained of a pardon. While the criminals were lying in the Edinburgh Tolbooth, they succeeded, by the help of two horse-stealers who were confined in a cell immediately over theirs, in cutting the iron bars of one of the prison windows, some of the party singing psalms to drown the noise, while the others were filing the stanchions. One of the horse-stealers succeeded in passing through the aperture, and the others might have made their escape in the same way but for the obstinacy of Wilson, who doggedly insisted on making the next attempt. Unfortunately, being a stout and bulky man, he stuck so fast between the bars, that he was unable either to get through or to draw back. The jailer was therefore necessarily made aware of his position, and took effectual precautions to prevent any repetition of such attempts.

The Porteous mob.

Some noble qualities must have been mixed up with baser ones in the character of Wilson, for he now began to grieve more for his companion than for himself, and to feel bitter regret for the obstinacy which had destroyed Robertson's chance of escape. Secretly brooding over these thoughts, he formed the resolution to save his comrade's life at all hazards, without the least regard to his own. On the Sabbath before the execution, the criminals, according to the usual custom of the time, were taken to the Tolbooth church, adjacent to the prison, under the custody of four soldiers of the city guard, to listen to a sermon preached for their special benefit. On the dismissal of the general congregation, Wilson, who was a very powerful man, seized two of the soldiers, one with each hand, and a third with his teeth, and called out to Robertson to run. The latter, after a moment's hesitation, knocked down the remaining keeper, and effected his escape, none of the departing worshippers attempting to arrest the fugitive. The success of this daring achievement, though it rendered his own fate more certain, removed a heavy load from Wilson's mind, and excited so much sympathy in his behalf that it was generally rumoured there would be an attempt, either on the part of his old comrades or of the mob, to rescue him at the place of execution.

* Coxe's Walpole, vol. ii. p. 466; Culloden Papers.

† It was restored in 1731, but was finally abolished at the close of the '45.

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When the appointed day arrived for carrying the sentence into effect (14th April, 1736), it was found that the magistrates had taken due precautions to maintain the public peace, and to enable the law to take its course. A strong party of the city guard surrounded the scaffold, and a detachment of the Welsh Fusiliers stood under arms in the principal street of the city. Immense crowds had assembled, but their behaviour was orderly until the sentence had been executed and the lifeless body of Wilson had hung for some time, when suddenly the mob became excited, broke through all restraint, assailed the city guard with missiles, and made a rush to the scaffold. The boldest of the rioters cut down the body of Wilson, and began to carry it off. The city guard was under the command of Captain Porteous, an active officer, but a man of harsh and profligate manners, who had rendered himself odious to the populace by the severity with which he repressed their excesses, while it was alleged that he showed the utmost leniency to the rich and powerful. Porteous is said to have resented the escape of Robertson as an insult to the corps which he commanded, and also to have felt aggrieved by the introduction of the military detachment into the city, as if the regular town guard were unable to preserve the public peace. He was therefore disposed to vent his ill-humour upon Wilson, whom he regarded as the cause of these affronts, as well as on the mob, who favoured the unfortunate criminal. It appears that he was in a peculiarly surly and brutal mood on the morning of the execution, and it seemed to those who saw him, as if he were agitated by some evil demon. According to report, he treated Wilson with diabolical cruelty before leaving the prison; and when the riot began after the execution, several eye-witnesses swore that he not only ordered the city guards to fire upon the people, but seized a musket from one of his men, and shot one of the rioters dead on the spot. An Edinburgh crowd was never easily intimidated, and though six or seven persons were killed and wounded, by the first volley, the populace pursued the soldiers with furious execrations, and pelted them with stones. A second time the city guard turned and fired upon the people with fatal effect. Several of those who were killed or wounded belonged to the better class of citizens, who were viewing the scene from their own windows, and had taken no part in the tumult. The public indignation against Captain Porteous was therefore extreme, and he was brought to trial for murder before the high court of justiciary. He was found guilty, and sentenced to be executed in the usual manner on the 8th of September, 1736.

King George II. was at this time on the continent, and Queen Caroline, who as regent governed the kingdom during his absence, took a less unfavourable view of Porteous's conduct than had been taken by the Edinburgh jury, and a reprieve for six weeks was sent down from the secretary-of-state, preparatory, no doubt, to the granting a pardon. The tidings that a respite had been obtained by Porteous created great indignation among the citizens of the capital; they regarded the royal intervention in his behalf as a proof that the English government were disposed to treat the slaughter of Scotsmen by a military officer as a very venial offence; and a resolution was formed that Porteous should not escape the punishment which his crime deserved. On the night of the 7th of September, a small body of persons, apparently belonging to the lower class of citizens, suddenly appeared in a suburb of the city called Portsburgh, and began to beat a drum. A crowd speedily assembled and seized the West Port gate, which they nailed and barricaded. Then marching rapidly along the Cowgate, their numbers increasing at every step, they gained the High Street by ascending the various narrow lanes which lead up to it from the Cowgate. Their first step on reaching the principal street of the city was to secure the Netherbow Port, which led to the Canongate, where the Welsh Fusiliers were then quartered. Leaving a strong party to watch this important post, the mob next broke open the guard-house, disarmed the small corps on duty, and armed themselves with the guns, halberts, and Lochaber axes which they found in the guard-house. The greater part of the rioters then rushed to the Tolbooth, and with loud shouts commenced an attack upon the outer gate, while a strong body was posted on the east across the street, and another on the west, to prevent interruption. The magistrates made an attempt to disperse the mob, but having no adequate force at their disposal, were easily beaten back by showers of missiles, and compelled to retreat, leaving the rioters to work their will. The vigilance of the sentinels whom they had stationed in the upper part of the High Street effectually barred all access to the castle; no one would attempt the perilous task of carrying a written order from the magistrates to Colonel Moyle, who commanded the regiment stationed in the Canongate, and that officer prudently declined to act upon the verbal message conveyed to him by Mr. Lindsay, the member for the city.

Meanwhile the mob were fruitlessly striving with sledge-hammers and iron crows to break open the outer door of the Tolbooth, but its remarkable strength resisted all their efforts. A voice in the crowd at length cried out, "Try it with fire." Tar-barrels and other combustibles were immediately brought, and the door was speedily reduced to ashes. The keys of the various cells were produced by the jailer. The apartment in which Porteous was confined was searched, and the unhappy victim of the popular fury was found concealed in the chimney. He was immediately dragged from his lurking-place, and told to prepare for that death which justice had awarded him. In the midst of all their fury, the rioters conducted their violent proceedings with the utmost deliberation. The wretched man was allowed a

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entrust his money and papers to the care of a person who had been confined in the jail for debt, and one of the rioters offered him the last consolations of religion. He was then carried from the Tolbooth to the Grass-market, the usual place of execution, in the midst of the rioters, who walked with deliberate steps in a sort of procession, illuminated with blazing links and torches. So coolly and deliberately did they proceed, that when one of Porteous's slippers dropped from his foot, they halted till it was picked up and replaced. As they descended the Bow, they broke open the shop of a dealer in cordage, selected a coil of rope to serve as a halter, and left a guinea on the counter as payment. On reaching the common place of execution they were at a loss for a gibbet, as the gallows was kept in a distant part of the town. They found a dyer's pole, however, in the immediate vicinity of the spot where the gibbet was usually erected, and, selecting this as a fit instrument for their deadly purpose, they tied the rope round the neck of their victim, and slinging it over the cross-beam of the pole, speedily put an end to his sufferings and his life. As soon as they had satiated their vengeance, the rioters threw away their weapons, and quietly dispersed. When morning dawned, the dead body of Porteous suspended from the pole, the muskets and Lochaber axes scattered about the streets, were the only visible evidences of the tragedy which had been enacted.

The magistrates now resumed the government of the city, but they seem to have been so completely paralysed by the daring outbreak of the mob, that for a time they did not venture to take any steps to bring the rioters to justice. At length, on the arrival of the lord-advocate, Duncan Forbes, from Culloden, a reward of two hundred pounds was offered for the apprehension of any person concerned in the slaughter of Porteous; and the law officers of the crown exerted themselves to the utmost in tracing every perceptible clue that seemed likely to lead to the discovery of the culprits, but without success. Not one of the originators or principal actors in this audacious scheme of popular vengeance was ever detected. Two men were indeed brought to trial for their alleged accession to the riot—William McLauchlan, footman to the Countess of Wemyss, and Thomas Linnen; but McLauchlan, who was a person of weak intellect, proved that he was in a state of unconscious intoxication when he was laid hold of by the rabble, who forced a Lochaber axe into his hand in a sort of freak, and compelled him to accompany them to the place of execution: he was therefore acquitted. A similar verdict was returned in the case of Linnen, who was not brought to trial till two years after the riot. To this day the Porteous riot is still enveloped in mystery, and the daring and deliberate manner in which this deed of violence was executed, and the secrecy preserved respecting the actors in it, have always been regarded as peculiarly characteristic of the Scottish people.

Fruitless efforts to discover the rioters.

The tidings of the outrage of which the Scottish capital had been the scene excited great indignation in the council of regency, and especially in the mind of the queen, who regarded the riot as a gross insult to her own authority.* A bill was brought into parliament for the purpose of taking vengeance on the magistrates and citizens of Edinburgh, as if they had been accessories to the crime; and proposing, in a spirit of vindictive retaliation equally unjust and impolitic, to exact a pecuniary penalty from the city, demolish the Netherbow Port, take away the city guard, and disqualify the chief magistrate from holding any public office. This foolish measure was fiercely resisted by the Duke of Argyll, and the other independent Scottish members of both houses of parliament, and even met with the opposition of the crown lawyers of Scotland. In its progress through parliament the bill was gradually stripped of its most obnoxious clauses; and when it at length passed into a law, it merely levied a fine of two thousand pounds on the city of Edinburgh for the benefit of Porteous's widow, and declared the provost incapable of holding any office of trust throughout the empire. Unfortunately for the peace of the country, a clause was added, enacting that every minister of the Scottish Church should, on the first Sabbath of each month for a year, read from the pulpit a proclamation, mentioning the reward which the government offered to those who should give information respecting any persons engaged in the Porteous riot, denouncing punishment against all who should conceal their knowledge of the crime, and calling upon the congregation to do everything in their power to discover and bring the murderers of Porteous to justice. This enactment, which was the result of entire ignorance, on the part of the legislature, of the peculiar ecclesiastical principles of the Scottish people, excited a prodigious ferment in Scotland. A large portion of the clergy resented it as an unwarrantable interference with the rights and privileges of the Church, as well as an acknowledgment of the episcopal hierarchy, and a few positively refused to obey the injunction. A fierce controversy in consequence broke out between those ministers who did, and those who did not, read the proclamation, which contributed not a little to embitter the dissensions connected with the schism which had recently taken place in the Established Church of Scotland.

Penal measures against Edinburgh.

Obnoxious clause in the Porteous bill.

* "On this occasion it is still recorded in tradition," says Sir Walter Scott, "that her majesty, in the height of her displeasure, told the celebrated John, Duke of Argyll, that sooner than submit to such an insult she would make Scotland a hunting-field. 'In that case, Madam,' answered that high-spirited nobleman, with a profound bow, 'I will take leave of your majesty, and go down to my own country to get my hounds ready.' The import of the reply had more than met the ear."

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CHAPTER LXI.

ECCLESIASTICAL HISTORY.

A.D. 1712—1820.

THE causes which led to the first secession from the Church of Scotland had long existed, and been gathering in strength.* The people knew what the Reformation had conferred on their fathers, and at a later period they had suffered and bled from their attachment to a church which had grown out of the heroism of Knox, and been moulded by the wisdom of Melville. They were aware of the rights which such charters as the Books of Discipline had intended for them, and they relished that preaching which gave uniform prominence to the doctrines and phraseology of the Westminster Confession. Thirty years had been vainly spent by the Stewarts in attempting to beat down the national feeling which, in its wilder ardour, had fought at Drumclog, and in its serener bravery had sung psalms in the dungeons of the Bass, and won its crown on the scaffolds of the Grass-market. The ecclesiastical settlement effected at the Revolution did not secure what many had hoped for. It was dictated by policy. It did not restore the platform of 1638, but adopted the ratification of 1592. Its object was to restore peace and order, to put an end to agitation, and by the aspect of moderation to curb extremes, to take away all pretext for violence, and induce all classes of the people to exhibit a loyal spirit to the new occupants of the British throne. King William wished for universal toleration, though he had no liking to any form of ecclesiastical independence. He was willing to accede to the wishes of the people, not because they were either just or scriptural, but because they were deeply cherished and had been openly expressed. If Scotland should will the abolition of prelacy, he would not thwart the desire; and if it had coveted a modified form of episcopal jurisdiction, he would as gladly have sanctioned the measure. Such views were right in themselves, and were especially so in a statesman who knew that coercion was folly, and whose path to the crown of the three kingdoms had been opened by the stupid intolerance of his predecessor. Besides, the king was afraid to excite the anger of the English episcopalians by the appearance of any hard or cruel measures towards their brethren in the north. Nor did he believe in the divine right of any form of church government; he was himself a presbyterian at the Hague, and an episcopalian at Whitehall, and was willing that any form of spiritual jurisdiction which the people preferred should be secured to them, provided it yielded to the royal superintendence and control.

Review of causes of secession.

But the means employed to bring about these ends were somewhat suspicious to the Scottish presbyterians. If the Episcopal Church in Scotland could have been transmuted into a presbyterian community at once, and without either effort, examination, or commotion, the men at the head of affairs in Edinburgh and London would have rejoiced. Though the change could not be so easily and universally effected, for conscience and principle were deeply involved, and commanded respect, the method actually employed was not dissimilar in spirit and process. The first parliament which met after the Revolution declared that prelacy was "a great and insupportable grievance to this nation, and contrary to the inclination of the generality of the people ever since the Reformation." Only in a general sense was this averment correct. Presbyterianism as against episcopacy could certainly reckon on a decided majority; yet the form of presbytery which many desired would have been exceedingly unsatisfactory to the three western counties, where the covenants were upheld with fervid and uncompromising zeal. But a census, were there no descent into explanations or details, would have shown a preponderance for presbytery; and for this plain reason prelacy was declared to be abolished, and the intolerable yoke was promptly broken. In the second session of the same parliament presbytery was established, and the ministers who had been ejected at the Restoration, and still survived, were restored to their position and authority. But how shall this second decree be carried out? Shall there be an ejectment, as had happened already? Shall presbytery in power retaliate on episcopacy dislodged and powerless? There is no doubt that many would have wished this, and rejoiced in it, too, as an act of righteous retribution. For in many parts of the west the masses took the laws into their own hands, and "rabbled" the curates. Zealots were ready to inflict judgment in imitation of the old heroes who had broken the altars of Baal, and to reckon those who hung back from the fray as lukewarm Laodiceans, or men of Meroz, on whom of yore the warlike prophetess invoked her heaviest curse. Nearly two hundred incumbents were expelled by this illegal and summary process. But though a ruthless extreme is wrong, it is only equitable that none hold office in a church who cannot acquiesce in its creed and discipline. At the same time the episcopalian conscience ought neither to have been bribed nor snared by any vague subscription or equivocal declaration. On the first convention of the estates they inserted in their Claim of Right the abolition of episcopacy. The privy-council had also ordered every minister to pray for William and Mary, on pain of deprivation; and in the eastern parts of Scotland, south of the Forth, many had been ejected for non-compliance. Parliament had also authorised the sixty presbyterian ministers who survived, "to try and purge out all insufficient, negligent, scandalous and erroneous ministers by due course of ecclesiastical process and censures."* These veterans found certainly abundance of work, though they

Reception of episcopalian ministers.

Effects of the king's policy.

* See Chap. LIV. *supra*.

* Burton's History of Scotland, vol. i. p. 212.

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lay claim to great impartiality in the performance of it. The General Assembly, which had not met for thirty years, was convened on the 16th of October, 1690; and when these sixty ministers, who had been ejected at the period of the Restoration, took their seats, they showed not only no desire to Retaliate, but rather facilitated the admission of their episcopalian antagonists. The record of their proceeding bears—"that it was not the mind of the assembly to depose any incumbent simply for his judgment anent the government of the church, or to urge reordination on any incumbent whatsoever." This declaration seems to reserve the right of judgment in matters of doctrine and character. That the latter element was before their mind is plain from another portion of their minutes, which warns the Commission to be "very cautious of receiving accusations against the late conformists, and that they proceed in the matter of censure very deliberately, so as none may have just cause to complain of their rigidity." Such examinations into the lives of many of the "late conformists" was all the more necessary, if, as Burnet asserts, many of them were openly vicious, "a disgrace to their order and the sacred functions, and indeed the dregs and refuse of the northern parts."

The ministers who formed the Assembly, now that presbytery was re-established, were anxious that its restoration should, in unison with the wishes of the government, be accompanied with as little noise and hardship as possible. Accordingly, at subsequent assemblies, as in 1694, they enjoined the Commission "to receive into ministerial communion such of the late conformist ministers as, having qualified themselves according to law, shall have subscribed the formula,"—that formula being simply a declaration of fact, "that the church government, as now settled by law, is the only government of this church." This rather latitudinarian measure was productive of fatal consequences; and it was inconsistent in a church which regarded presbytery as a divine institution, and had suffered so grievously for such a belief, so to tamper with its own convictions and creed. If the presbyterian form of government was not worth upholding after the Revolution, it was not worth fighting and dying for after the Restoration. If so many ministers, to preserve a pure conscience, had suffered the loss of all things,—been exiled and hunted, scourged and imprisoned, at so recent a period as the reign of the second Charles,—why should they not have maintained their convictions now? why cast disrespect on their fathers by declaring presbytery to be only a matter of fact, and of political enactment—a thing done, and which no man might undo, under civil pains and penalties—an organization into which any one might be taken who was so supple as to bow to present arrangement without regard to the principles which it implied, or the measures by which it was secured? Surely some other method, that partook less of worldly expediency, might have been devised. But, in fact, the whole initiatory movement of the church was Erastian. It submitted to the dictation of the political powers, and had no independent action: nor, indeed, would such action have been willingly allowed it. William's whole purpose was to keep it in check. The privy-council had inflicted ecclesiastical punishment on the recusant curates, and the parliament summoned the presbyterian remnant into official existence, and not only prescribed its work, but told it in what spirit the task was to be pursued. Such servile conduct on the part of the Church leads us to infer that the spirit of Rutherford, Henderson, and Gillespie had departed from its councils. The restored establishment might have been conservative without being intolerant, and might have guarded its own purity without disturbing the peace of the realm. Under the measure to which we have referred, the majority of curates admitted must have been those who could bring little honour or service to the Church; while those whose enrolment would have been an acquisition, preferred exclusion to compromise, and deprivation to position in a church whose constitution they had regarded as being so erroneous that it merited extirpation by fire and fagot, and at the same time so novel as to be only an importation of recent years from Geneva. So that the persons admitted were, in too many instances, the class described by Burnet "as generally very mean and despicable in all respects, and the worst preachers which he had ever heard." The number of such admissions was great, for the Assembly holds this boastful language to Queen Anne in 1712:—"We cannot but lay before your majesty this pregnant instance of our moderation, that since our late happy establishment there have been taken in and continued hundreds of dissenting ministers on the easiest terms." There began in this way, at an early period, a gradual deterioration in the pulpits and courts of the Church of Scotland, and a gradual separation of her ministers into two parties. The facile remnant of the old episcopacy, so easily and opportunely converted into presbyterian pastors, only exchanged their surplice for a Genevan gown, and read homilies instead of prayers. No wonder that the accession of so many aliens was viewed with suspicion by the pious portion of the country, for it was soon found to be exercising a deleterious influence over the preaching and the polity of that church for whose freedom and rights the best blood of Scotland had been so profusely shed. The church of the Revolution settlement was thus founded in compromise; and, while it was openly branded as lax and perfidious by the covenanters without, its pliancy was painful to not a few within its own pale.

Oath of abjuration—non-jurants.

In the reign of Anne other causes of dissatisfaction arose. The oath of abjuration proved a great stumbling-block.* To make the swearing of it a qualification to sit in church courts was specially objectionable to many, for it really created a new test or ministerial qualification, having not a religious but a political basis. In that oath, too, the

* M'Kerrow's History of the Secession, pp. 6, 7.

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succession to the crown was limited to the communion of the Church of England, and many good men did not comprehend how they could, at the same time, maintain the oath of the covenants and the oath of abjuration—or how they could swear to uphold presbytery the one day and prelacy the next. They were entangled in a contradiction from which they could not escape. It was a hard dilemma to affirm on oath that presbytery alone was agreeable to the word of God, and then to stultify themselves with another asseveration, also on oath, that none but an anti-presbyterian, pledged to support the "black prelacy" of England, could sit on the throne of the realm. The imposition of such an oath was a piece of impolicy. It was not needed. The presbyterian clergy were decidedly loyal, and to them the oath was unnecessary; for the Jacobite episcopalians, who clung to the house of Stewart, refused to take the oath, and though it had been specially prepared for them, it was not enforced. Superfluous legislation is about as bad as no legislation, and the consequence was that the jurants and non-jurants were separated,—that the people respected and venerated the latter as of a nobler type than their opponents, and that two parties, that of the court and that of the people, became more distinctly marked in the assemblies of the Church of Scotland.

Modes of electing ministers.

The first and second books of Discipline had provided for the people the right of choice in the election of their pastors. The first book declares, "No man should enter in the ministry without a lawful vocation. The lawful vocation standeth in the election of the people, examination of the ministry, and admission by them both. No minister shall be obtruded on any particular kirk without their consent. It appertaineth to the people and every several congregation to elect their own ministers. It is altogether to be avoided that any man be violently intruded or thrust in upon a congregation; but this liberty with all care must be reserved, for every several church to have their votes and suffrages in the election of their ministers."* The second book of Discipline does not warrant so free and full a franchise. But it distinctly enacts as follows:—"In the order of election it is to be eschewed that any person be intruded in any offices of the kirk, contrary to the will of the congregation to which they are appointed, or without the voice of the eldership. Election to any office that vakes is declared to be by the judgment of the eldership, and consent of the congregation."† The direct choice, or initiative, lay with the elders, but it took no effect unless sanctioned by the will of the people. In 1649 patronage had been abolished as an evil and a bondage, contrary to the word of God—originating in popish ignorance, and opposed to the second book of Discipline. But this act was rescinded by the parliament of 1661, and all persons who had entered on benefices by the popular choice, were required either to accept a presentation or to quit their parishes. It is needless to say that many suffered ejectment. At the Revolution, and after the abolition of episcopacy, the question of patronage came up naturally for discussion. William was not a little perplexed about the settlement of it. He was very unwilling to consent to its abolition, "Such an abolition," said he, "is the taking of men's property."* It was agreed, however, that patronage should be abolished, and that patrons should receive pecuniary compensation. A sum amounting to about forty pounds was to be awarded to each patron, and the power of election was lodged in the heritors and session, the privilege of approval or dissent being still given to the congregation. So long as this law continued in existence, it seems to have wrought harmoniously, and to have given general satisfaction.†

Restoration of patronage.

But the statesmen of Queen Anne could not tolerate this manifestation of popular right, and resolved to abolish it. Accordingly, in 1712, it was enacted that patronage should be restored, one alleged ground being that popular elections, as exercised under the Revolution settlement, had proved inconvenient, and had occasioned great heats and divisions. The General Assembly remonstrated, and sent a deputation to London charged with a petition. But that petition, which was addressed "To the most Honourable the Peers of Great Britain," could not be received in its first form, for it ignored the prelates. In spite of every remonstrance the act passed—five bishops, however, voting against it. The great landowners now became parochial dictators, and often without any scruple thrust upon unwilling churches their own creatures and nominees. It is true that at first many ministers refused to be inducted over recusant or even indifferent congregations; but this "laudable squeamishness," as Dr. M'Kerrow calls it, was soon conquered. Presbyteries, too, refused for a season to ordain presentees if there was resolute opposition to them; but this fidelity gradually disappeared. Some patrons waived their right, and the presbyteries filled up the vacancies, or by the action of the *jus devolutum* exercised their undoubted privilege. But in a few years violent settlements became frequent throughout the country, and the military were summoned into several parishes to preserve the peace during the ordination of an obnoxious presentee.‡ Appeals on the part of the insulted

* Chap. iv. † Chap. xii.

* Macaulay's History, vol. iii. p. 694.

† *Supra*, chap. liv.

‡ The following scene took place at the serving of an edict:—"These and such like things were done to terrify the people; and yet, for all that, these gentlemen and the two ministers that were to serve the edict, being conscious to themselves of the badness of their cause, and what an evil part they were acting, thought not fit to do it until they got a troop of dragoons to be a guard to them; and, accordingly, November 17, 1717, being the Sabbath-day, they came to Bathgate, and when approaching the town they caused beat their drum, and draw their swords, and in this posture came through the town, guarding the ministers into the church, riding and striking, with their naked swords, at the women and others standing gazing upon the wayside, which was a melancholy Sabbath in Bathgate, the Sabbath-day being much profaned, not only by the people

parish against such oppression were a common resort, but they generally failed in obtaining redress from the General Assembly. The assembly that had at length yielded to the law of patronage, had no alternative but to carry it out. Having stooped to the yoke of civil authority, they could not but wear it. The power which had been allowed to modify patronage was surely competent to restore it. A remonstrant party existed which would not succumb, and would take no part in intruding a minister upon a people arrayed against him. To guard against such a form of protest, to secure that a presentee should be ordained whether the neighbouring clergy concurred or not, the assembly in 1729, in violation of its constitutional forms, introduced a new machinery, and appointed committees of unbounded power, to superintend and execute their tyrannical acts of intrusion. So smartly and summarily did those "riding committees" execute their task, that in 1730 no less than twelve appeals by reclaiming congregations, including such parishes as Renfrew, Dunblane, Kinross, and Balfron, came before the Assembly. Calls had been sustained without even the formality of a moderation, and even without consulting the presbytery, in whose bounds the moderation was to take place. The sentences of synods were occasionally reversed by the same dictators. Nay, when the presbytery of Chirnside was enjoined to attend a violent settlement in the parish of Hutton, and when they had refused, and wished their dissent against such an imperious order to be marked, the assembly ruled that their request be refused, and further resolved "that no reasons of dissent against the determinations of church judicatories should be in time to come entered on record." The very privilege of complaint was thus taken away, and the injured were shut up to a dumb resignation. Constitutional freedom was at an end; the last trace of right had gone; and the General Assembly, in its tyrannous majorities, had become a mere creature of parliament. The statesmen in London wished to have a subservient church in Scotland, and their artful measures had triumphed. The cries and remonstrances of the people, and of the popular party among the clergy, were either unheard or contemned. The usual result happened. While the one party rose in its pride, the other became more defiant in its opposition.

Extreme measures taken by the Assembly.

At length the last vestiges of protection were swept away. If a patron did not present to a parish within the first six months of its vacancy, then by law, and by a process technically called *jure devoluto*, the presbytery stepped in and proceeded to induct a minister. This transferred right had been exercised according to the spirit and temper of the respective presbyteries. Some courts had handed over the election to the people, and others had nominated presentees. But now, under the pretence of securing uniformity, the assembly was overtured to pass a law, that in all cases of *jus devolutum*, the choice should not be left to the people, but that the minister should be chosen by a majority of the heritors and elders, if Protestant. The object was plainly to discourage such stray cases of popular election as did occasionally happen when the patron neglected or declined to exercise his right. The people soon learned that the "Protestant heritors," on whom the right of choice now devolved, might not be resident in the parish, that they might be either Jacobites or infidels, or that they might outnumber the elders; and they came to the conclusion that the Assembly cared as little for their franchise as did the parliament. But the Barrier Act* necessitated the sending down of such an overture for the consideration of presbyteries, and future action could be taken only according to the reports sent up from them. When the Assembly met in 1732, it was found that eighteen presbyteries sent no reports, that only six approved of the overture, while twelve gave it a conditional sanction, and no less than thirty-one presbyteries rejected it. But in spite of this difference of opinion among the presbyteries, the Assembly, as if it had consulted Escobar, pursued a peculiar calculation, and boldly passed the overture into a law. Mr. Erskine, of Stirling, and some other ministers, who usually acted with him, protested against this decision as being unconstitutional; but the assembly refused either to receive or record their protest. In such circumstances forty-two ministers addressed a paper of grievances to the Assembly, but the document was not allowed to be read; and a similar manifesto, signed by seventeen hundred elders and laymen, was also rejected with deep contempt. Tyranny so gross and wanton created a powerful hostility to itself in the national mind. The alarm and excitement on the part of many became prodigious. All that they had looked upon as precious in the church of their fathers had been gradually destroyed; the "carved work" was broken down, and the heritage was desolate. A crisis had come, and on the 10th day of October, of the same year, Ebenezer Erskine, as moderator of the synod of Stirling and Perth, delivered that discourse which led to the first secession.

Results.

The exercise of patronage had thus for many years had an injurious influence upon the pulpit. Neither talent nor piety could of itself insure a speedy settlement to a young licentiate. If he could not ingratiate himself with the patrons—those "lords over God's heritage"—or find some one to recommend him to

of the place, but by many coming from other parishes to see a new way of propagating the gospel by red-coats, booted apostles officiating as elders."—*Letter to a Minister concerning the Parish of Bathgate*, 1720, p. 18.

* The Barrier Act—the ninth act of the General Assembly, 1697—requires, "That before any General Assembly of this church shall pass any acts which are to be standing rules and constitutions to the church, they be remitted as overtures to the consideration of the several presbyteries, and their opinion and consent be reported by their commissioners to the next assembly, that they may pass the same into acts if the more general opinion of the Church agree hereto."

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them, all spheres of usefulness were closed against him. The people felt it to be an insolent oppression when the lord of the manor nominated their spiritual teacher, and expected them to bow without a murmur to his dictation, even when a presentee, without talent, character, or piety, was about to be thrust upon them.

Controversy about doctrine.

But parallel to all this usurpation, there was another and melancholy cause of discontent. The Church had not only been rapidly secularised in the way we have endeavoured to describe, but doctrinal laxity had kept pace with obsequiousness to court and parliament. Christ's crown, to use the language of the times, was not only bartered away, but the cross on which he had won it with His blood was also dishonoured. The great end of the spiritual constitution of the Church must have been sadly undervalued by the dominant party in the Assembly; and such a defection must have been, to some extent, accompanied by indifference to evangelical truth. The Secession had its origin as much in a prolonged struggle for purity of doctrine as for freedom of administration. What was regarded on the one hand as error had not been put down; and what on the other hand was cherished as the most precious truth, had been discountenanced by the General Assembly. By truth we mean not merely what is thought to be sanctioned by the word of God, but what is clearly taught in the Westminster books—the authorised creed of the Church. For the men who had subscribed those documents ought surely to have believed them; and he who subscribes what he does not believe, only writes himself a liar. And if at any subsequent time the subscriber's mind should change, his plain course is, if he cannot bring the church over to his view, to withdraw and resign his position and emoluments. To subscribe a creed and yet to oppose and undermine its doctrines, must not only be branded as heresy by the orthodox, but will be stigmatised as treachery by the world. It was not to be expected that the hundreds of curates so easily admitted could be the staunch defenders of Calvinism, for the Arminianism of Laud had been imported into Scotland along with the episcopal ceremonial. A spirit of lethargy had crept over the Church, and its political security had proved to it a spiritual snare. As a struggling church it had been honest and zealous,—as a protected church it had become supine and dead. The truth was highly prized when it suffered for it, but attachment to it weakened as it enjoyed repose.

Process against Professor Simson.

In the year 1714, Mr. Webster, one of the ministers of Edinburgh, brought under the notice of the Assembly some reports as to the teaching of Mr. Simson, professor of divinity in the College of Glasgow. The Assembly declined to enter on such business, but allowed Mr. Webster, if he chose, to libel the professor at the bar of presbytery of Glasgow. Mr. Webster did libel the authorised teacher of theology, and he in his replies gave utterance to several erroneous statements. The case came before the Assembly the following year, but was not disposed of, nor was it finished till 1717. The professor was dismissed from the bar with an injunction to be more cautious in time to come. Yet among the tenets taught by Professor Simson was the following Pelagian errors:—"That it is inconsistent with the justice and goodness of God to create a soul without any original righteousness, or any disposition to do good; and that the souls of infants since the fall, as they come from the hands of their Creator, are as pure and holy as the souls of infants would have been created supposing man had not fallen; and that they are created as pure and holy as Adam was, except as to those qualifications and habits which he received as being created in an adult state." The language of this paragraph, on being strictly analysed, will be found to be very ambiguous, and an ingenious man could easily fence round its statement. If the youth in training for the Scottish pulpit were to imbibe such teaching, fatal results might be well predicted; and the Assembly, while regarding his instructions as erroneous, yet so far sympathised with the instructor as not to visit him with any ecclesiastical censure.

The Auchterarder test.

It was also ominous that the same assembly stoutly condemned evangelical truth. The presbytery of Auchterarder, in its zeal against Arminianism, had introduced a new test into the trials it presented for the licence of candidates. This innovation was unconstitutional; but it was not judged of by this easier test,—it was tried upon its merits. One of the propositions to which each candidate for licence was expected to assent ran in these terms:—"I believe that it is not sound and orthodox to teach that we must forsake sin in order to our coming to Christ and instating us in covenant with God." The proposition is not very happily worded, but its purport cannot well be mistaken. The Assembly heartily condemned the Auchterarder creed as "unsound" and "detestable," and, therefore, were supposed to give countenance to the delusion that men must save themselves as their qualification for coming to the Saviour,—must heal themselves before they resort to the physician. It is nevertheless true, on the other hand, that if a man persist in sin, he evinces no sincerity of desire to receive salvation.

The "Marrow" controversy.

The columns of this history are not the fitting place to enter into any lengthened account of the theological discussions which occupied the Church for many successive years. The controversy to which we refer was keen and protracted, and the very fact of its existence shows that the Church had lost to some extent its old polemical acuteness, and its zeal for Calvinistic truth. The "Marrow of Modern Divinity" was the work of Edward Fisher, of Brazennose College, Oxford. It had been recommended by several divines of the Westminster assembly, and had gone through many editions, though it was now reprobated by Scottish divines

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who had subscribed the Westminster symbols. A copy had been brought into Scotland by a puritan soldier, and Boston, then minister of Simprin, found it accidentally in a farm-house, in the course of his pastoral visitations. Some years afterwards Boston recommended the "Marrow" to his clerical friends, during the discussions about the Auchterarder test, and it was reprinted in 1718, under the editorial care of Mr. Hog, the minister of Carnock. The treatise, consisting of quaint and stirring dialogues, throws into bold relief the peculiar doctrines of grace, occasionally puts them into the form of a startling proposition, and is gemmed with quotations from eminent Protestant divines. The publication of the "Marrow" threw the clergy into commotion, and by many of them it was violently censured. But not a few of the evangelical pastors gave it a cordial welcome, and among multitudes of the people it became a favourite book, next in veneration to the Bible and the Shorter Catechism. In 1719, its editor, Mr. Hog, wrote an explanation of some of its passages; but in the same year, Principal Haddow, of St. Andrew's, opened the synod of Fife with a sermon directed against it. The synod requested the publication of the discourse, and this step was the signal for a warfare of four years' duration. The Assembly of that year, acting in the same spirit with the synod of Fife, instructed its Commission to look after books and pamphlets promoting such opinions as are found in the "Marrow," though they do not name the book, and to summon before them the authors and recommenders of such publications. The Commission, so instructed and armed, appointed a committee, of which Principal Haddow was the soul; and before this committee, named the "Committee for Purity of Doctrine," four ministers were immediately summoned. The same committee gave in a report at next assembly of 1720, in the shape of an overture, classifying the doctrines of the "Marrow," and solemnly condemning them. The paper was prepared with a malignant dexterity. It selected several passages which were paradoxically expressed, while it severed others from the context, and held them up as contrary to Scripture and to the Confession of Faith. The passages marked for reprobation were arranged under distinct heads,—such as the nature of faith, the atonement, holiness, obedience and its motive, and the position of a believer in reference to the law. The committee named them as errors, thus:—universal atonement and pardon; assurance of the very essence of faith; holiness not necessary to salvation; and the believer not under the law as a rule of life. Had the "Marrow" inculcated such tenets it would have been objectionable indeed. The report was discussed, and the result was a stern condemnation of the "Marrow;" and "the General Assembly do hereby strictly prohibit and discharge all the ministers of this church, either by preaching, writing, or printing, to recommend the said book, or in discourse to say anything in favour of it; but on the contrary, they are hereby enjoined and required to warn and exhort those people in whose hands the said book is or may come, not to read or use the same." That book, which had been so highly lauded by many of the southern divines—such as Caryl and Burroughes—by the men who had framed the very creed of the Scottish Church, and who were universally acknowledged to be as able as most men to know truth and detect error—was thus put into a presbyterian *Index expurgatorius*. Nobody can justify the extreme statements of the "Marrow," but their bearing and connection plainly free them from an Antinomian tendency. In fact, some of the so-called Antinomian statements condemned by the Assembly, are in the very words of inspiration. But the rigid decision of the Assembly only added fuel to the controversy which it was intended to allay, and the forbidden book became more and more an object of intense anxiety and prevalent study. The popular party in the Church at once concerted measures to have that act repealed. Consultations were repeatedly held by a section of the evangelical clergy, and at length it was agreed to hand in a Representation to the court, complaining of the obnoxious decision, and of the injury which had been done by it to precious truth. This Representation was signed by twelve ministers,* and it briefly called the Assembly's attention to the fact that it had condemned propositions which are in accordance at once with the Bible and the symbolical books.

Condemnation of the "Marrow."

The Representation was not discussed by the Assembly, which was dissolved by the sudden indisposition of the Earl of Rothes, the royal commissioner, but was handed over to the Commission. After no little debating, a series of queries was put into the hands of the representers, to which answers were prepared by Ebenezer Erskine and Mr. Wilson of Maxton, and given to the Commission in March, 1722. The same business had a prominent place in the following assembly, and an act was passed intended to explain, and also modify the previous finding regarding the "Marrow." The Assembly, at the same time, issued a long declaration, and "strictly prohibit and discharge all the ministers of this church, to use by writing, printing, preaching, catechising, or otherwise teaching, either publicly or privately, the positions condemned, under pain of the censures of the Church, conformed to the merit of their offence; and do ordain the several presbyteries, synod, and commissions of the General Assembly of the Church to take particular care that the premises be punctually observed by all ministers and members of this church, and more especially the presbyteries and synods within whose bounds any of the brethren reside who signed the Representation; and because of the injurious reflections

* The names of the twelve were—Messrs. James Hog, Carnock; Thomas Boston, Etterick; John Bonar, Torphichen; John Williamson, Inveresk; James Kidd, Queensferry; Gabriel Wilson, Maxton; Ebenezer Erskine, Portmoak; Ralph Erskine and James Wardlaw, Dunfermline; Henry Davidson, Galashiels; James Bathgate, Orwell; and William Hunter, Lilliesleaf.

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contained in these representations, the Assembly do appoint their moderator, in their name, to rebuke and admonish them, and though their offence deserves a much higher censure, yet the Assembly forbears it, in hopes that the great lenity used towards them shall engage them to a more dutiful behaviour in time coming."

How could the men who had contended for what they deemed to be the truth, bear with such a decision against it? They might submit to the rebuke as a matter of order, and they did so: but how could they be silent about the truths which they deemed of such value—truths which they had sworn, at their ordination, to avow and defend? How could they shut their lips regarding the command of the Assembly? Could their conscience be fettered by an ecclesiastical act? They therefore laid upon the table of the supreme court a protest, which, had the Assembly dealt with in the spirit it afterwards displayed, would have turned the Marrow-men into seceders. Its bold and unmeasured terms, couched in barbarous and technical phraseology, were these:—"We do protest that we look on the said fifth act of assembly, 1720, as contrary to the word of God and to the aforesaid standards of doctrine and covenants, and of which we have complained in the aforesaid eighth act, as of dangerous consequence thereto, and that, therefore, we dare not in any manner of way, no, nor by silence, consent unto or approve of them, nor the acts of assembly relative thereunto; and that it shall be lawful to us, agreeable to the word of God and the standard of doctrine aforesaid in this church, to profess, preach, and still bear testimony unto the truths condemned or otherwise injured by the said acts of assembly, notwithstanding of the said acts, and whatsoever shall follow thereupon; upon all which we take instruments and crave extracts."

Protest against the act of assembly.

It is somewhat amazing that the Assembly did not take instant steps to maintain its authority and punish this open insubordination. But the royal letter had contained in it some hints and warnings as to the maintenance of peace at all hazards; and to this caution the reverend court loyally submitted. The friends of the Marrow doctrine were, however, exposed to annoyances in various parts of the country, and had need of patience under severe and repeated provocations. They held clear views of divine truth, though many of their opponents erred not from enmity to it, but from want of just conceptions. The connexion between the law and the gospel was one of the points in principal dispute, and the views entertained by the Marrow-men are now generally held by all evangelical churches, and may be seen reasoned out with deep and luminous arguments in the works of Riccalton, and the published theology of the late Dr. Chalmers.

Further procedure.

In four years from this date, Professor Simson again attracted further notice. The reports concerning his teaching were so notorious that the presbytery of Glasgow moved for an inquiry. A committee was appointed to meet with him; but he declined an interview, and sent a letter to the presbytery stating what were his views of the Trinity.* This document not being deemed satisfactory, a committee was appointed to report upon it. Meanwhile the Assembly met in 1726 and enjoined the presbytery of Glasgow to proceed with all speed. Charges of no ordinary nature were at length made against the professor. He was accused, indeed, of disobeying the injunction of 1717; but, as if emboldened by the previous lenity shown him, he had also taught a species of Arianism from the chair of divinity. It was found that he had instructed his students "that the necessary existence of the Son is a thing that we know not; that the phrase 'necessary existence' was impertinent, and not to be used when speaking of the Trinity; that the three persons of the adorable Trinity are not said to be numerically one in substance or essence; and that the terms necessary existence, supreme deity, and the title of the only true God may be taken, and are taken by some authors, in a sense that includes the personal property of the Father, and so not belonging to the Son." Two libels were served upon him, and as little pains taken to prove them by the testimony of students and other sources of evidence. But Professor Simson was often more than a match for his antagonists. He was given to subtle refinements, and was far superior in acuteness to many of the rural clergy by whom the process was conducted. He was, as Wodrow says, "no way dashed or sunk," and the historian naively adds—"Whether this proceeds from his reckoning upon the worst, or his consciousness how far he was superior to us, or on his thinking so, or from what other reason, I do not know." It is true that when the questions became more pointed, Professor Simson avowed his belief in the doctrines of the Westminster Confession—a statement out of all harmony with what had been proved against him. He was one of those men who unsettle their minds by metaphysical speculations—who learn to doubt and argue, and hesitate—who pride themselves on their superiority to vulgar belief, and only perplex themselves by their extreme minuteness in defining the terms which such inquiries involve.

Second process against Professor Simson.

The evangelical and popular party thought that such errors as those of Professor Simson warranted deposition, and unfitted the person who held them from occupying either a chair or a pulpit in the Church of Scotland. But the professor had a powerful party of friends, who did not wish to see the triumph of their antagonists, and had resolved to discourage every kind of earnestness, either in doctrine or practice. A committee was appointed to issue the business. Professor Simson was induced to w

Issue of the process.

* In reading Pictet's theology with his students, he told them that when Christ is called *summus Deus*, the expression is to be taken *cum grano salis*.

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a modification of some of his statements, and it was carried, at length, that he be suspended from preaching and teaching, and the case sent down to the inferior courts, for the purpose of being reported on at next Assembly. The majority of presbyteries reported that he should be deposed, but the assembly, when it met, was the scene of keen and protracted debate, and the sentence of the prior year was, after some manœuvring, confirmed. Professor Simson was not allowed to teach, but was continued in fellowship with the Church, and in enjoyment of all his official emoluments. Such was the lenient sentence pronounced against the man whose errors and clever defences had kept the Church in a ferment for four years. The Marrow-men had met with no such clemency as he did, who was poisoning truth at one of its fountains. Against this final decision, Boston, author of the "Fourfold State," stood out as a solitary protester.

Process against Professor Campbell.

To show the prevailing spirit of the General Assembly,—how, in its anxiety for peace and hatred of all disturbance, its moderation deepened into indifference,—we might refer here to the case of Professor Campbell of St. Andrew's—a case that occurred between the suspension and deposition of the seceding ministers. His logic and theology were both eccentric and extraordinary, flimsy in substance and arrogant in spirit, the product of an ill-balanced mind, which deemed originality to consist in extreme opinions. In his "Inquiry into the Original of Moral Virtue," he resolved all virtue and piety into self-love, as if generosity and sympathy were fallacious disguises, having no place in man's nature, and none in the example of Christ or the precepts of Scripture. In his *Oratio de Vanitate Luminis Naturæ*, he had, by the excess of a juvenile logic, so exaggerated his theme as to affirm that the light of nature cannot enable men to discover the existence of God—a statement in utter opposition to the apostle's argument in the first chapter of the epistle to the Romans, where he affirms that the Gentile world, though it has no revelation, is without excuse in refusing to recognise and worship the one supreme Creator. Yet Campbell held, on the other hand, that natural religion is in itself a sufficient guide to happiness and virtue, thus denying the necessity of a divine revelation. Again, in another publication, where he attempted to prove that "the apostles were no enthusiasts," he carried his vindication to the absurd length of maintaining that they were so ignorant of their Master's character and claims between his death and resurrection as to deem him an impostor; and, therefore, in maintaining that they were not visionaries, he thought it necessary to make them sceptics and fools. He missed the mark by the boyish feat of overleaping it. The Assembly dealt very leniently with such teaching, or, as they named it, these "supposed errors," accepted the professor's strained explanations, and simply issued an order enjoining caution on ministers and teachers of divinity, and urging them "not to use doubtful expressions or propositions which may be construed in an erroneous sense, or lead the readers or hearers into error, however sound such words or propositions may be in themselves."

Review of the assembly's conduct.

When we reflect on the terrible explosion caused by "the Marrow," and compare the prompt asperity of the dominant faction against its distinctive tenets, with the tardy and indulgent processes against Professors Simson and Campbell, we cannot but feel the depth and rapidity of that degeneracy which had fallen on the church of the second Reformation. The power of the pulpit was gone, to a great extent; the preaching of a free and unrestricted gospel was frowned upon; the sermon which was wont to be full "of doctrine, reproof, correction, and instruction in righteousness" had degenerated in too many parishes into a brief and pithless essay, disguised from Seneca, or diluted from Epictetus;—without unction or spirituality of tone, and bringing no comfort or refreshment to a weary audience. It neither moved the careless nor edified the godly. The people in multitudes of parishes asked bread, and they received a stone. At the same time their rights had been torn from them, and their petitions for redress were either scorned, as the ravings of a weak fanaticism, or scowled upon as the proof of political disaffection. The General Assembly upheld patronage, and condemned "the Marrow" with the same sturdy vehemence. While it was taking away their privileges it was bidding its constituents feed on a theology meagre as husks. The people, while they were tantalized with a negative gospel, were fettered with parliamentary restrictions. The ruling party in the Assembly were as hostile to popular rights as they were to evangelical truth, while the minority were opposed to them in both particulars. Moderatism was in the ascendant, and it seemed to be waiting an opportunity of punishing and weakening its assailants. It could not bear to be spoken against, and was especially indignant at faithful remonstrance. It had taken away the privilege of complaint and protest against one class of its decisions. It was jealous of the freedom which the pulpit yet enjoyed, and it was an attempt to put down "liberty of prophesying," which was the proximate origin of the Secession. The synod-sermon of Ebenezer Erskine was selected for the experiment. Such an attempt presupposes that fatal declension in creed and discipline which we have attempted to sketch.

Sketch of Ebenezer Erskine.

Ebenezer Erskine was of the Erskines of Shielhill in Berwickshire, a branch of the ancient and noble house of Mar. His father, Henry Erskine, on being ejected from his church at Cornhill by the Act of Uniformity, resided for many years at Dryburgh. He was heavily fined by the Scottish Council, and imprisoned in the Tolbooth, on account of his refusal to refrain altogether from preaching. Narrowly escaping incarceration in

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the Bass, he was, under the Act of Indulgence, allowed to officiate at Whitsome, and after the Revolution he became minister of the parish of Chirnside. Ebenezer was born in 1680, and was ordained at Portmoak, near Kinross, in 1703. His ministry in this rural spot was peaceful and active, and after his own soul had been fully and experimentally opened to the power of evangelical truth, his labours were crowned with signal success. He was one of the many who refused to take the oath of abjuration, and earnestly condemned the restored law of patronage. From the first he took a lively and prominent interest in the Marrow controversy, and his coadjutors gave him their entire confidence. After labouring twenty-eight years in Portmoak, and refusing calls to other parishes, he was translated to Stirling in 1731. In the following year, as a member of assembly, when he protested against the act which made patronage more firm, he addressed the court in these strains:—"Moderator, I find, by the reading of the minutes, that the dissent which was entered yesterday by some members of the assembly, is not marked, and I crave that it may be marked, it being a privilege common in every free country. The reason why I insist that it may be marked is, that I consider the act of assembly to be without warrant from the word of God, and inconsistent with the acts and constitution of this church since our reformation, particularly in our books of Discipline. As I said before in the assembly—viz. in the case of Kinross—so, Moderator, I now say it again: I know of no ecclesiastical authority under heaven but what is derived from Christ, the exalted King of Zion. It is in his name and authority that we are met and constituted in a national assembly. He is the alone foundation that God hath laid in Zion. His righteousness is the foundation of our justification and acceptance before God, and his authority as a king is the alone foundation of all government, and discipline, laws, and acts that are to be imposed upon his church. And in regard I do not see upon what part of the word this act is founded; I therefore conclude that it wants the authority of Christ, and that the assembly, in this particular, has gone off from the true foundation of government. We are charged with the custody and feeding of his sheep, his lambs, his little ones. It is not the world's great ones, or rich ones, we are entrusted with; and yet by this act, the privileges of his little ones are conferred upon heritors and the great ones of the world. I am so far from thinking this act, conferring the power upon heritors beyond other men, to come and choose ministers of the gospel, to be founded on the word, that I consider it diametrically contrary to it. What difference does a piece of land make between man and man in the affairs of Christ's kingdom, which "is not of this world?" Are not we commanded in the word to do nothing by partiality? whereas here is the most manifest partiality in the world. We are told that God hath chosen the poor of this world, rich in faith. It is not said, he hath chosen the heritors of this world, as we have done: but he hath chosen the poor of this world, rich in faith, and heirs of the kingdom. And if they be heirs of the kingdom, I wish to know by what warrant they are stript of the privileges of the kingdom? Moderator, I consider that by this act the assembly have sunk one of the principal branches of our reformation asserted in our books of Discipline,—I mean the right of the church and members thereof to choose their own pastors, a privilege with the custody of which we are entrusted. Our worthy forefathers handed down this, among other branches of the reformation, at the expense of their blood and treasure. And that I may not be accessory to the betrayal of a trust which we are obliged to hand down to our posterity and the generation following, I insist that my dissent may be marked in the records of this assembly."

Synod of Stirling and Perth.

Mr. Erskine, was, therefore, a man of note in his party. Already had he been singled out and dealt with as an upholder of "the Marrow." His intrepidity was unquestioned, and his suavity was matter of general eulogy. His figure was ample and his carriage noble. Peculiar gravity enriched his eloquence, and his voice possessed no little sweetness and power. His mental powers were excellent, but in no sense commanding. He was distinguished more for moral prowess than for intellectual splendour. Sobriety and candour characterised him. He took a plain and practical view of matters, and could state his mind easily, lucidly, and boldly. His utterance was that of a man felt to be speaking his sincere convictions. He loved the Church, and mourned for her; but he was not of that numerous class who think it fidelity to exaggerate defects.

Sketches of the four brethren—William Wilson.

A few sentences as to Mr. Erskine's coadjutors may not be inappropriate. William Wilson, minister of Perth, who laboured and suffered with Ebenezer Erskine, was related through his mother to the martyred Guthrie, of Stirling. His father having fled to Holland in the days of persecution, came back in the train of the Prince of Orange. A student of no ordinary promise and diligence, Wilson became a preacher of popularity and power. He was ordained as third minister of Perth on the 1st November, 1716. "The whole people of Perth," he records in his diary, "cleave to me with the utmost affection." His theology was a living thing, and his preaching never had the languor and formality of a dead orthodoxy. Already in his youth had he been a witness against Professor Simson, and he joined the evangelical party in 1721, for he had from the commencement of his ministry felt a deep sympathy with all reforming movements in the Church. When Mr. Erskine's sermon was attacked in the synod of Perth, he took a prominent part in the preacher's

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defence. His mind could not as yet forecast what was to be the result, but he boldly trod what he believed to be the path of duty. He was held in such esteem by his associates that they chose him as their first professor of theology. His learning and judgment were matured. His mind, more than that of any of his colleagues, was adapted and trained to academic labour. He had a vigorous intellect, with extensive stores of theological knowledge, and his mental greatness lay in the balance and harmony of his powers. He possessed also, in a high degree, the gift of extemporaneous eloquence, and was named the "tongue" of the Associate presbytery. Wilson did not long survive the Secession, and his fame has been somewhat overshadowed by the merited eminence of the Erskines. He was a younger man than either of them, but the one of them outlived him eleven, and the other thirteen, years. He had not the commanding oratory of Ebenezer Erskine, nor the rich fancy and glowing eloquence of Ralph; but he had intellectual power equal to either, and an influence in the counsels of the brethren superior to both. He became the literary champion of the Secession, and he wrote in good temper and with excellent argument.

Alexander Moncrieff.

The third of the seceding fathers was Alexander Moncrieff, minister of Abernethy. His grandfather, the minister of Scoonie, had suffered not a little at the hands of the Stewarts, and was condemned to choose an abode twenty miles away from the seat of a bishop, and seven from a royal burgh. His grandson, though possessed of the fine estate of Culfargie, resolved to give himself to the ministry, and studied first at St. Andrew's, and afterwards at Leyden. Ordained as minister of the parish in which his estate lay, and married to the daughter of Sir John Clerk, of Pennicuik, he did not yield to any of those seductions which his fortune or his connections presented to him. The laird grew a faithful and laborious minister, burning with a zeal, which, when kindled up on great occasions, sometimes outran his discretion. He stood by Mr. Erskine in the synod of Perth, and nobly maintained what he reckoned the cause of truth. After the deposition of the four protesters, Culfargie contributed mainly to the building of a new place of worship; gave from his own estate, in perpetuity to the congregation, some excellent acres of glebe-land; and declined all pecuniary emolument for his pastoral services, which were greatly multiplied after he left the establishment. Activity, energy, intrepidity, and disinterestedness, more than talent and eloquence, characterised Alexander Moncrieff.

James Fisher.

The fourth and youngest of the associate brethren was James Fisher, first, minister of Barr, in Ayrshire, and then of Kinclaven, in Perthshire. From his first entrance into the ministry he was an advocate of popular rights. His ministrations were very acceptable to his parish, and he was scrupulously diligent in discharging all the functions of the pastoral office. He took part in all the movements which led to the Secession, though, from a feeling of delicacy, he did not vote or dissent in the synod, when the sermon of his father-in-law, Mr. Erskine, was the object of discussion and censure. Some time after the separation from the establishment he removed to Glasgow, as minister of what is now Greyfriars congregation. Mr. Fisher's principal literary work was the catechetical exposition of the Shorter Catechism,—a production in which he bore the principal share, and which, like its text-book, has long been a standard work among the pious people of Scotland. It deserves its popularity as a clear, concise, simple, and full compend of revealed truth.

Ralph Erskine.

A few sentences about Ralph Erskine, of Dunfermline, who joined the seceders prior to their final departure from the Church, will not be out of place. His fame as a preacher was great and wide. His style was flowing and pictorial, with no little elevation and power. His mind had more acuteness and grandeur than that of his brother Ebenezer, and had also more of a philosophical cast. While he could reason with precision, he could describe in fascinating colours, so that a great Sabbath audience in the open air would listen to him for hours together. His "Gospel Sonnetts" were long prodigious favourites among the pious Scottish peasantry; their quaint conceits and rugged rhymes, while they gave edge to their theology, fitted them for easy recollection and savoury repetition. His "Faith no Fancy" exhibits variety and discrimination, and touches on several points, the fuller elucidation of which afterwards distinguished the school of Scottish metaphysics.

Characters of the seceding ministers.

The four "associate brethren" were not characterised by intellectual brilliancy or the highest order of mental endowment. Neither had they those powers which sway vast multitudes and win them to their purpose; nor did they labour to gain an immense following by popular agitation. They were not demagogues, or ambitious men soured into resentment. Their might lay in the goodness of their cause and the consistency of their character; and their success had its origin in their known probity, courage, and self-denying labours. Their adherents were not among the noble and mighty, and they were not borne on by the admiration of crowds. They were frowned upon and maligned, censured for their folly, and laughed to scorn for their obstinacy. Nor were they hasty in their procedure,—every step they took was one of sorrow. The idea of founding a new denomination never entered into their original plans, and they only entertained it when expelled from the Church, and forced to adopt some method for preserving an official and corporate existence. In a word, they were the dupes of no sudden conviction, but had for years advocated the theology which the Assembly had seen meet to condemn, and asserted the popular rights which the same court had all but obliterated.

But to return. Mr. Erskine felt that if the

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Assembly refused to record his protest against its decisions the pulpit was still open to him; and on a public occasion he resolved, in presence of his brethren, to exonerate his conscience. The synod of Stirling and Perth met at Perth on the 18th of October, 1732, and, as retiring moderator, Mr. Erskine preached at the opening of the court. His text was Ps. cxviii. 22, "The stone which the builders refused is become the head stone of the corner." The sermon which produced such results is worth a moment's attention. The first portion of it consists of appropriate illustrations of his text,—its masonic figure of the church as an edifice, and Christ as its one foundation. When he spoke of the builders, he could not but admit that they were liable to err, and could not but confess in sorrow that they had egregiously erred. Under this head we find the following warm and effective argument urged against patronage:—"It is the natural privilege of every house or society of men to have the choice of their own servants or officers; so is it the privilege of the house of God in a particular manner. What a miserable bondage would it be reckoned for any family to have stewards or servants imposed on them by strangers, who might give the children a stone for bread, or a scorpion instead of fish, or poison instead of medicine! And shall we suppose that God ever granted to any set of men,—patrons, heritors, or whatever they may be,—a power to impose servants on His family without their consent, they being the freest society in the world?" Towards the close of his discourse he became more pointed and energetic, and plainly remonstrated against such a recent evil as the act of the last assembly—"Only allow me to say, that whatever church authority may be in that act, yet it wants the authority of the Son of God. All authority is derived from Him, and, therefore, any act that wants His authority, has no authority at all. And, seeing the reverend synod has put me in this place, where I am in Christ's stead, I must be allowed to say of this act what I apprehend Christ himself would say of it were he personally present where I am,—and that is, that by this act the corner-stone is receded from; He is rejected in his poor members, and the rich of this world put in their room. By this act Christ is rejected from his authority, because I can find no warrant in the word of God to confer the spiritual privilege of His house upon the rich beyond the poor; whereas, by this act, the man with the gold ring and gay clothing is preferred unto the man with the vile raiment and poor attire." The synod was shocked by the preacher's fidelity, and some members immediately complained. Their complaints were classified by a committee, and fortified by extracts from the sermon. Three days were spent in keen debate, and, by a majority of six, the synod doomed the preacher to a formal censure. Mr. Erskine and not a few of his friends protested. But the attempt of the synod failed, the preacher declaring that his accusers "had never yet made it appear that he had in the least receded from the word of God and our approved standards of doctrine, worship, discipline, or government." The case was carried to the General Assembly of 1733, and Erskine stood forth, surrounded by his three friends,—Wilson of Perth, Moncrieff of Abernethy, and Fisher of Kinclaven. The principal culprit alone was heard; his fellow protesters were bluntly refused. His dignified self-vindication only enraged the court, which now "refused to be ashamed," and he was again sentenced to be "rebuked and admonished at their own bar, in order to terminate the process." The conclusion of the process was certainly very different from the assembly's anticipations. The rebuke, however, was administered. St. Giles of Edinburgh mimicked the Vatican with innocuous thunder. The reformer protested, but his protest was refused, and contemptuously thrown upon a pile of documents. The paper was disregarded for some hours, but happening to fall over the table, it was accidentally picked up by the minister of Dalmeny, "a fiery man in the corrupt measures of that time." He read it with indignation, and at once, and with pompous solemnity informed the Assembly of the awful discovery. Such was their haste on hearing its contents, that at eleven o'clock that night the four protesters received a peremptory citation to appear at the bar next day. They were summarily dealt with, and handed over to the tender mercies of the Commission which was to meet in August. The Commission counselled them to retract, but they steadily refused. Then, to bring them to a penitent state of mind, a committee was appointed to converse with them. That committee had several great names in it—the principals of three universities, the lord-advocate and solicitor-general, Lords Grange and Dunmore, with Boswell of Auchinleck; but it signally failed either to overawe or convince the recusants. The Commission therefore suspended them "from the exercise of their ministerial functions and all the parts thereof." Some synods and several presbyteries soon sent up petitions in their favour, but the Commission at its next meeting, in November, formally severed them from their respective charges, and declared "them to be no longer ministers of this church." The Assembly also ordered "notice of this sentence to be sent to the magistrates of Perth and Stirling, to the sheriff-principal of Perth, and the bailie of the regality of Abernethy." Against such a sentence the "four brethren" protested in the following magnanimous terms:—

Ebenezer Erskine's synod-sermon.

"*Edinburgh, Nov. 16th*, 1733—We do heartily adhere to the protestations formerly entered before this court, both at their last meeting in August and when we appeared first before this meeting. And further, we do protest in our name, and in the name of all and every one in our congregations adhering to us, that notwithstanding of this sentence passed against us, our pastoral relation shall be held and repute firm and valid. And, likewise, we do protest, that notwithstanding of our being cast out of

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ministerial communion with the Church of Scotland, we still hold communion with all and every one who desires with us to adhere to the principles of the true presbyterian covenanting Church of Scotland in her doctrine, worship, government, and discipline; and particularly with every one who is groaning under the evils, and who are afflicted with the grievances we have been complaining of, and who are in their several spheres wrestling against the same. But in regard to the prevailing party in the Established Church, who have now cast us out from ministerial communion with them, are carrying on a course of defection from our reformed and covenanted principles, and particularly are suppressing ministerial freedom and faithfulness in testifying against the prevailing backslidings of the Church, and inflicting censure on ministers for witnessing by protestation and otherwise against the same: therefore, do we for these and many other weighty reasons, to be laid open in due time, protest that we are obliged to MAKE A SECESSION from them, and that we can have no ministerial communion with them till they see their sins and mistakes, and amend them. And in like manner we do protest that it shall be lawful and warrantable for us to exercise the keys of doctrine, discipline, and government according to the Word of God and Confession of Faith, and the principles and constitution of the Church of Scotland, as if no such censure had been passed upon us. Upon all which we take instruments; and we hereby appeal unto the first free, faithful, and reforming General Assembly of the Church of Scotland."

The Secession.

The Secession was thus originated—the reformers were cast out. For these weighty reasons—the sufferance of theological errors without adequate censure; the infliction of the law of patronage; the neglect of discipline; and the restraint of ministerial freedom in testifying against mal-administration—the four ministers felt themselves compelled "to make a secession" from the prevailing party in the church by law established. A few weeks afterwards, they met at Gairney-bridge, a small hamlet in the neighbourhood of Kinross, and the associate presbytery was formally constituted. It was a crisis that required no common courage. To be flung out of a church which they had long loved and served; to be so rudely severed from the chosen sphere of their labours; to be suddenly denied the ordinary means of maintenance for themselves, without prospect of any new source of support; to be laid under the ban of the Assembly at a period when ecclesiastical censures had scarcely been divested of their popish terrors, and when dissent was an unknown and a perilous novelty, was indeed a trial so great and formidable, that nothing could have sustained them but faith and a good conscience, with the assured hope of acceptance with Him in whose cause such labours had been undertaken, and such hazards incurred. The seceders prepared a "Testimony," or vindication, of their conduct, in which they boldly justified their procedure, and adduced, as they believed, an overwhelming mass of evidence in their favour.

Excitement in various parishes.

The parishes in which the seceders had laboured were deeply agitated, and refused to listen to any other pastors. When the minister of Killin went to intimate the sentence of the commission in Wilson's church at Perth, a multitude met him on the road, and would on no account permit him to enter the city. When Professor Campbell of St. Andrew's was ordered to do the same duty at Abernethy, he applied to the sheriff-substitute of the county for protection, and, on being refused, he discreetly stayed at home.

Alarm on the part of the Assembly.

When the Assembly met in 1734, it seemed to have regretted the bold steps which it had taken, and to have been scared at the agitation which it had excited. Several intolerant decisions were modified or rescinded. The act that forbade the recording of reasons of dissent, and the one in reference to the filling of vacant churches, were declared to be no longer "binding rules of this church." The settlement of an obnoxious minister in Auchtermuchty was annulled. It was admitted that an unscriptural style of preaching had become prevalent, and a committee was named to take charge of this matttor. Nay, the Assembly followed up these proceedings by an act authorising the Synod of Stirling and Perth to take off the sentence of censure from Mr. Erskine and his associates, "without further inquiring into the occasions or steps of proceeding, either on the part of the said brethren, or by the several judicatories under whose consideration their case hath been, which may have produced that unhappy separation, but resolving that all questions on these heads shall for hereafter be comfortably removed." This policy could not be satisfactory. It left one of the questions unsettled, and would only have opened a door to further disputations. It was in vain to enjoin silence after the waters of strife had been unsluiced; and, to use the current language of those times, this measure of the assembly was only healing the hurt of the daughter of Zion slightly; or, to adopt another favourite figure, it was but daubing a broken wall with untempered mortar. This synod, so instructed, met at Stirling, July 2, 1734, as the Assembly commanded, and restored the brethren "as fully and freely as if there never had been act, sentence, obstacle, or impediment whatsoever in the way thereof in time past."

Refusal of seceders to return—

Many who sympathised with the seceders began to hope that they might be induced to return now to the national church. One of their own number cherished a similar anticipation. Hope against hope lingered in Mr. Wilson's heart. After the synod had passed the act of restoration, the presbytery of Stirling went so far as, in Mr. Erskine's absence, to elect him to the moderator's chair. But the seceders took time to deliberate. There had been

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no intimation that the sentence pronounced against them was deemed to be unfounded. It was rescinded simply on account of the consequences that might ensue from their separation, and not because it was in itself either unjust or precipitate. Nothing was said of the condemnation of the "Marrow." The leniency of the assembly was, therefore regarded as a mere stratagem, and the seceders would not be decoyed into conformity. They refused to appear as respited or pardoned transgressors; nor would they tamely belie the mighty interests which, in their honest belief, and to the best of their power, they represented.

—vindication of their refusal.

It has been sometimes alleged that the seceders ought at this period to have gone back to the Church. The conditions proposed by the Assembly have been even recently described as "honourable terms."* Such a view of the matter is naturally entertained by those who think that there was no tenable ground for any secession at all. The conditions proposed to the seceders were such as no honourable mind could have listened to. Their conduct was still condemned, for it was professedly forgiven. The affair was simply to be hushed up, and no discussion was to be permitted. Some decisions respecting freedom of administration were altered, but not a word was uttered in favour of evangelical truth, and no modification of the sentence against the Marrow had ever been so much as hinted at. If the seceders, after the measures which they had so decidedly adopted, had re-entered the Church in such circumstances, they would have sadly stultified themselves; and their subsequent advocacy of sound doctrine must have been feeble and spiritless. An open departure and a public protest like theirs were needed in the juncture; for the friends of truth and liberty who remained in the Church seemed to have made no effort to obtain the repeal of its Arminian acts and decisions; and to this day they stand uncancelled on the records of the General Assembly. That the proposals of return were made to the seceders "under evangelical influence,"† is another statement very much to be doubted. The Assembly does not allege such a motive for itself, and we have no evidence that it existed. It was rather the fear of schism that induced the dominant party to try to win back Erskine and his colleagues. Where was this powerful "evangelical influence" in subsequent years, when the seceders were scorned by the Assembly as wretched and turbulent demagogues, and no voice was uplifted on their behalf; when the people who waited on their ministry were alleged "to come with other views than to promote religion;" and when the Venerable Court of 1741 sanctioned a grant of sixty pounds to Mr. Currie for his virulent and unscrupulous assault on the men and motives of the secession?‡ The secession was a calm and deliberate act, and they who seceded were not to be easily cajoled. Neither wounded pride nor intemperate haste could be ascribed to them. Love of pre-eminence, or fondness for popular applause, had no place in their hearts. They were actuated not by the lust of innovation, but by the desire to abide by the "old paths." Had they been immoral, they might have been screened; had they been indolent, they would never have been troubled; and had they been heretical, indulgence might have been shown them; but because they dared to speak against those acts of assembly which they regarded as unconstitutional, and as prejudicial to the purity, the rights, and the creed of the Church, they were held to be guilty of a flagrant and aggravated crime, to which justice must be meted out without mitigation or respite. These sentences are written, indeed, from the seceders' standpoint; but the lapse of a century has shown that their judgment was in the main correct: and after making every allowance for such passion and frailty as mix themselves up with every human contest, it may be affirmed that the first secession from the Church of Scotland was as disinterested and noble an act as any one of a similar nature which ecclesiastical history has narrated. Had the seceders not been so "haughty," as Burton terms them,* had they gone back to the Church on the terms proposed, how long could they have remained? In spite of the acts of that assembly which decreed their restoration, violent settlements were again resorted to. The parishes of Perth, Duffus, Monikie, and Muckhart were the scene of intrusions; and, as the presbytery of Stirling had refused to ordain a rejected presentee at Denny, the synod of Perth was enjoined to take up the matter, under the express instruction that they were debarred from considering the question whether they should obey or not. What would have been the anomalous position of the seceders in such a church? They would have been driven to repeat their former procedure, and a second protest and separation would have lost all the weight and solemnity of the first secession. It is, however, plain, on the other hand, that the seceders by degrees drew off from many in the Church who sympathised with them, under the natural impression that those who felt with them should have acted with them, and joined at length the new denomination.

Subsequent proceedings.

Two other assemblies passed away, and no notice was taken of the seceders. But they were not idle; they published a "Judicial Testimony," and churches were formed by them in various parts of the country. Mr. Wilson, of Perth, was chosen professor of theology, and the number of their students annually increased. The whole business of the class was conducted in the Latin language, and John Marck's "Medulla" was the text-book. In 1741, Ralph Erskine, who had joined the secession in 1737, wrote to George Whitefield, "our professor of divinity has more candidates for the ministry under his charge than most of the public colleges, except Edinburgh."

* "The Ten Years' Conflict," by Robert Buchanan, D.D., vol. i. p. 182. † Ibid.
‡ Wilson; "Defence" and "Continuation," *passim*.

* History of Scotland, vol. ii. p. 330.

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Young men were licensed to preach, and the Secession rapidly became a popular and organised community. Not fewer than seventy applications for supply of sermon were made in the two years 1737 and 1738.

The Porteous riot.

In the meantime, the Porteous riot had occurred in Edinburgh, and led to the adoption of some rash and vindictive measures on the part of the legislature. Every minister in the Church of Scotland was commanded to read a proclamation against the rioters from the pulpit, during public worship, on the first Sabbath of each month during a whole year. If any minister refused, he was for the first offence to be declared incapable of sitting and voting in any church court, and for the second, he was pronounced incapable of "taking, holding, or enjoying any ecclesiastical benefice in Scotland." The majority of the ministers bowed to this edict, some used ludicrous shifts to evade it, and only a few pointedly refused. The act was felt by many to be a wanton infringement on the rights of the Church—a dictation to which none but an Erastian community could submit. The parliament had assumed the power of declaring what ministers should do, and of inflicting discipline if they should refuse. Compliance with the enactment raised commotion in many parishes, and aided the spread of the secession. The seceders were accused of disloyalty, because they unanimously, and without hesitation, refused to read the edict; and the Duke of Argyll, in his place in the House of Peers, more than insinuated that the riots at Edinburgh arose "from a few fanatical preachers lately started up, who, by their sermons and other ways, instilled into the minds of the vulgar and ignorant such enthusiastic notions as are inconsistent with all government, by making sedition and rebellion a principle of their religion." His grace could not understand the principle on which the Secession was founded, and he identified resistance to spiritual despotism with civil insubordination and revolution. The loyalty of the seceders was unimpeachable, and a few years afterwards, in '45, it was evinced so strikingly as to command the high approbation of the ruling powers. The Duke of Argyll seems to have thought that the seceders might resemble the covenanters, who had been accustomed to waver in their allegiance, and who could neither find it in their hearts to obey an uncovenanted latitudinarian Dutch king, nor submit without murmuring to the last of the Stewarts. The covenanters confounded citizenship and saintship, and dreamed of something like a theocracy. But the seceders uniformly yielded obedience to the civil government in its own domain. They held it to be wholly distinct from ecclesiastical administration, and cheerfully paid tribute as subjects of the realm. They were willing to fight for Cæsar on the field, though they opposed his intrusion into the synod. The things which were his they cheerfully rendered, while they solemnly dedicated to God the things which were God's, and would admit of no compromise.

Final measures against the seceders.

But the "disorderly practices of certain seceding ministers" at length attracted the attention of the ecclesiastical authorities, and complaints against them were made before the assembly of 1738. The case was referred to the commission, by whom a libel, or formal indictment charging for "high crimes," was framed against each of the seceding brethren, and they were cited to appear at next assembly. These ministers, now amounting to eight, appeared before the Assembly as a constituted presbytery, and their moderator read a "declinature" to the moderator of the General Assembly. The Assembly was startled by this "unparalleled boldness," and sentence was ultimately passed on the 15th of May, 1740. Our readers may have some curiosity to read the document which inflicted, in the name of the Lord Jesus Christ, the highest censure on men who were guilty of no crime but that of serving the Lord Jesus Christ, not only according to their consciences, but according to the ancient and genuine constitution of the Scottish Church. Thus ran the decree:—

"And, therefore, the General Assembly, in respect of the articles found relevant and proven against the persons therein and hereafter named by the last and this assembly, as aforesaid, did, and hereby do, in the name of the Lord Jesus Christ, the sole King and head of the Church, and by virtue of the power and authority committed by Him to them, actually depose Messrs. Ebenezer Erskine at Stirling, William Wilson at Perth, Alexander Moncrieff at Abernethy, James Fisher at Kinclaven, Ralph Erskine at Dunfermline, Thomas Mair at Orwell, Thomas Nairn at Abbotshall, and James Thomson at Burntisland, ministers, from the office of the holy ministry, prohibiting and discharging them, and every one of them, to exercise the same, or any part thereof, within this Church in all times coming; and the Assembly did, and hereby do declare, all the parishes or charges of the persons above named, vacant, from and after the day and date of this sentence, and ordains copies hereof to be sent to the several presbyteries of Stirling, Perth, Dunkeld, Dunfermline, and Kirkaldy; and the said respective presbyteries are hereby ordered to send copies thereof to the kirk sessions of Perth and Dunfermline, and session clerks of the other respective parishes hereby declared vacant, to be communicated to the elders. And the Assembly appoints that letters be wrote by their moderator to the magistrates of the respective burghs concerned with copies of this sentence; and the Assembly recommends to the presbyteries, within whose bounds the parishes or charges declared vacant do lie, to be careful in using their best endeavours for supplying the same during the vacancy, and for promoting the speedy and comfortable settlement thereof."

Results.

Up till this time the new church thought itself in some sense connected with the Establishment. They could not deem themselves finally cast off. Their doctrine

was that they had seceded not from the Church of Scotland, but from a party in that church who were carrying on a "course of defection and backsliding." But by this last sentence the majority of the deposed ministers were ejected from their places of worship. Two of them, by the kindness of the heritors, retained their churches till new ones were built for them. Moncrieff preached during the whole winter in the open air; Mr. Nairn of Abbotshall occupied his church till October, when the heritors, "at their own hands," locked the doors and nailed iron plates on the keyholes. The magistrates of Stirling, on receiving the decision, barred the church and church-yard against Mr. Erskine, and forbade the bells to be rung. The multitude, on the Sabbath morning, was immense, and in a state of deep exasperation. The venerable patriarch entered the crowd, and on being refused admission, lifted thrice his great pulpit Bible, which he carried with him, and solemnly protested, in front of the closed sanctuary, that he was obeying the dictates of his conscience, and that his oppressors were responsible at the judgment-seat of God. The people and he then retired to the slope of the hill north of the ancient castle, and divine worship was peacefully conducted on that spot associated with many interesting events in the history of the country.

The scene at Perth was yet more impressive. The civic authorities at Perth were very obsequious to the Kirk—they received the edict on the Sabbath morning, and that very day they resolved to enforce it. Their anxious haste proved that they were afraid of reflection. Mr. Wilson had been made aware of this movement, and fortified himself by prayer. An unusual thoughtfulness was that morning visible on his countenance. The church in which he had laboured for four-and-twenty years was now to be shut against him. The domestic meal was postponed to an unwonted season, if not altogether neglected. His household servants gathered that something strange was about to fall upon them, and whispered to one another their ominous forebodings. From his closet, nerved and resolved, Mr. Wilson went to the church. Its doors were shut, and the civic magnates proudly guarded them with mace and halberts. An immense assemblage, astonished and perplexed at the scene, crowded the streets, musing in their minds what might be the issue. Mr. Wilson passed through the throng, who made way for him with profound obeisance, went up to the principal entrance of the church, and confronting the municipal authorities, boldly requested admission into the house of God—"In the name of my Divine Master, I ask admission into his temple." Once—a second time—a third time, he repeated the solemn demand, and was met with a curt and firm denial. The expectant multitude were surprised and irritated. A low murmur ran along them,—"Mr. Wilson 's kept out o' the kirk!" The aged wept, the younger heaved with indignation. There was a movement—a muttered menace, then a yell—"Stone them—stone them!" The storm was rising—a minute more, and it would have burst. But the popular fury was suddenly hushed. Wilson turned to the vast assemblage, heaving in wrathful commotion around him, and his serene countenance and tranquil attitude commanded their attention. "No violence," he exclaimed, in tones of earnest and impressive calmness, "no violence, my friends: the Master whom I serve is the Prince of Peace." Their rage was stayed. The man of God triumphed, and the victory was sealed—when shrill and clear these words of power rang again over the wedged masses, and were heard to their outmost verge,—"No violence, my friends, I implore you; the Master whom I serve is the Prince of Peace." During the lull, the deacon of the Glovers' Corporation interfered, and spontaneously offered to Mr. Wilson the glovers' yard as a place of temporary meeting. The proposal was immediately accepted, and the vast concourse at once adjourned. The yard was immediately filled. The services commenced with Mr. Wilson's solemn reading of a few verses of the fifty-fifth Psalm. His vast audience felt how appropriate were the words which the minister slowly recited:—

"He was no foe that me reproach'd,
Then that endure I could;
Nor hater that did 'gainst me boast,
From him me hide I would:

"But thou, man, who mine equal, guide,
And mine acquaintance wast:
We join'd sweet counsels, to God's house
In company we pass'd."

Hundreds who sung these words were thrilled by the truth of them—felt how bitter was the pang of exile from the dominant Church—and how that Church, in ejecting them, had renounced its own principles, and violated all its sacred professions. It was not the world, but the Church that "reproached" them. It was not a "foe" that afflicted them, but an "equal," "guide," and "acquaintance," often revered in the ties of Christian fellowship. Wilson's text was one also of singular adaptation to the scene and circumstances, Heb. xiii. 13—"Let us go forth, therefore, unto him without the camp, bearing his reproach." The deep solemnity in which the words were uttered, and the immediate sensation which they awakened among the people, were, perhaps, the most vivid commentary which the text ever received. The Glovers' yard was a living illustration of the duty which the apostle inculcated, and the sermon had its echo in the experience of the auditors. The meeting at length quietly dispersed, carrying with them those impressions which ripened into decided attachment to the Secession and its interests. Round many a hearth was the scene described to wondering listeners, while the text was repeated times without number. Old men delighted to tell to their children's children, how Mr. Wilson looked and spoke in the Glovers' yard, and how at the very reading of the text each one held his breath, and a spell so deep and awful lay upon them, that not a stir or rustle was heard in all the great congregation. Two anecdotes, handed down by family

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tradition, in connection with these events, are recorded by Dr. Ferrier in his life of Wilson. Mr. Wilson's father had lain hid for a season in the Mearn's Moor, in the days of former persecution, and a young girl carried his food to his place of retreat. She seems to have become an inmate of the family, and she was treated with peculiar and tender deference in Mr. Wilson's household at Perth. On the morning of this trying Sabbath, the aged domestic was somewhat apprehensive and uneasy. Her busy memory brought back the scenes of her youth, when she glided away stealthily, morning and evening, to the wild and gloomy morass where her master was concealed. The privations of the father made her anxious for the welfare of the son. And as the tide of these sad recollections filled her heart, she could not help looking wistfully in her master's face, as he was leaving his home on his way to the church, and saying to him, "Tak' tent, Mr. William, tak' tent what ye're doing, for I fear, if things gang on this way, I'll get ye're meat to carry to the moor, as I did ye're guid father's afore ye." When Mr. Wilson returned from the service of the day, he retired at once to his chamber. Many thoughts must have pressed upon him, and he sought quiet and uninterrupted meditation. His eldest daughter, a girl about twelve years of age, had witnessed with natural curiosity the strange proceedings, had seen her father seek admission to his own church, and had heard the gruff refusal which the magistrates gave him. She had been also in the Glovers' yard, and had beheld thousands of faces looking up to her sire with intense excitement. But she was sorely puzzled to understand these novelties. Her natural wish was to hear them explained by her father. The matter appeared to her young mind so solemn that she was afraid to ask what she coveted. But with restless anxiety she "hung about" the door of the study, anxious to obtain at least a glimpse of his countenance. Her father at last observed her, and reading her wishes in her features, called her to him, and patting her kindly on the head, said to her, "Bell, this has indeed been a day of trial, but we have reason—great reason, to be thankful that it has not been a day of shame. If anybody asks you, Bell, why your papa lost his kirk, you may just say, as good Mr. Guthrie before his execution bade my mother say of him, if any one asked her why he lost his head,—IT WAS IN A GOOD CAUSE."

Various forms of opposition.

The Secession, on thus becoming a separate Church, met in many quarters with violent opposition. Sites for chapels were refused, and occasionally at an open-air meeting the surrounding heath or furze was set on fire to annoy the worshippers. Sometimes, on pretence of being engaged in the chase, their enemies kept up an incessant fire of musketry in their vicinity. Their character was maligned, their motives were aspersed, and they were held up to popular odium as fools and demagogues. One of their former admirers wrote a noted book against them, which called forth Mr. Wilson's unanswerable "Defence."

Differences of opinion.

The Secession had other trials at its commencement. Difference of opinion on some minor points existed among its members, and the fault of the period was to attach an exaggerated importance to subordinate matters, and to insist on uniformity as essential to ecclesiastical unity. Men who had followed their conscience at all hazards, were apt to regard every conviction as of equal and paramount authority, and to insist on a rigorous acquiescence in all their views. They held it necessary to be as much "of one mind" about the "mint, anise, and cummin," as about "the weightier matters of the law." Misunderstanding and strife were the necessary result, and that in a variety of shapes and instances. A fast had been appointed by royal authority for the first day of February, 1740. The Associate Presbytery deemed it becoming that they should take advantage of a day which would be generally set apart for public worship. Some of the people were greatly offended at such a compliance, and thought that it was an unworthy surrender of ecclesiastical independence. The presbytery nearly came to an open rupture on the subject, its members could not act in harmony, and could not agree to any course that might have secured co-operation.

Whitefield's first visit to Scotland.

The famous revivalist and preacher, George Whitefield, arrived in Scotland on the 30th of July, 1741. There had been previous communications between him and the Erskines, and he had expressed deep sympathy with their movements. When the Scottish covenants had been described to him, he replied to the brothers that "he was, perhaps, more to their mind, as to many things, than they were aware of." Ralph Erskine had intimated to him that he would be expected to co-operate chiefly with the Associate Presbytery, and act "under their counsel, direction, or advice." To this restriction Whitefield at once demurred, and intimated that he designed on coming to the north simply to preach the gospel, without respect of denomination or party. In reply, the seceders disclaimed all sectarian motives, but hinted that it would strengthen their hands if he could only see it to be his duty "to company with them." On Whitefield's arrival, a conference was held at Dunfermline, and the subject of church government was discussed at the first meeting, the object being to convince the English stranger that presbyterianism was right, and episcopacy unscriptural. Nobody will wonder that the attempt failed, that other similar interviews were profitless, and that mutual estrangement was the result. Whitefield's mission was preaching, and not organization. He alleged that the seceders were building up a Babel, soon to fall about their ears; and they regarded him in turn as a lax and fanatical innovator. He could not submit to be trammelled, nor could he concur with the Scottish predilection for presbytery and the covenants; and

the seceders had not yet learned to act on the truth that the mere form of the altar may neither damp the fire nor pollute the sacrifice. Whitefield's sermons created prodigious commotion in many places, especially at Cambuslang, during his second visit; and, in spite of much that was objectionable, great permanent spiritual good seems to have been effected. The vehemence of his oratory, and the power of his appeals, threw his audiences often into convulsions. Some fainted and others shrieked, some tossed their arms wildly about them, and others shouted in vociferous prayer. The confusion was indescribable: visions were seen, and revelations received, while the language employed was that of the wildest frenzy. Looking too much at the strangeness of such proceedings, the seceders condemned the entire revival, or "Cambuslang work;" as it was called; held it up to scorn, as an infernal delusion; and appointed a fast, that they might mourn over it, so that the plague might be stayed. A bitter contest ensued. Some ministers of the Establishment taunted the seceders with their separation, and told them that such a divine visitation betokened that the Church of Scotland was still owned of God as a true church, and that, therefore, it was schism to leave her pale. The seceders might have admitted that Whitefield's preaching was signally successful, though there might be no little delusion and mere nervous excitement mixed up with the effect it produced; and they might have been thankful for an exhibition of evangelical power in the church they had left, while they felt that the causes of secession were not, on that account, either diminished in number or weakened in strength.*

Progress of the Secession.

In spite of these drawbacks, and though their terms of communion embodied far too much of mere denominational tenets, the cause of the seceders grew and multiplied. Funds were collected to enable pious young men to enter on studies preparatory to the ministry, and a teacher of philosophy was appointed. Missionaries were sent over to Ireland, the Secession was introduced into London, and from America there came requests for a supply of preachers. In five years the presbytery expanded into a synod, consisting of thirty settled congregations and thirteen vacant ones, and held its first meeting at Stirling, in the memorable year '45,—immediately after the defeat of the royal troops by Prince Charles Stewart at Preston-pans.

Loyalty of the seceders.

During the rebellion the loyalty of the seceders was both signal and effective: corps of volunteers were formed in several congregations; three hundred of them were embodied in Edinburgh; troops of them were drilled and disciplined in Glasgow; and six hundred of them at Stirling were furnished with arms from the castle. The Marquis of Lothian offered his son, Lord Robert Kerr, to be colonel of a secession regiment, and the Duke of Cumberland sent a letter of thanks to Ebenezer Erskine. The synod took into consideration the principles on which regiments of their people should be organised, but the battle of Culloden rendered a final decision unnecessary. The seceders naturally hated a popish Pretender; they remembered the boots and thumbkins, the scaffolds and troopers of the Stewarts in former days; and their loyalty was liable to no suspicion, for they had received no favours from the court, and had none either to ask or expect. The ardour of the days of the covenant was renewed for a season, and such was their uniform loyalty, that after a careful scrutiny in their various congregations, only three individuals could be found who had compromised themselves to any extent with the rebels, and they were at once subjected to ecclesiastical censure. The conduct of the seceders, so noble and patriotic, at this crisis must have silenced those who had calumniated them as factious and disloyal. It was the best reply that could be given to the defamatory attack which the Duke of Argyll had made upon them in the House of Peers.

The burgess oath.

But the horizon was suddenly darkened, and the synod became a "house divided against itself." An unhappy controversy was introduced about the propriety of what was termed "the burgess oath," an oath imposed on burgesses in Edinburgh, Glasgow, and Perth. Its religious clause was thus worded,—"Here I protest, before God and your lordships, that I profess and allow with my heart the true religion presently professed within this realm and authorised by the law thereof; and shall abide thereat, and defend the same to my life's end, renouncing the Roman religion, called papistry." Some held that the swearing of such an oath was a virtual approval of the Established Church, with all its corruptions, for to the men who framed the oath "the religion presently professed" was the religion by law established; while others as strenuously maintained that the oath referred only to the true religion as professed, but did not imply any approval as to the mode of its settlement. The oath was bad in every sense, as it made a civil right depend upon a religious profession, and would not suffer a man to sell beef or butter, shoes or broadcloth, till he had avowed himself a zealous and energetic Christian and Protestant. Probably the oath was framed to exclude papists from citizenship, and in that simple light many would have justified it, and thought it no persecution. Again and again, with increasing ardour, was the debate resumed in the synod. Several wise overtures for peace were not listened to, nor could those obtain a hearing who wished the oath to be made a subject of mutual forbearance, as being one of those things "which was never made matter of testimony in the Church of Scotland." After prolonged and unhallowed wrangling, and no little ecclesiastical thunder, the sharp contention

* For a view of the hard opinions entertained of the seceders by some good men who had sympathised with them, but did not leave the Church along with them, see Willison's "Fair and Impartial Testimony."

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ended in a separation in 1747. The party who were against the oath at once formed themselves into a synod, or rather declared that they were the synod, that the lawful authority and power of that court devolved on them, "and that they were obliged in duty to the Lord and his heritage to exercise the same." Nay more, in the spirit of the time, they resolved to exercise discipline upon their opponents, provided they did not confess and return. The next week after the separation they waxed mightier in their wrath, and passed an act in which they find that their opponents "are highly censurable, and have themselves, by this mal-administration, fallen from all right and title to any present actual exercise of the keys of the kingdom of heaven." This sentence was tantamount to one of deposition, and Ebenezer Erskine, Ralph Erskine, and Mr. Fisher were included in the sweeping censure,—Mr. Wilson being dead, and Mr. Moncreiff being the principal leader on the opposition side, or General Associate Synod, vulgarly called that of the Anti-burghers.

The breach.

The Associate, or burgher synod, met at Stirling in June, and were still anxious for a reconciliation. Ebenezer Erskine wrote, in the name of the brethren, an excellent letter, containing a conciliatory proposal, to which a reply was sent in haughty style,* with the intimation—"you have increased your fault by constituting yourselves unwarrantably into a pretended synod." In self-defence the burgher synod passed an act declaring the nullity of the pretended synod that "first met in Mr. Gib's house in Bristo, near Edinburgh," and they assign no less than twelve reasons for their decision. At their meeting next year in Falkirk they made another attempt at a compromise, and in their letter they accused the anti-burghers of "following divisive and disorderly practices." The party so challenged framed a libel against their antagonists, and actually deposed them from the office of the holy ministry, appointing intimation of the sentence to be made to their respective congregations, and declaring those congregations vacant. A war of pamphlets and bitter recrimination followed, sessions and churches were divided, lawsuits about ecclesiastical property were originated, partisanship was mistaken for conscience, and the two seceding factions soon said far worse things of one another than any of them had ever said of the church from which they had been expelled. The dispute shows the character of that age, when tolerance in minor matters could not be allowed, and when the censures of the Church were profusely scattered about. It was wrong to differ about the oath. The two interpretations might have been allowed in the meanwhile, and a vigorous effort made to have the oath abolished; or if the seceding church could walk no longer in concord, they needed not, on parting, to have hurled defiance and excommunication at one another. Granting that the Anti-burgher party were right in their view of the oath, and that it stultified a seceder to take it, it is too plain that they carried their measures with a high hand, and pushed them with intolerable rigour. What an unseemly spectacle the schism must have presented—men who had been but a few years ago deposed themselves, so soon and so furiously deposing one another! The moral influence of the Secession must have been greatly weakened for a season, and its enemies must have rejoiced over its intractable spirit, and predicted speedy ruin as the result of its fierce disunion.

Burghers and anti-burghers.

* McKerrow's History, vol. i. p. 297.

But though the rival synods frowned apart on each other, they still pursued the work of evangelization with fidelity and power. Both sent many ministers to Nova Scotia and the American states, and both contributed to the support of missions in various forms, and arranged a theological curriculum for their students. We do not detail their separate history farther. Suffice it to say, that the number of their adherents steadily increased; the cause had taken deep root in the land; and every ten years witnessed the rise of above a score of congregations. From 1790 to 1799 no less than twenty were formed. Both branches of the Secession were troubled with questions about the magistrates' power in religious affairs; and from both, half a century after the "breach," seceded small parties,* holding the right of the civil power in matters of religion, as it is thought to be defined in the "Confession of Faith." At this period the Anti-burgher synod emitted a testimony against the interference of the state in the regulation of the Church, declaring that the power of the Church is wholly spiritual, that the end of civil government is the public and temporal good of civil society, that neither of these kingdoms has power over the other,—that the Church has no civil authority and the magistrate no spiritual jurisdiction. The Burgher synod, in their preamble to their formula of ordination, were no less explicit in their views. So that what has been recently called Voluntaryism is not a novelty in Scotland,—or at least, in its fuller and more defined form, it is but the development of principles which were long ago laid down and enforced.

Progress of both parties.

It was scarcely to be expected that the Established Church should come round to the views of the seceders after they had quitted her pale: nay, as in consequence of their division they soon ceased to be so formidable, the General Assembly fell back upon its old measures. Towards the year 1750, some of the patrons, on being opposed or questioned, carried their right before the court of session, and it was enacted that if presbyteries should refuse to ordain a presentee against whom there was no legal objection, and admit another in his room, the patron might retain the stipend as in case of a vacancy. In several cases this law was enforced. The General Assembly was also, at this period, turning its attention to the augmentation of sti-

Origin of the Relief.

* Vulgarly called "Old Light."

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pends;* but the aristocracy, holding the unexhausted tiends, were hostile to the movement, and attempted to influence parliament against it by holding up the insubordination of many presbyteries to the law of patronage. The clergy naturally became anxious to remove this objection, and the Assembly, therefore, took steps to compel the obedience of the inferior courts. The Rev. Andrew Richardson, minister of Broughton, received, in 1749, a presentation to Inverkeithing; but only a few non-resident heritors signed the call, so that in consequence of the paucity of signatures, the presbytery of Dunfermline refused to induct him. The case was debated in the synod of Fife and before the higher courts; and it was thought at one time to have been finally settled by a compromise, the synod of Fife being appointed as a committee to proceed with the settlement. Dr. Robertson, the rising leader of the "moderate party," protested against such procedure. The case of Inverkeithing came regularly before the Assembly on Monday, the 18th of May, 1752. The presbytery of Dunfermline were ordered to proceed with the induction at Inverkeithing "on Thursday next," five of them to be a quorum; and they were enjoined to appear at the bar of the house on Friday to give an account of their procedure. This peremptory decree was carried by one hundred and two to fifty-six votes. A snare was laid by this decision for the opponents of the settlement. Three ministers usually formed a quorum, and there were three ready to induct Mr. Richardson; but in that case the refractory members would not have been reached. These three willing members of presbytery were present at Inverkeithing, but the Assembly having enjoined a larger quorum, no induction took place. The presbytery appeared on Friday before the Assembly. Six of them refused to have any hand in such work, and professed themselves "willing to forego every secular advantage for conscience' sake." To have deposed all these recusants would have been too sweeping a vengeance, and it was, therefore, resolved that punishment should fall on one, the selection of the victim being deferred till the following day. Then, while three appeared to yield somewhat, and two remained firm, Mr. Gillespie, the minister of Carnock, came forward with a second vindication of his conduct, and read it before the court. This calm and honest appeal at once decided the Assembly to depose him, and then and there, prayer being offered up, he was without either libel or process deposed from the office of the Christian ministry, and summarily ejected from his living. "Moderator," said the good man, on hearing the sentence, "I desire to receive this sentence of the General Assembly of the Church of Scotland, pronounced against me with real concern and awful impressions of the Divine conduct in it; but I rejoice that to me it is given on behalf of Christ, not only to believe on him, but also to suffer for his sake." The Assembly proceeded to record that "by the deposition of Mr. Thomas Gillespie, at Carnock, they not only have asserted the authority of the supreme court, but have inflicted on him a censure adequate to repeated acts of disobedience adhered to tenaciously when at the bar." The ministers who stood along with him in refusal were deprived of the power of sitting in all church courts save their own sessions, and they remained under this censure thirteen years. As a fitting sequel, the moderator, in his closing address, congratulated the Assembly on those deeds as maintaining the authority of the Church, and especially as following out the earnest recommendation of his majesty's commissioner, the Earl of Leven.

* Struthers' Sketch, p. 195.

Sketch of Gillespie.

Mr. Gillespie, against whom this tyrannous sentence was pronounced, was born at Closeburn, in the parish of Duddingstone, in 1708. At a very early period in life, he received deep religious impressions under the famous Boston of Etterick. He entered the University of Edinburgh, and had all but finished his theological curriculum, when, in compliance with the wishes of his widowed mother, who had joined the seceders, he went over to the secession divinity hall at Perth, under Mr. Wilson. He remained, however, but a short time there, and the reasons of his departure are not very well known, nor do they seem to have been fully stated by himself. He was dissatisfied "with their plan of principles," but he might have known what they were before seeking admission. He then went to Northampton, studied for some time under Philip Doddridge, and was in 1741 ordained to the sacred office by a number of dissenting ministers. In the same year he returned to Scotland, joined the Established Church, and accepted a presentation to the parish of Carnock. At his induction he made exception to that portion of the Confession which treats of the magistrate's power in religion. It was certainly unconstitutional in any presbytery to allow this deviation from law; but probably they thought it excusable to strain a point so as to admit into the national Church one who had manifested some early leaning towards dissent. In his parish he laboured assiduously, and was distinguished for his purity of life, and his experimental preaching. He was a good man and true, meek and unpretending, with more graces than gifts, but full of devotion to his Master and his Master's work. After his deposition by the Assembly he hastened over to Dunfermline. As he entered the gate leading to his house, he was met by his wife, to whom his first words were, "I am no longer minister of Carnock;" but her chivalrous welcome to the abrupt salutation was, "Weel, if we must beg, I will carry the meal-pock." He had laboured twelve years in Carnock when the Assembly cast him out. With all his modesty, he wanted not a calm intrepidity, and accordingly he preached next Lord's-day in the open air. After the lapse of a few months, he removed to the neighbouring town of Dunfermline, where a chapel was built for him. At his first sacrament, he announced, "I hold communion with all that visibly

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hold the Head, and with such only,"—a principle which has always honourably distinguished the church which he founded. After ministering some years, he was joined by Thomas Boston of Jedburgh, who had renounced his connexion with the Establishment, on account of a violent act of patronage exercised against himself. The first Relief presbytery was constituted in 1761, at the induction of Mr. Colier into Colinsburgh, in Fife, and it was formed to act for the RELIEF of oppressed Christians. A synod was convened in 1773, and a divinity hall established in 1823. There was no little contest in various parts of the country about the nature of Relief principles, and there was a war of pamphlets. It was the honour of the Rev. Patrick Hutchison of St. Ninian's, and latterly of Paisley, to give a clear, powerful, and complete view of the creed and practice of the church, of which he was a pillar and an ornament.

Grounds for continued secession.

The existence and spread of the Relief Church formed another argument for the continuance of the Secession. Indeed, both the General Associate and the Associate synod found, as they reckoned, abundant causes to justify their separation. Several of these are enumerated in the "Act and Testimony" of the United Secession Church. The deposition of Gillespie inaugurated the rule of Principal Robertson, and during his era oppression was at its height. Violent settlements became quite common through the country, and the military were occasionally called in to put down rebellion in the parish. Sometimes the members of presbytery were waylaid by the angry parishioners, and not allowed to reach the church at all. Such, at length, was the downward progress made by a party of his followers, that Principal Robertson became alarmed, and in 1781 retired from the Assembly, for some of the "moderates" had formed the idea of getting rid of the Confession of Faith altogether. Many publications containing doctrines at variance with the Confession met with no rebuke. The Rev. Dr. Macgill, one of the ministers of Ayr, published "A Practical Essay on the Death of Jesus Christ." The treatise is marked by no great ability, but it abounds in statements of doctrine quite opposed to the standards of the national Church. He denied, in no very ambiguous terms, those doctrines which the Confession teaches with unmistakable precision. His scheme was a mixture of Socinian and Pelagian errors on the person of the Redeemer, the nature and purpose of his death, and the basis of man's reconciliation with his Maker. Nigh three years elapsed before any notice was taken of his book, and attention to it was at length challenged by the author himself in his bold assault on the propriety of any human creeds. The proceedings against him were very languid in the church courts, and after no small manœuvring he was induced to frame an apology. This meagre and unsatisfactory document contained no recantation, or even tolerable explanation of his views, but it led to his acquittal. The secession churches were deeply grieved, though such procedure brought them numerous accessions of adherents. In a warning published by the burgher synod, it is affirmed that the only effectual way of curing those evils, is to let the public fund which supports the national Church be applied to other purposes, and "let each one pay his own minister as he does his lawyer or physician." Even under Dr. Hill's ascendancy no reforms were tolerated; and in 1796, during a debate on missions, the Rev. Mr. Hamilton of Gladsmuir affirmed, "that the propagation of the gospel was highly preposterous, in as far as it anticipates, nay, reverses the order of nature." Nay, Dr. Hill* himself said, "that missionary societies were highly dangerous in their tendency to the good order of society at large;" while Mr. Boyle, one of the elders, and afterwards lord-president of the court of session, thought that the Assembly should give the overtures recommending such associations "their most serious disapprobation, and their immediate and most decisive opposition." Even later still, the General Assembly of 1830 homologated the famous Act of 1720 against the Marrow; and in saying that the doctrines of Mr. Campbell of Row had been condemned by that old decision, they seemed to have identified his errors with those tenets, the defence of which was one chief means of originating the Secession. About the beginning of the present century, evangelical doctrine began to revive in the Church of Scotland. Its revival was also accompanied with a desire for more ecclesiastical freedom. A struggle commenced, the civil courts interfered, and the issue was another and greater secession—the disruption of 1843.

Case of Dr. Macgill of Ayr.

Rule of the moderate party in the Assembly.

Union of the two synods.

Both branches of the Secession continued to adhere to the same platform of doctrine and government, took a deep interest in all that pertained to the good of their country and the welfare of the world, and were especially zealous in the support of those Bible and missionary societies, which hallowed the commencement of the present century. The ministers and people of both synods were frequently brought into contact in pursuit of a common object; the animosities of the olden time gradually subsided, and mutual sympathy sprang up. The stumbling-block of the oath was taken out of the way, and there had been no difference save on this minor point. By-and-by joint prayer-meetings were held, and the desire for union spread with amazing celerity, so that at the spring meeting of both synods in 1819 their tables were covered with petitions praying that the "breach" might be healed. Preliminary arrangements occupied some time, a basis of union was ultimately agreed on, and the union was at length consummated in September, 1820. Seventy-three years had passed away since the unhappy separation, and in the chapel where it had occurred, the breach was healed,

* Principal of the Divinity College of St. Mary, St. Andrew's.

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though a few ministers of the General Associate Synod stood aloof from the measure, and, protesting against it, began a separate fellowship. Thus was formed the United Secession Church. In twenty years from this period, one hundred new congregations were added to the body, which at the union had comprised two hundred and sixty-two.

Characters of the olden seceders.

While the seceders of the last century had clear views of theology, and clung tenaciously to their convictions, and while their own position gave them some glimpses of those great principles of religious liberty, which are now so well recognised, still they had not attained to perfect light. They uniformly upheld the government of the country, and at a very early point of their history one of their ministers was deposed "for impugning or denying the present civil authority over these nations." Nay, they even allowed their members in England and Ireland to make certain "church payments, in compliance with the common order of society." They could not, however, support universal toleration, but reckoned it a sinful laxity. They stedfastly maintained that popery was an abomination, to be put down by the strong arm of law, and, at one time, they lamented that witches could no longer be exposed to the flames. They protested against the public sanction given to holidays, when parliament had authorised the Christmas vacation of the Court of Session. They dreaded prelacy, and not without good reason, for their fathers had suffered and bled under its tyranny. In no shape or aspect could they connive at its existence or spread in Scotland, and they ejected from their fellowship a builder in Glasgow, who had contracted to erect an episcopal place of worship. One of the two synods was at length forced to learn that there were some things of smaller moment which might be left as open questions. The minister of Kilmaurs, in 1782, insisted on perfect uniformity in the administration of the most solemn ordinance of Christianity. He held that every clergyman should lift the bread and the cup before he presented prayer, and gave the sacred symbols to the communicants. At its meeting the synod declared that the question among such as differed, ought to be one of mutual forbearance, and that it was unjustifiable to impose their opinions on one another. The originator of the dispute refused such a deliverance, and left the connection. Many of the people popularly called "lifters" sympathised with him, accusing the synod of a dangerous laxity; and the court was obliged to confess that its resolution of mutual forbearance has been "most grievously and groundlessly calumniated." Had, however, such a spirit been shown by it on former occasions, some lamentable results might have been prevented. But light was slowly breaking in, though the Church was loathe to admit any principle which acknowledged a distinction of essentials and non-essentials in ecclesiastical opinions and arrangements. In several of the points referred to, the opinions of the seceders were not different from those held by many in the Establishment. But, with all their faults, the seceders were of great benefit to the country, as, indeed, many churchmen have honestly confessed. They bore aloft the standard of evangelical truth and freedom, when it was in some danger of being dropped by other hands. Their history proved that a non-endowed body could subsist and extend itself, and that its dependence on the voluntary offerings of the people was no bar to its fidelity either in preaching or in discipline.

Union of Secession and Relief.

It may naturally be a subject of wonder that the two Churches of the Relief and Secession, so much alike in origin, constitution, and working, should have remained apart for any length of time. It need not be denied that there were in matters of minor detail and practice mutual prejudices and misconceptions. But these gradually disappeared. The common pursuit of public objects of Christian benevolence, and the agitation of the Voluntary Controversy, brought the two bodies into closer and more constant co-operation. Friendships sprang up, and the obligations of Christian union began to be more and more felt and acknowledged. Negotiations were commenced in 1835, and, though retarded for a season, were never finally broken off. A scheme of union was agreed on in 1840, and the union was solemnised on the 13th of May, 1847,—the place of meeting being Tanfield Hall, Edinburgh, the famed scene, four years previously, of the first Assembly of the Free Church of Scotland.

CHAPTER LXII.

GEORGE THE SECOND.

A.D. 1741—1746.

State of the Jacobite party.

NOTWITHSTANDING the disasters that had befallen the house of Stewart, and the apparent tranquillity of the kingdom under the new dynasty, there was still, both in England and Scotland, a numerous party that fondly cherished the hope of the restoration of the exiled family to the throne, and that were quietly waiting for some favourable opportunity of throwing off their allegiance to the house of Hanover. There were many circumstances which, at this period, seemed to authorise the expectation that such an opportunity was about to arise. There was deep and ill-concealed discontent throughout the country. The public burdens were heavy, and constantly on the increase, while much of the money withdrawn from the channels of manufacturing and commercial enterprise was spent in expensive, and not always successful foreign wars, in which the people felt little or no interest. These grievances fell with peculiar weight on the people of Scotland. The hopes of the Jacobite party, which included nearly the whole of the Roman Catholic population, were again revived. The government was unpopular at home; the country was involved in costly and fruitless hostilities abroad; and it was confidently expected, that, in the event of a rising in favour of the legitimate sovereign, both France and Spain would lend their assistance.

State of the Lowlands.

But notwithstanding these favourable circumstances, the attempt to reinstate the Stewarts on the throne of Britain was made at least forty years too late. Since their expulsion a great improvement had taken place in the condition of the Lowlands of Scotland, and every change had tended to strengthen the reigning dynasty, and to deepen the aversion which the Scottish people felt towards the banished descendants of their ancient sovereigns. The wide-spread misery which resulted from the misgovernment of Charles II. and James VII. was at an end; the violent dissensions by which the country had been convulsed under their sway were now healed; the disorders produced by their religious persecutions had subsided; and the extreme destitution to which multitudes of the Scottish people were reduced had now disappeared. Education was generally diffused throughout the community. There was now perfect security for life and property. The industry and physical well-being, the food, the dress, and the houses of the people were all steadily improving. Trade and commerce, though carried on to a very limited extent compared with the present day, had yet increased to a degree previously unknown in Scotland. The Union with England, which had at first excited such bitter discontent in the minds of the great body of the people, was now at least endured on account of the substantial advantages that had flowed from this important measure, which had opened the West Indian trade to the Scottish nation, and was gradually extending to them a share of the commercial prosperity of their southern neighbours. Above all, Scotland had now enjoyed for nearly sixty years the blessings of religious freedom. The people had been allowed to restore their beloved national church, and to worship God according to the dictates of their own consciences, without hindrance or molestation. Their favourite ministers had been reinstated in their pulpits, and in the possession of their great influence, still, as of old, wielded with unsparing rigour against "popery and black prelacy," which, as embodied in the persons of Charles II. and his brother, had turned the sequestered valleys and pastoral solitudes of Scotland into a shambles, had crowded the prisons with pious and peaceable citizens, had hunted them down like wild beasts, sold them for slaves, inflicted on them the most shocking tortures, put them to death with every circumstance of merciless barbarity, and nearly converted some of the most fertile districts of the country into a desert, as the last king of the Stewart family had threatened to do. Among the favourite books in every Scottish peasant's library were to be found "The Scots' Worthies," "The Cloud of Witnesses," and other similar records of the sufferings of those indomitable Presbyterian heroes who, during the fierce storm of persecution, had been driven from their homes, and compelled to flee to the caves and dens of the mountains, and had in many instances sealed their testimony with their blood. The characters of these old champions of the Covenant were regarded with unbounded veneration, and the traditionary narratives of their struggles for the truth, and their persecutions, were handed down from father to son with devout admiration, and exercised a most important influence upon the opinions and conduct of their countrymen. Thus, a regard both to their religious liberties and their physical well-being, induced the Lowland Scotch to give at least a passive support to a dynasty which in itself deserved neither respect nor affection, and to a government every way contemptible, and made them hostile to a cause which both their present interests and their historical recollections taught them to oppose. Hence, as might have been foreseen, with the exception of a few old Jacobite lairds and penniless adventurers, Prince Charles obtained few recruits in the Lowland districts of the country.

Feelings of the Lowland population towards the Stewarts.

State of the Highlands.

It was far otherwise with the Highlanders. In language, dress, manners, and customs, and to a certain extent in religion, they presented a striking contrast to the Lowland population. Civilization, it is true, had not been altogether without influence even on these rude mountaineers, but they still remained to a great extent in their primitive poverty and dis-

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comfort, and the essential features of the patriarchal form of government still continued among them almost entire. As the power of their chieftains, at a time when "might made right," necessarily depended on the number of their adherents, it was their constant object by every possible means to swell the ranks of their retainers, and to keep alive among them the use of arms long after the rest of their countrymen had converted "their swords into ploughshares." "I can raise five hundred men," was the laconic reply of Macdonald of Keppoch to an English guest, who had inquired the amount of his income. Hence, the population of these mountain districts was continually increasing beyond the means of subsistence, and the estates, or "countries," as they were called, of the lairds were overrun by an idle, haughty, and turbulent race, who despised all peaceful modes of support, and acknowledged no law except the commands of their chiefs.

Long before the memorable "forty-five," the numbers of many of the clans had greatly exceeded the means of subsistence afforded by the territories they occupied. Trade they had none, except the occasional exportation of a few droves of black cattle: they had no manufactures, and therefore no shipping, because they had nothing by which to create or employ it. Their agriculture was on the most limited scale, and its operations were carried on in the rudest and simplest manner. Tilling, reaping, and all other kinds of field labour, were mainly performed by the women, while the men spent their time in idleness, or in the pursuits of war and the chase. Owing to the continual pressure of the population upon the means of subsistence, the Highlanders were often reduced to great privations; and it was no uncommon thing for them, in the winter season, to be driven to support life by bleeding their black cattle, mixing the blood with a little barley or oatmeal, and frying the whole into a sort of cake.

The author of an able pamphlet, written the year after the rebellion, and entitled, "An Inquiry into the causes which facilitate the rise and progress of Rebellions and Insurrections in Scotland," calculates that there was not at that period employment for more than one half the number of people in the Highlands. Of the remainder, he says, "many are supported by the bounty of their acquaintances and relations, others get their living by levying black-mail, and the rest gain their subsistence by stealing or robbery, and committing depredations."

Scheme of President Forbes for settling the Highlands.

The sagacious and patriotic President Forbes clearly perceived the danger to which the peace of the country, and the stability of the government, were exposed by the unsatisfactory state of the Highlands; and, as early as the year 1738, he laid before Lord Milton a plan for employing the clansmen, disengaging them from the desperate cause of the Stewarts, and securing their services in behalf of the government. "Let four or five regiments," he said, "of Highlanders be raised; let the commanding officer of each be an Englishman, and the subordinate officers Highlanders carefully selected; send them abroad to fight our battles against France and Spain, which they will do with heart and zeal. They will not only be the sworn allies of government themselves, but hostages for their relations at home; and it will be impossible to raise another rebellion in the Highlands." This well-considered plan was brought under the notice of Sir Robert Walpole, who laid it before a cabinet council, and warmly recommended its immediate adoption; but his colleagues were anxious to preserve the favour of the king, in order that they might keep their places; and his majesty wished to employ Hanoverians and Hessians, and to subsidize his neighbours, the petty princes of Germany. The plan was, therefore, rejected. The Highlanders were left in their poverty and disaffection, in spite of the emphatic warning that "so long as the Highlands continue in their present state, so long will there be insurrections, thefts, and depredations; and so long will the people be in poverty and ignorance, and tools not only to every foreign power at war with Great Britain, but to every discontented subject who hath the interest and address to play them to answer to his designs."

Causes of the Jacobitism of the Highlanders.

It is to this condition of the Highlanders, not less than to their peculiar habits and dispositions, that we are to look for an explanation of the readiness and zeal with which the cause of the exiled family was embraced by the chiefs and their followers. The former, who were on many grounds strongly attached to the cause of the Stewarts, looked forward with sanguine expectations to the honours and substantial rewards which they were certain to receive, if through their exertions the ancient dynasty should again be restored to the throne of their ancestors. The ideas of government entertained by the clansmen disposed them to look upon these unfortunate princes as the general fathers or chiefs of the nation, whose natural and unquestionable power had been rebelliously disputed by their children or retainers. Their sympathies were strongly awakened by the romantic and hazardous nature of the enterprise in which Charles was engaged, as well as by the generous confidence with which he threw himself among them for support; while their devoted attachment to their chiefs made them at all times ready to fight in any quarrel which they might adopt. Thus honour, "loyalty unlearned," sympathy, and even what was, in their estimation, patriotism, all combined with various meaner motives to induce this brave and high-spirited race to embrace with the most enthusiastic devotion the cause of the heir of their ancient kings.

Various schemes had long been revolved for the restoration of the exiled family, all of which proved abortive. As early as 1741 a secret association had been formed at Edinburgh, consisting of Drummond,

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nominal Duke of Perth; his uncle, Lord John Drummond; Lord Traquair, and his brother; Sir James Campbell of Auchinbreck, and Cameron younger of Lochiel, who bound themselves to each other by a written engagement to peril their lives and fortunes in the cause of the Stewarts, and to take up arms so soon as they should receive assurance of assistance from France. This document, together with a list of all persons of note who were considered to be favourable to the enterprise, was entrusted to Drummond of Bohaldy, to be by him delivered to the Pretender, who was then residing at Rome, under the title of the Chevalier St. George. These papers the Chevalier lost no time in forwarding to the French court, between which and the Jacobite leaders an active correspondence was henceforward maintained.* Jacobitism, however, was at this period at a low ebb in Scotland, compared with what it had been some thirty years before, though it appeared to discerning men who had favourable opportunities of judging, that, in the event of a war with France, it would probably assume as formidable an aspect as ever. Among these was the Lord-President, who distinctly foresaw that in such a case the Highlands would become the focus of rebellion. The government were blind to the true condition of this part of the kingdom, and had not the remotest apprehension of danger from the semi-barbarous inhabitants of this outlandish region. Accordingly, with a view to strengthen the army on the continent, from whose deeds of valour they expected his majesty to reap unfading renown, they resolved on removing the Highland regiment to Flanders. The President lost no time in warning them of the danger, and expostulating with them on the extreme impolicy of such a step; and in the course of his long and forcible appeal, he took occasion to put a variety of hypothetical cases, almost all of which were destined in a few short months to become alarming and perplexing realities. The sagacious counsels of this wise and patriotic statesman were unheeded by the government. It was enough that he had been long attached to the Duke of Argyll, with whose political opinions his own were consequently supposed to be identified, and the duke was then in opposition. The government not only persevered in their determination, but had recourse to fraud, in order to entrap into foreign service the Highlanders who had originally been enlisted for service at home. For this purpose they were ordered to march to London; but, after a short residence there, circumstances occurred by which their suspicions were aroused, and a considerable body of them assembled, during the night, on a common near Highgate, and commenced their retreat towards their native mountains. They were pursued, however, by Captain Ball with a squadron of horse, and overtaken in Northamptonshire. Being forced to surrender, they were marched back to London, and confined in the Tower. Three of them were tried by a court-martial and put to death. The remainder, about two hundred in number, were distributed throughout the West Indies and the British stations in the Mediterranean, and the rest of the regiment were ordered to the continent.

Association in favour of the Pretender.

Treachery of the government towards the Highland regiment.

The withdrawal of these troops was the signal for the lawless Highlanders to commence their ancient system of depredation. They traversed the adjoining territory in armed bands, alarming and plundering the peaceful inhabitants wherever they came. The President once more wrote to the government, representing, in strong language, the unprotected condition of those districts, and the spoliation to which the people were exposed; and, at the same time, hinted his suspicion that emissaries from the continent were already among the clansmen labouring to corrupt their minds.* This, in fact, turned out to be the case. Fleury, who had formerly promised assistance from the French court, was eager to embrace the present favourable opportunity, and accordingly sent Drummond back to Edinburgh with encouraging assurances to the conspirators, whose numbers had by this time considerably increased, and who were now forming an association, under the name of "The concert of gentlemen for managing the king's affairs in Scotland." Their plan was to procure, if possible, a similar organization, under a similar bond, among the Jacobites of England, in which case, it had been arranged, that an army of at least thirteen thousand men should forthwith be sent over from France. Of these, fifteen hundred were to land near Lochiel, Fort William; a like number were to disembark at Inverness, near the clan Fraser; and the remaining ten thousand men, under the command of Marshal Saxe, were to land near London. This arrangement met the entire approbation of the French minister, to whom it was reported by Drummond on his return to Paris; but the whole scheme was frustrated by the caution of the English legitimists, who refused to affix their names to the bond—a preliminary without which Fleury would not stir.

Renewal of depredations by the Highlanders.

Plans of the conspirators.

In the meantime, the gentlemen of the "Concert," becoming impatient, dispatched Murray of Broughton to Paris, to know what was intended to be done. Fleury had died before his arrival, and had been succeeded in office by Cardinal Tencin, who was, however, as much attached as his predecessor to the cause of the Pretender. Murray was, on his arrival, introduced to M. Amelot, Secretary for foreign affairs, who had been put in possession of all the documents relative to the project of the conspirators. Though this gentleman at first expressed reluctance to proceed without any pledge of adherence from the English Jaco-

* Lovat's Trial, pp. 12, 74, 80.

* Culloden Papers.

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bites, he finally gave way, and informed Murray that the king was well acquainted with the object of his mission, and promised that as soon as an opportunity should occur the plan of the "Concert" should be carried into effect.

Tencin soon after wrote to the Pretender, who was now considered too old to take part in the intended expedition, urging him to send his eldest son, Prince Charles Edward, to France without delay, in order to take the command of the armament, so soon as that should be in readiness to proceed. James, however, suggested that it would be better for his son to defer his journey until the preparations were completed, as, in the probable event of the British government becoming aware of his movements, they would immediately adopt measures by which the whole scheme might be disconcerted.

Preparations of the French government for the invasion of Britain.

The French cabinet at last proceeded to redeem their promise. Fifteen thousand veteran troops, to be commanded by Marshal Saxe, were assembled at Dunkirk, a vast number of transports were collected in the Channel, and a fleet of eighteen sail of the line was in readiness, as a convoy, to sail from the harbours of Rochefort and Brest. A messenger was dispatched to Rome to inform James that the preparations were now completed, and to urge the departure of the young prince. Before setting out, Charles was furnished by his father with two important documents—a proclamation to the British people in the name of James VIII., as their legitimate sovereign, and a commission declaring Prince Charles, his son, regent in his absence. At length, on the night of the 9th of January, 1744, Charles privately left Rome, under pretence of going on a hunting expedition. He assumed the disguise of a Spanish courier, and was attended by only one servant, who appeared as his secretary. Riding post day and night, he soon reached Genoa, where he embarked on board a small vessel, which, passing unnoticed through the British fleet, reached Antibes in safety. Here he again mounted horse, and, riding at his utmost speed, reached Paris on the 20th of the same month.

Departure of Charles from Rome—his arrival at Paris.

Notwithstanding all the precautions that had been taken to keep his movements secret, the British government had been fully apprised of them, and sent instructions to their resident to demand that, in terms of a treaty between the two kingdoms, Charles should be ordered to quit the French territory. M. Amelot, in answer to this demand, replied, that so soon as the King of Great Britain should direct satisfaction to be made for the infraction, by his own orders, of the same treaty, his majesty the King of France would give explanations regarding the demand of the British resident.*

* Correspondence between the Duke of Newcastle and M. Amelot. Lond. Mag., 1743.

The French fleet ordered to proceed up the Channel.

The French ministry now gave up all attempts at concealment; and the fleet, consisting of twenty-three sail, under the command of M. Roquefeuille, was ordered to leave Brest and proceed up the English Channel. News of this movement speedily reached Plymouth by a cruiser, and a superior British fleet, under Sir John Norris, soon made its appearance in the Downs. The French admiral, disconcerted and alarmed by this unexpected opposition, held a council-of-war, when it was determined to put back under cover of the night, and, being favoured by a strong gale, they soon reached Brest without molestation. In the meantime, Charles had proceeded to Dunkirk, where the transports were stationed to cover the embarkation of the troops. Seven thousand had already embarked, and an equal number were in readiness, awaiting orders; twenty thousand stand of arms had been shipped, together with artillery, and a large quantity of ammunition, and other military stores. Thirty-three transports had left the harbour, when a violent storm, which blew directly on Dunkirk, and lasted for several days, drove many of the vessels from their moorings. Some of the largest of them were lost with all their crews, others were wrecked on the coast, and the remainder, in a shattered condition, put back to the harbour. The French troops were diminished by this disaster, and, as the British were now thoroughly alive to their danger, a renewal of the attempt seemed for the present hopeless. The French ministry, under these multiplied discouragements, abandoned the enterprise; the troops were ordered back to their cantonments, and Marshal Saxe was appointed to the command of the army in Flanders.

Return of the French fleet—its destruction by a storm, Feb. 24, 1744.

Abandonment of the enterprise.

Alarm of the British government.

Though the danger was now over, yet the British government were, not without reason, in a state of great alarm. The island was almost wholly unprotected. The troops were absent on foreign service, the best vessels of war occupied various distant stations, the ships on home service were too much scattered to form an effective combination, the ministry was highly unpopular, and the people were restless and discontented.

Great exertions were now made to secure both the internal and external tranquillity of the kingdom. The Habeas Corpus Act was suspended by the parliament which was then sitting, the militia were embodied, Earl Stair was nominated commander-in-chief, auxiliaries were solicited from the Dutch government, and a portion of the troops on the continent received orders to return home. The fears that had been expressed by the President of a descent being made on the Scottish shores, were now participated in by the government. The enemy's vessels had been observed sailing in a northerly direction; and the Marquis of Tweeddale,

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who was now Secretary, sent expresses to the Lord-Justice-clerk, the Lord-President, and the general of the forces, intimating apprehensions that the expedition was intended for Scotland. The President, while he pledged himself to do his best to procure accurate intelligence of the enemy's movements, could not help referring to his former letter, anticipating the very danger which was now so much dreaded; and he put it to the good sense and candour of the minister, whether a military force, such as he had recommended, should not now be stationed in the Highlands. The crisis, however, in the meantime, passed away, and with it the fears and the vigilance of the government; and instead of taking instant and decided measures to protect that part of the kingdom where the partizans of the Pretender were the most numerous and devoted, they busied themselves in procuring the passing of an act rendering it treason to correspond with any of the sons of the Pretender.*

Charles, deeply disappointed and discouraged by the sudden arrest laid on his great enterprise, sent a message to the Earl-Marischal to meet him at Gravelines, and proposed that they should hire a small vessel and proceed together to Scotland, where he had no doubt that his friends would flock in thousands to his standard as soon as it was raised. It was with the utmost difficulty that the venerable earl prevailed on the rash and headstrong youth to abandon all thoughts of an enterprise, which, while utterly hopeless in itself, would be sure to lead to strife and bloodshed throughout the nation, and to endanger the lives and fortunes of the most attached friends to his cause. Absorbed in the selfish ambition to aggrandise himself and his family, Charles, like most other political adventurers, was utterly regardless of the misery and ruin to which his followers might be exposed, and he at last yielded to the representations of the earl, not from the convictions of reason or the promptings of humanity, but from necessity.

The French government decline to renew the expedition.

Thus again disappointed, Charles returned to Paris, and, in the beginning of the year 1745, laboured hard, both by his own personal solicitations and those of his emissaries, to induce the French government to resume the enterprise. His efforts, however, were unavailing. Some of the Protestant powers in alliance with France had remonstrated against affording aid to Charles, as tending directly to strengthen the hands of the Roman Catholics, particularly in Britain, and urged that their united efforts should be directed towards the seat of war in Flanders.† The French court were unwilling to run the risk of offending their continental allies; and Charles found himself treated with coldness and neglect. He could not, even after the most importunate solicitation, obtain an interview with the king; nor was he ever admitted into his presence until his return from Scotland, after the entire failure of his daring project for retrieving the fallen fortunes of his family.

Murray dispatched to Paris. Charles intimates his resolution to proceed to Scotland.

All communications between him and his partizans in Scotland had for some time been intercepted; but, at length, Murray was again dispatched to Paris to procure intelligence. Here he was introduced to Charles, and having learned that, for the present, there was no hope of assistance from France, he represented to the young prince that, without efficient foreign aid, his enterprise was utterly desperate,—that the whole of his friends in Scotland likely to embark in his cause did not amount to more than four or five thousand men, and that any movement in his favour would be destructive to the peace and prosperity of the country, and ruinous to his adherents. The heart of Charles was steeled against all such considerations. He replied, that he had no doubt the King of France intended to make, in the ensuing spring, a renewed attempt to invade Britain, but that in any event he himself had determined to proceed to Scotland, and trust his cause to the affectionate loyalty of the people.

The Highland chiefs disapprove of his resolution, and determine to prevent his landing.

Murray, on his return to Scotland, communicated this intelligence to several members of the "Concert," who all, with the exception of the Duke of Perth, expressed the strongest disapprobation of the young prince's resolution of repairing to Scotland under present circumstances. Under their direction, a letter was addressed to Charles strongly dissuading him from such a rash adventure; but this letter, which was sent by a private hand in the month of January, 1745, never reached its destination; and in the month of June following a communication was received from Charles, intimating that he hoped by the end of that month to make his appearance in the west of Scotland, and appointing signals to be employed to announce his arrival. His friends were deeply grieved at this intelligence. Lovat, one of the most devoted adherents of the Stewarts, denounced the undertaking as rash and foolish; and the chiefs of all the clans, concurring in this opinion, resolved that none of their men should join him, and that he should not even be permitted to land.

Charles, on the other hand, considered this the most favourable opportunity that was ever likely to occur. He flattered himself with the belief that he could reckon on the support of almost the whole population of Scotland; that he had but to raise his standard and the tide of loyalty would return, and bear him onwards to sovereign power. In addition to these self-delusions, he was unfortunately misled by reports then current in Paris, that the allied armies had suffered a ruinous defeat, and that, consequently, no troops could be spared to protect Scotland from invasion. Elated by

* Culloden Papers, Add. 365; Parliament Regist., Lond. Mag., 1744; Scot's Mag., ibid.

† Memoires de Noailles, vol. vi. p. 22.

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these false hopes, and impatient of longer delay, he resolved immediately to proceed to Scotland, and prosecute his undertaking at all hazards; but of this intention he gave no intimation whatever to the French government, lest he should be forcibly detained.*

For the necessary aid denied him by the government, Charles was indebted to the liberality of private individuals. A banker in Paris, named Waters, lent him 60,000 livres, and a brother of the same gentleman advanced him a loan of 120,000 livres. With these sums he discharged certain debts, which he had contracted during the previous winter, and purchased fifteen hundred fusees, eighteen hundred French broadswords, twenty small field-pieces, and a quantity of gunpowder, and other warlike stores. The difficulty which might have appeared the most formidable of all, that of providing means of conveyance, was got over in a way somewhat remarkable. Charles had gained the confidence of two gentlemen, Messrs. Rutledge and Walsh, merchants at Nantes, French subjects, but sons of Irish refugees, the first of whom had obtained a man-of-war from the French court to cruise on the coast of Scotland. In this vessel, which was named the Elizabeth, and carried sixty-eight guns and seven hundred men, Charles was allowed to deposit his stores, while he and his attendants were to be conveyed in a brig of eighteen guns, named the Doutelle, which had been fitted up by Walsh to cruise against the British trade, and to which the Elizabeth was to act as convoy, without the knowledge of the French government.†

Charles aided in his project by private individuals—

The Doutelle lay at the mouth of the Loire, but it was arranged that Charles and his retinue should meet at Nantes. To prevent suspicion, they travelled to this place of rendezvous separately and by different routes; and, during their stay there, they took no notice of each other when they happened to meet in public, if any one was near enough to observe them.‡ The retinue of Charles, consisted of seven persons, afterwards designated as the "Seven Men of Moidart," viz., the Marquis of Tullibardine, who having been attainted for his share in the rebellion of 1715, had forfeited his right to succeed to the title and estates of his father, the Duke of Atholl, which were now enjoyed by his next younger brother; Sir Thomas Sheridan, who had been the prince's tutor; Sir John Macdonald, an officer in the Spanish service; Kelly, an episcopal clergyman, who had been implicated in Bishop Atterbury's plot; Æneas Macdonald, a banker in Paris, brother of Macdonald of Kinlochmoidart; an English gentleman, named Francis Strickland; and Buchanan, the messenger formerly sent by Cardinal Tencin to Rome to summon the Chevalier to Paris.

—his retinue—

On the 22nd of June (old style) Charles and his companions embarked on board the Doutelle at St. Nazaire, at the mouth of the Loire, and proceeded to the island of Belleisle, where they remained until the 13th of July waiting for the Elizabeth. On her arrival the expedition put to sea, but had not proceeded far when a British man-of-war hove in sight. It proved to be a sixty-gun ship, named the Lion, commanded by Captain Brett, the same officer who had stormed Paita in Anson's expedition. The commander of the Elizabeth, Captain D'Eau, came on board the Doutelle, and requested Walsh to join him in attacking the British vessel but Walsh, influenced by solicitude for the safety of the prince's person, declined. The Elizabeth, in consequence, commenced the attack alone, and after five hours' hard fighting, and considerable loss on both sides, both ships were so disabled that they found it necessary to return, the one to England, and the other to France. The Doutelle notwithstanding the loss of her convoy, which had on board all the prince's military stores, proceeded on her voyage. Another large vessel, two days afterwards, gave chase to the little frigate, which, however, escaped by her superior sailing, and in a few days found shelter among the Hebrides. Charles, habited in the dress of an Irish priest, landed with his attendants on the island of Eriska, where they were hospitably entertained for the night by the tacksman. Here the prince had the gratification to learn that the cluster of islands of which Eriska is one, belonged to Macdonald of Clanranald, a young chieftain, on whose loyalty he placed entire dependence. Young Clanranald was then at Moidart on the mainland, but the elder Clanranald was then living with his brother and principal adviser, Macdonald of Boisdale, on the adjacent island of South Uist. On learning this, Charles immediately dispatched a messenger for Boisdale, who was understood to have great influence with the young chief, his nephew, as well as with his father. Boisdale immediately obeyed the summons, and next morning went on board the Doutelle, to which Charles had, in the meantime, returned. The chieftain, though well affected to the cause, did not conceal from Charles that he regarded his enterprise, under present circumstances, as altogether desperate, and strongly remonstrated with him against the rashness of the attempt. He informed him of the resolution of the Highlanders, advised him to take his departure without delay, and plainly told him that he would counsel his young nephew to take no part in such a ruinous undertaking. Charles, though greatly disappointed and chagrined, showed no symptoms of discouragement. He felt it impossible now to return without incurring disgrace and ridicule, and resolved at all hazards to proceed. He accordingly set sail for the mainland, and cast anchor

—he embarks for Scotland, 22nd June, 1745. Encounter with a British man-of-war.

Arrival in the Hebrides.

Boisdale refuses to join Charles.

* Stewart Papers, Letter of Charles to his father, June, 1745.

† Letter of Charles to Mr. Edgar, 12th June, 1745.

‡ Jacobite Memoirs of 1745, p. 2

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in the bay of Lochnanuagh, Invernesshire, one of those deep sea-lochs which cut the western coast of Invernesshire, and partly divides the districts of Moidart, and Arisaig. As they approached the rocky shore, an eagle was observed hovering over the ship. "Here is the king of birds come to welcome your royal highness to old Scotland," said Lord Tullibardine. "I hope this is an excellent omen, and promises good things to us." Charles immediately sent notice of his arrival to young Clanranald. Next morning the young chief came on board, accompanied by his kinsmen, the Macdonalds of Glenaladale, and Dalily, and another gentleman of the same clan, whose journal, containing an interesting account of many of the events of this period, is now before the public.* They found a large tent erected for their reception, on the deck, and plentifully supplied with wine, spirits, and other refreshments. Tullibardine, styled by his companions Duke of Atholl, did the honours of the table. While the rest of the party were carousing in the tent, the young Clanranald and Macdonald of Kinlochmoidart were engaged in earnest conversation with Charles in another part of the vessel. He addressed them in pathetic terms, and conjured them to assist their prince in this, the hour of his utmost need. Like Boisdale, however, they represented to him the hopelessness of engaging in such a formidable contest without previous organization or concert; without foreign assistance, and even without arms and ammunition; and feelingly depicted the certain destruction in which such a rash proceeding would involve themselves, their friends, and their cause. Charles turned a deaf ear to all these expostulations, and adhered to his determination to hazard the lives and fortunes of his adherents in his desperate attempt, and to involve the whole nation in the miseries of a civil war. His two friends, however, remained unconvinced by his arguments, and unmoved by all his entreaties; but as the party, in a state of high excitement, walked backwards and forwards upon the deck, a younger brother of Kinlochmoidart stood by eagerly listening to the conversation. When he heard his brother refusing to take up arms in behalf of the prince, his colour went and came, his eyes sparkled; he shifted his place, and grasped his sword. Charles observing from his demeanour the deep interest he was taking in the discussion, stopped short, and, turning to the youth, said, "Will you not assist me?"—"I will, I will!" exclaimed Ronald, "though not another in the Highlands should draw a sword, I am ready to die for you!" Charles was moved even to tears by this expression of attachment, and said he only wished all the Highlanders were like him. The two Macdonalds were carried away by the enthusiasm of the young clansman, and immediately declared that they should no longer oppose the wishes of their prince.* Charles, who at this time passed for an English clergyman, is described by an eyewitness as "a tall youth, of a most agreeable aspect, in a plain black coat, with a plain shirt not very clean, and a cambric stock fixed with a plain silver buckle, a fair round ring out of the buckle, a plain hat with a canvas string, having one end fixed to one of his coat buttons; he had black stockings and brass buckles in his shoes. At the first appearance of this pleasing youth," says this enthusiastic Highlander, "I felt my heart swell to my throat."†

Charles has an interview with young Clanranald and some of his kinsmen—

—they consent to embark in the enterprise.

After two days spent in consultation on the plans to be adopted, and particularly in devising measures for securing the co-operation of such of the clans as were supposed to be well affected to the cause, Clanranald, accompanied by Allan Macdonald, a younger brother of Kinlochmoidart, was dispatched on an embassy to Sir Alexander Macdonald of Sleat, in the Island of Skye, and to the laird of M'Leod, with a view to induce them to engage in the enterprise. During the absence of these messengers, Charles, on the 25th July (old style), first set foot on the Scottish mainland. He landed on the southern shore of Lochnanuagh, and took up his residence at Borodale, in a farm-house belonging to young Clanranald. He was attended on this occasion by the gentlemen who had accompanied him from France, and in this secluded spot impatiently awaited the return of his emissaries. On their arrival, he had the mortification of finding that their mission had failed of its object. The chiefs, on whose support he had confidently reckoned, wisely refused to engage in an enterprise at once so hazardous and hopeless. His prospects of success were thus once more overclouded, and to a mind less sanguine than that of Charles, the whole project might well have been deemed on the point of failure.

Charles proceeds to the mainland.

However much to be condemned and deplored, it is impossible not to admire the undaunted and tenacious perseverance of Charles in pursuit of his great object. He now sent letters to such of the Highland chieftains as he thought most likely to join him, among whom were Cameron of Lochiel, Sir Alexander Macdonald, and M'Leod. Lochiel, the grandson of the famous old chief who fought at Killiecrankie, was the first to make his appearance, although his mind had been previously made up to stand aloof from an enterprise which he considered rash and hazardous in the extreme. For a long time he remained unmoved by either argument or entreaty, but Charles, at last, had the tact to find a way to his heart, if not to his head. "I am resolved," he said "to put all to the hazard. In a few days I will erect the royal standard, and proclaim to the people of Britain that Charles Stewart is come over to claim the crown of his ancestors, or perish in the attempt. Lochiel, who, my father has often

* Printed in the Lockhart Papers.

* Home's Works, vol. ii. p. 427.

† Journal and Memoirs, Lockhart Papers, vol. ii. p. 480.

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told me, was our firmest friend, may stay at home and learn from the newspapers the fate of his prince." The proud, yet warm-hearted Highlander was completely overcome by this appeal, and, in opposition to the dictates of his better judgment, surrendered at discretion. "Not so!" he exclaimed, "I will share the fate of my prince, whatever it be, and so shall every man over whom nature or fortune has given me any power." This was the turning-point of the enterprise. Had Lochiel stood firm it could not have proceeded another step, for without his concurrence, as was generally admitted by the Highlanders of that period, not a single chief would have joined the standard of the Prince. Lochiel lost no time in returning home to raise his clan; and, on the 6th of August, Charles issued orders for all chiefs favourable to his cause to meet him, on the 19th of the same month, at Glenfinnan, where he had resolved to hoist the royal standard.

Lochiel joins Charles.

Clanranald, as already mentioned, had, in the meantime, returned from the Isle of Skye, but the report he brought with him of the result of his mission was far from encouraging. Sir Alexander Macdonald and M'Leod fully coincided in the unfavourable opinion of the enterprise at first so strongly expressed by every chief whose aid had hitherto been invoked. The temerity of Charles in making such an attempt without foreign assistance, or even any assurance of support at home, seemed to them little less than insanity. They positively refused their co-operation, and ventured to tender their advice that he should immediately return to France. They were by no means unfriendly to the cause, but had, on the contrary, previously pledged themselves to support it. That promise, however, they now alleged, and no doubt with truth, was contingent on the prince's bringing along with him the necessary supplies, as well as a sufficient number of troops from the continent. So cautious, indeed, were they not to commit themselves, or even incur any imputation or suspicion of disaffection to the reigning sovereign, that they wrote to the government apprising them of the arrival of Charles, though not until nine days after his landing.*

Failure of Clanranald's mission to the Island of Skye.

The exciting intelligence of the landing of the prince and the mustering of the clans speedily penetrated the most sequestered glens of that mountainous region, and everywhere kindled a flame of enthusiasm among the half-civilised inhabitants; but it was some time before any but the most vague and uncertain rumours reached the military stations of the government. No great importance was at first attached to these almost incredible reports; nevertheless, the governor of Fort Augustus took the precaution of dispatching two companies of the Royals, under the command of Captain, afterwards General Scott, to reinforce the garrison of Fort William. They took the military road, which in that quarter wound through a mountain pass twenty miles in length, flanked on the one side by a range of mountains, while the other skirted the shores of Loch Oich and Loch Lochy. They had proceeded as far as the bridge thrown across the Spean, when they were alarmed by the sound of a bagpipe and the appearance of a party of Highlanders with drawn swords, which they brandished in a furious and menacing manner. Scott, knowing neither the strength nor the object of this warlike array, thought it prudent to call a halt, while he sent forward a sergeant and his own servant to inquire what were their intentions. The two messengers were instantly made prisoners and hurried across the bridge. Here another party of the Highlanders was stationed, whose numbers Scott had no means of ascertaining, and, as his own party consisted chiefly of raw recruits, he was unwilling to risk an encounter against what might prove overwhelming odds. Accordingly, leaving the two prisoners to their fate, he commenced a retreat, which he was suffered to continue for some time without molestation. The crafty Highlanders, who, after all, were only about a dozen in number, took a short cut across the hills, and, concealing themselves behind some trees that overhung the narrowest part of the road, commenced firing on Scott and his party as soon as they made their appearance. The report of the firearms quickly brought reinforcements to the attacking party, while Captain Scott and his little band, so situated as to be unable to make any resistance, could only continue their route with accelerated speed. Having reached the east end of Loch Lochy, they marched across the narrow isthmus by which it is separated from Loch Oich, with the intention of taking possession of the castle of Invergary, the seat of the chief of Glengarry; but they had not proceeded far before they found the clan drawn out to oppose them. By this time the party by whom they had been at first attacked, now joined by Macdonald of Keppoch, hung upon their rear, while a third party of Highlanders made their appearance on an adjoining hill. To spare the effusion of blood, Keppoch, advancing alone, offered favourable terms to the distressed soldiers if they would surrender, but assured them they would be cut to pieces if they ventured to resist. Scott, seeing no means of escape, and suffering from a wound which he had received in the defile, wisely accepted the terms offered. The party were made prisoners and consigned to the custody of Lochiel, who treated them with great kindness. In this affair the Highlanders escaped without loss, but two of the royalists were killed*—the first victims of this ill-fated rebellion.

A party sent to reinforce the garrison of Fort William—

—are attacked by the Highlanders and made prisoners.

On the 11th of August Charles removed from Borodale to Kinlochmoidart, a mansion about seven miles off, belonging to the chief of that name. Here

* M'Leod's letter in the Culloden Papers, p. 203.

* Home's History of the Rebellion, 4to. p. 46, et seq.

he remained until the 18th, when he proceeded to Glenaladale, and next day, with twenty-five attendants, sailed to Glenfinnan, the appointed place of rendezvous for the clans, where his standard was to be raised. Glenfinnan is a narrow vale, through which the river Finnan flows between high and rocky mountains; it is about fifteen miles from Fort William, and an equal distance from Borodale. On his arrival about noon, Charles found this sequestered glen in its usual silent and solitary condition. No gathering of the clans was there to welcome their prince, and to witness the important ceremony he had come to perform. Entering a little hovel, he waited for two hours, with the utmost impatience, the arrival of his friends. At length the welcome sound of the bagpipe on the opposite hill announced their approach, and a band of the Camerons, seven or eight hundred in number, headed by Lochiel, were seen marching down the declivity. They moved in two columns of three abreast, between which were the royalist prisoners they had so recently captured. A little knoll about the middle of the glen was selected as the spot on which to set up the standard;* and Tullibardine, then bending under the weight of years, was on account of his rank held entitled to the distinction of performing the ceremony. The banner was of red silk, having in the centre a white space, on which was afterwards inscribed the motto, "TANDEM TRIUMPHANS;" and Tullibardine, having taken his station on the knoll, with the assistance of two attendants, unrolled the banner, and flung its fatal folds upon the mountain breeze amidst shouts that made all the mountains ring again, and the tossing up of bonnets, which, in the words of an eye-witness, darkened the air like a cloud. When silence had been restored, Tullibardine read aloud the commission of the Pretender, constituting his son, Charles, sole regent of the kingdom; and also his manifesto setting forth the grievances of Scotland in being reduced by the union to the condition of a province, burdened with oppressive taxes, deprived of her trade, and placed under the rule of a military government; and promising pardon to all who had deserted their duty, on condition of their now returning to their allegiance. Both documents bore the signature of James as King of Great Britain, and were dated at Rome, 23rd of December, 1743. The ceremony was concluded with a brief address by Charles himself, in which he intimated that he had come to claim the kingdom on behalf of his father, to whom it of right belonged; that his great object was to promote the happiness of the people; and that he had selected this part of the kingdom as the most fitting place in which first to unfurl the royal standard, because he knew that he could there count on the support of many brave men, who were ready, like himself, to conquer or perish in the attempt.* In about two hours afterwards, Keppoch arrived with a band of three hundred of his retainers, and these were joined before nightfall by a considerable party of the M'Leods, who spoke with great indignation of the defection of their chief, and declared their determination to return to Skye, and raise as many men as they could in support of the cause. The Highland army, which now amounted to upwards of a thousand men, encamped for the night at Glenfinnan, and Sullivan was appointed adjutant and quarter-master-general. Next morning they commenced their march, and were soon joined by Macdonald of Glencoe with one hundred and fifty men, by the Stewarts of Appin, under Ardshiel, with two hundred, and by Glengarry the younger with about the same number, so that the Jacobite force now amounted to about sixteen hundred men.

Charles proceeds to Glenfinnan.

Raising of the standard.

Number of the insurgent army.

Wild and extravagant as the project was, there was at this time a remarkable conjunction of circumstances in its favour. Those who had joined the expedition still kept possession of their arms, notwithstanding the order for the disarming of the clans: the government were not yet alive to their danger, and even if they had been, they were, in consequence of the absence of the flower of the army on the continent, and the almost total want of arms, ammunition, and money on the part of their servants in Scotland, not in a condition to offer prompt and effectual resistance. The Scottish nobility and gentry who hung about the court, were in general so much absorbed in the pursuit of their own personal and family aggrandisement, that the well-being of their country, and particularly that of the Highlands, had been completely neglected. Some of the most influential chieftains, otherwise well affected to the government, had been soured and disgusted by neglect and disappointment; the party favourable to the Protestant succession were divided among themselves, and many of them had lapsed into a state bordering on indifference; the Hanoverian sovereigns were personally unpopular, while a natural sympathy was felt by all classes for the misfortunes of the ancient house of Stewart.

Feebleness of the government.

King George was at this time in Hanover, and the government was entrusted during his absence to a regency composed of his principal ministers. Among these, the Marquis of Tweeddale, under the official title of Secretary-of-state for Scotland, had the principal management of public affairs in that country. It appears, however, that, notwithstanding his responsible position, he knew nothing of the designs of Charles until he received information through the vigilance and patriotic zeal of the Lord-president Forbes. That distinguished statesman, to whom his country owed so deep a debt of gratitude, but whose repeated warnings and sagacious counsels had been treated with neglect by the government, did not on that account relax his

Patriotic conduct of the President.

* The spot is now marked by a monument with a Latin inscription.

* Earl Stanhope's History of Great Britain, vol. iii. p. 213.

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efforts for his country's good. It was mainly through his instrumentality that the chieftains of Skye, Sir Alexander Macdonald and the Laird of M'Leod, were prevented from joining the insurgents, and kept firm in their allegiance to the house of Hanover. As early as July the President learned from M'Leod the intention of Charles to make his appearance in Scotland; and, although he entertained some doubt as to the reality of that intention, he considered it his duty to communicate an account of what he had heard to Sir John Cope, then commander-in-chief of the forces in Scotland. Sir John immediately transmitted the intelligence to the regency, and while he expressed his doubts as to the truth of the report, he urged them without delay to send arms to the forts in Scotland, for the use of such of the clans as should remain loyal, and to take all possible measures to meet the exigency, if it should arise. He was answered on the 9th of July by Tweeddale, who by no means viewed the matter in a serious light, and merely directed Cope to keep a watchful eye upon the north, but informed him that the lords of the regency could not consent to send arms, for fear of alarming the country. On the 3rd of August, however, Cope received another letter from Tweeddale, intimating that Charles had actually left France for the purpose of invading Scotland, commanding the general to have his troops in readiness to act on a moment's notice, and promising to send immediately the arms which he had previously requested in vain. On the 8th he received a letter from the Lord-Justice-Clerk, enclosing one that had been sent to the sheriff of Argyle, reporting that Charles had landed. In the meantime, M'Leod had communicated to the President authentic intelligence of Charles's arrival, and of Clanranald's mission to the Isle of Skye. This letter was shown by Forbes to Cope on the 9th, and was then transmitted to London, along with the other papers, in order to rouse the government into action. At the same time, the President, the Lord-Advocate, and the Solicitor-General, concurred in representing to Cope "that the most effectual way of putting a stop to wavering people joining with the disaffected, so as to make a formidable body, was immediately to march and stop their progress," as there is always on such occasions a great number ready to join with what they consider to be the stronger party. On the same day the President set out for the Highlands, and Cope, after communicating his plans to Tweeddale, prepared to follow. The lords of the regency were in no degree alarmed by all this startling intelligence.* They imagined that the mere presence of the royal forces would be sufficient to quell the insurrection, if it should actually take place, and contented themselves with sending injunctions to the general to prosecute the plan he had proposed, to march direct to Fort Augustus, and to attack and disperse the rebels wherever he could find them.

Cope's correspondence with the government.

Meanwhile, their lordships had, on the 6th of August, issued a proclamation in the *London Gazette*, offering a reward of £30,000 to any one who should seize and secure the person of the pretended Prince of Wales. Charles was no sooner apprised of this circumstance than he issued a counter proclamation, dated from "our camp at Kinlochiel," denouncing the proclamation of the government as an "insolent attempt," and offering a similar reward for the capture of the Elector of Hanover, and for preventing his landing on any part of the British coast.

Price set on the head of Charles—his retort.

On the 19th of August, the same day on which Charles raised his standard at Glenfinnan, Cope commenced his march from Edinburgh. This luckless general was a man of undoubted fidelity and courage, but a mere disciplinarian, dull, stupid, and totally ignorant of the character of the enemy he had to contend with. Instead of endeavouring, like the Duke of Argyll in 1715, to coop up the insurgents within their own barren domains, or taking up a position which would enable him to protect the capital, he adopted the plan of marching to attack them in their inaccessible mountain fastnesses. His army was much too small for the service allotted to it, and was, besides, poorly appointed, and unaccustomed to active service. When assembled at Stirling, it was found to consist of twenty-five companies of foot, amounting in all to about fourteen hundred men, exclusive of two regiments of dragoons, which, however, from a belief that a force of this description was unadapted for service in a mountainous country, he left behind. The force at his disposal consisted of men belonging to the youngest regiments in the service. They were consequently inexperienced, and, however well disciplined, had yet to learn practically the art of war. He carried with him a large quantity of baggage, a drove of black cattle to be slain for food as occasion might require, and about a thousand stand of arms, to be distributed among such volunteers as might range themselves under his standard. He soon found, however, that he had little aid of this kind to expect. The Duke of Argyll was doubtful how far it would be legal for him to arm his people, who had already been disarmed by act of parliament, without express authority from the legislature; the Duke of Athell sent him a reinforcement of not more than fifteen men; while from Lord Glenorchy he obtained only a promise of five hundred, provided he would wait at Crieff, where he then was, for three days. Finding his hopes of assistance thus disappointed, he meditated an immediate return to the capital, and was only restrained from taking this step by the peremptory nature of his instructions from the government. He, however, sent back as a useless encumbrance seven hundred of the stand of arms.

Departure of Cope for the Highlands.

Amount and condition of Cope's forces.

* Culloden Papers, p. 385; Marquis of Tweeddale's Letters, printed in the Appendix to the Report of General Officers. London, 1749.

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with which he had furnished himself. At the bridge of Tay he was joined by about fifty men of Lord Loudon's regiment, but these, with the exception of about fifteen, in a few days deserted him, and, going over to the rebels, carried with them information of his movements. When he arrived at Dalnacardoch, he received the disheartening intelligence, that the army of the rebels, superior to his in number, and in adaptation to the exigencies of a Highland campaign, were already in possession of the strongest positions in the country. He continued his march, notwithstanding, to Dalwhinnie, where, finding this information fully confirmed, he was reduced to a state of great perplexity. His instructions were to proceed direct to Fort Augustus. To do so, however, it would be necessary to cross over the summit of Corriearrack, a lofty and almost perpendicular mountain, at not fewer than seventeen different traverses of which his army would be exposed to the fire of the enemy; while the descent, even if they should be so fortunate as to reach the summit, would be equally dangerous. Two modes of extrication, each with its attendant difficulties and disadvantages, presented themselves to his choice. The first and more obvious was to return; but this course, besides being contrary to the orders of government, would expose his men to be harassed during their retreat by the active and hardy mountaineers, who, being better acquainted with the country, and unencumbered with baggage, might cross the mountains in different directions, cut off his supplies, or even compel him, at the greatest disadvantage, to fight his way. The second was to proceed to Inverness by Ruthven. This step would, no doubt, leave the south open to the enemy without obstruction, but the general calculated on receiving assistance from the loyal clans in the north, and hoped that by threatening the lands of the rebels, they would be compelled either to remain, or to return for the protection of their property. In this dilemma, Sir John called a council of war, to whom he submitted these proposals for the conduct of the army. A solitary voice recommended that they should take up a strong position on the frontier of the Highlands, and there wait the attack of the rebels; but this judicious counsel was disregarded, and at last it was unanimously agreed to adopt the preposterous expedient of marching to Inverness, where there was no enemy to encounter, thus leaving the low country entirely unprotected.

Perplexity of Cope.

In the meantime, Charles, who had begun his march about the same time as Cope, had proceeded as far as Moy, in Lochaber, where he received intelligence, by an express from Gordon of Glenbucket, that the royal army was approaching Dalwhinnie, on their way to Fort Augustus. He instantly formed the resolution of pushing forward by forced marches, to gain possession of the important pass of Corriearrack, and to expedite his march, gave orders to burn and otherwise destroy everything that might prove an encumbrance. Even his own personal baggage was sacrificed to this object. Having reached Aberchaloder, he was joined by the Macdonalds of Glengarry, and the Grants of Glenmorriston; and when his army halted on the summit of Corriearrack, he found it had increased to eighteen hundred men. Here he fully expected to see the royal army toiling up the ascent, and involving themselves in those dangerous traverses, in which they could easily have been overwhelmed. To his great disappointment, however, not a man was to be seen. During the suspense which ensued, a small party of Highlanders made their appearance at a distance. They were at first supposed to be a party of the vanguard of the royalists; but they turned out to be deserters, bringing the astounding intelligence that the royal general had changed his course, and was now marching to Inverness. This news was received by the Highlanders with a shout of exultation, and the greater number were eager to descend in pursuit of the fugitives. Apparently with this view, they proceeded as far as Garriemore, where Charles summoned a council of war. The result was that the pursuit of the enemy was abandoned, and it was resolved to march directly on the capital. The prudence of this measure, in a military point of view, may perhaps be questioned, but it was, at least, calculated by its boldness to encourage their friends, and to intimidate their adversaries. In forming this determination the council were no doubt influenced partly by the necessity of procuring supplies, and partly by the representations of Mr. Murray of Broughton, who now acted as secretary to Charles, and who assured them, that through the influence of the Jacobites it would be an easy matter to get possession of the capital, where these were numerous and powerful.

Cope retreats to Inverness.

Charles resolves to march on the capital—

In two days the insurgent army made their way through the mountains of Badenoch, and entered the vale of Atholl. As they descended into the low country they received, like a mountain torrent, accessions of strength from every glen which they passed. The titular Duke of Perth, Lord George Murray, Lords Nairn, and Strathallan, Oliphant of Gask, and Mercer of Aldie, were the most important of the new recruits, not a few of whom were like those who repaired to David in the cave of Adullum—every one that was in distress, and every one that was in debt, and every one that was discontented. The Earl of Kilmarnock, who subsequently joined the rebels, was so miserably poor that he was often obliged to depend on the charity of his friends for a dinner; and brave, sturdy, plain-spoken old Balmerino, when accused of treason, said, "Treason!—the fact is, I was starving; and if the Grand Turk had set up his standard, I would have been compelled to join it." When the Highlanders reached Blair, the seat of the Duke of Atholl, who had fled at their approach, his brother, Tullibardine, took temporary possession of the ducal palace, of which, but for his attachment to the cause of the Pretender, he would have been the

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acknowledged and rightful owner. Here he gave a magnificent banquet to Charles, who remained two days in the enjoyment of this singular species of hospitality. In the meantime, Lochiel and Nairn were dispatched to Dunkeld and Perth, to proclaim James VIII. They were followed by the insurgent army, the vanguard of which arrived at Perth on the 3rd of September; and next day Charles, attended by the main body, made his public entry into the town amidst the acclamations of the people. Here he remained a week to collect supplies, of which he stood much in need, as out of four thousand louis-d'ors which he had when he left France, only one now remained in his possession. He obtained £500 from the town of Perth; several sums were voluntarily transmitted to him by his partizans at Edinburgh; and Clanranald and Keppoch were dispatched with a party of Macdonalds to Dundee, where they levied public contributions, and seized two vessels in the harbour laden with arms and ammunition, which they immediately forwarded to Perth, for the use of the army.

—he makes his public entry into Perth.

Having replenished his exchequer as well as recruited his forces, Charles quitted Perth on the 11th of September, and resumed his adventurous march to the south. The direct road to the capital led across the Firth of Forth, by the Queen's Ferry; but all the boats on the north side having been removed, he had no means of conveying his troops across the estuary; and as Stirling Bridge was commanded by the guns of the castle, he was obliged to take a circuitous route, and to cross the Forth above Stirling. The various localities which the prince passed over in this march were associated with the most memorable and spirit-stirring events in Scottish history. At Scone his great ancestor, Robert Bruce, was solemnly crowned on taking up arms against the oppressor of his country, as were his predecessors on the throne from the days of Malcolm Canmore downwards. Near Dunblane, where Charles spent the first night, is Sheriffmuir, where was fought the doubtful battle which arrested the progress of Mar's rebellion. Crossing the Forth—the Rubicon of his enterprise, which used to bridle the wild Highlandmen—at the fords of Frew, about eight miles above Stirling, and keeping to the south, in order to avoid the guns of the castle, Charles saw at a distance the battlements of that celebrated fortress, the birthplace of James II. and James V., and long the favourite abode of the Scottish monarchs. He then traversed, on the 14th, the field of Bannockburn—the Marathon of Scotland—where Robert Bruce, against fearful odds, gained that great victory which established, on a secure basis, the liberty and independence of his country. The Highland army passed the night on the neighbouring field of Sauchie, where King James, the third of his ill-fated race who bore that name, was defeated and slain by his rebel subjects, headed by his own son. Then came the Torwood and Falkirk, associated with the memory of the patriot-hero Wallace, and destined soon to be the scene of the last fruitless victory won by the prince's own army. On the 16th he reached Linlithgow, long a seat of Scottish royalty, the birthplace of the beautiful and unfortunate Queen Mary, and the scene of the murder of the great regent Moray. Traversing scenes such as these, which could not have been surveyed without emotion by the heir of the ancient royal race of Scotland,—himself engaged in an enterprise which in daring is worthy to be associated with the most memorable deeds of his ancestors,—the prince, on the 17th, reached the village of Corstorphine, only four miles distant from the capital. To avoid the exposure of his troops to the fire of the castle guns, he turned aside in a southerly direction toward the little village of Slateford, and fixed his head-quarters at Gray's Mill, about two miles from the city.

March of the Highlanders from Perth to Edinburgh.

Meanwhile, the citizens of Edinburgh were in a state of great excitement and perturbation. The castle, situated on an inaccessible rock, and held by a sufficient garrison, was quite secure; but the city was protected on the south and east only by an old wall, hastily erected after the battle of Flodden; by a shallow lake, called the Nor' Loch, on the northern side; and by some slight fortifications recently thrown up under the direction of the celebrated Professor M'Laurin. The wall was from ten to twenty feet in height, and was embattled, but the parapet was too narrow for mounting cannon, and was in various places overlooked by lines of lofty houses, only a few feet distant, so that, in reality, it afforded very little protection to the city. The Lord Provost, Archibald Stewart, was a well-known Jacobite, and was afterwards brought to trial for alleged neglect of duty in this emergency. He certainly was not hearty in taking or countenancing measures for the defence of the capital, and his reluctance to assist in the preparations which were made to resist the attacks of the Highlanders is said to have been increased by his desire to thwart his burghal rivals, who, under the leadership of ex-provost Drummond, were zealous in their efforts to defend the town; but the means at the disposal of the authorities were utterly inadequate for that purpose. The only trustworthy force in the city, in addition to two regiments of dragoons, consisted of the veteran and worn-out soldiers called the Town Guard, about a hundred and twenty in number. There was, indeed, a numerous body of militia, called the Trained Bands, divided into sixteen companies, and amounting to upwards of a thousand men, but they were entirely undisciplined, and not a few of them were known to be disaffected towards the Hanoverian cause. Towards the end of August, the more zealous citizens had proposed to raise a regiment of a thousand men for the defence of the town, to be paid by voluntary subscription; and the professors of the university and

Excitement in the capital—

—measures adopted for its defence.

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the clergy, who were warmly attached to the government, made liberal offers of money for that purpose. But the royal permission was not obtained till the 9th of September, and up to the time of Prince Charles's arrival in the vicinity of the capital only two hundred men had been embodied, and these were for the most part persons of dissolute character, who were tempted to enlist merely by the promise of pay. In addition to this force, which was designated the Edinburgh Regiment, about four hundred of the inhabitants formed themselves into a separate band or association, and were supplied with arms from the castle. They were divided into six companies, officers were appointed to command them, and they were regularly drilled twice a day. Several old pieces of cannon were placed on the walls, chiefly obtained from the shipping at Leith, and the various gates of the city were strongly barricaded. "Many of the volunteers were, doubtless, gallant young men, students from the university, and so forth; but by far the greater part were citizens, at an age unfit to take up arms, without previous habit and experience. Many of them were, moreover, *Oneyers* and *Moneyers*, as Falstaff says—men whose word upon 'Change would go much farther than their blows in battle. Most had ships to be plundered, houses to be burned, children to be brained with Lochaber axes, and wives and daughters to be treated according to the rules of war."* They had, therefore, no great stomach, even from the first, for the dangers of an encounter with stalwart Highland savages, and on the near approach of the insurgent army, their show of valour and zeal very speedily disappeared.

The Edinburgh Regiment and volunteers.

When intelligence was received that the van of the rebel army had reached the village of Kirkliston, a few miles to the west of the city, it was proposed by General Guest, governor of the castle, that the two regiments of dragoons, supported by the town guard, the Edinburgh regiment, and the volunteers, should march out and give battle to the enemy. This proposal was agreed to by the provost, who placed ninety of the town guard at the disposal of General Guest, and about two hundred and fifty of the volunteers pledged themselves to join in the movement, and to march out with the dragoons. The appointed signal for their assembling was the ringing of the fire-bell, and its ominous sound was heard on the forenoon of Sabbath the 15th, during divine service; but, "instead of rousing the hearts of the volunteers like the sound of a trumpet, it rather reminded them of a passing knell." The churches were immediately emptied, and the inhabitants in a state of great excitement poured out into the High Street, where they found the volunteers drawn up in the Lawn-market, preparatory to marching against the insurgents. Immediately after, Hamilton's dragoons, who had been summoned from Leith, rode up the street on their way to Corstorphine, and were welcomed with loud huzzas. At sight of the volunteers they in turn shouted, and clashed their swords against each other. The volunteers now prepared to march, but their mothers, wives, and other female relatives and friends, clinging to them, implored them with tears and cries not to risk their lives in an encounter with savage Highlandmen. At the word of command, however, they began their march up the Lawnmarket, led by their captain, Ex-provost Drummond, but the scene they had just witnessed had not tended to animate their drooping courage. Some lagged behind, some stood still in the street, some slipped aside into closes or courts, some bolted into houses whose doors stood temptingly open. In descending the famous West Bow, they disappeared by scores under doorways or down wynds, until when their commander halted at the West Port and looked behind him, he found, to his surprise and mortification, that nearly the whole of his valiant followers had disappeared, and that only a few of his personal friends remained. The author of a contemporary pamphlet—alleged to be David Hume—afterwards compared their march to the course of the Rhine, which at one place is a majestic river rolling its waves through fertile fields, but, being continually drawn off by little canals, at last dwindles into a small rivulet, and is almost lost in the sands before reaching the ocean.*

Pusillanimity of the volunteers.

Lieutenant Lindsay returned to the Lawnmarket, where he found a considerable body of the volunteers still standing in the street, and succeeded in persuading one hundred and forty-one to accompany him to the Grass-market, where they joined Drummond's small party. But as they were standing near the West Port before setting out, Dr. Wishart, Principal of the University, came down with several other clergymen, and entreated the volunteers to remain within the city. This prudent advice was adopted after a slight show of reluctance. The preposterous movement was abandoned; the raw levies were led back to the college yard, and dismissed for the evening. The town guard, however, and the men of the Edinburgh regiment marched out by order of the provost, and joined the dragoons at Corstorphine. As there was no appearance of the enemy, Colonel Gardiner retired at sunset with the two regiments of dragoons to a field betwixt Edinburgh and Leith, leaving a small party of his men to watch the motions of the Highlanders; and the civic troops returned at the same time to the city. During the night the walls of the city were guarded by six or seven hundred men, consisting of the trained bands, volunteers, and some auxiliaries from Musselburgh and Dalkeith. The same night Brigadier Fowkes arrived from London, and next morning superseded Colonel Gardiner in the command of the dragoons, whom he led out to a field near Coltbridge, about two miles west from the city. The Highlanders, on approaching Corstor-

* Sir Walter Scott; Quarterly Review, vol. xxxvi.

* Quarterly Review, vol. xxxvi. p. 173

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phine, perceived the reconnoitering party left there on the preceding evening, and a few mounted gentlemen were sent forward to ascertain their number. As they rode up towards the regulars, they fired their pistols at them, according to the usual custom of skirmishers. An unaccountable panic immediately seized the dragoons. They wheeled about, and, in spite of the efforts of their officers, galloped off towards the main body at Coltbridge, to whom they communicated their fears. Brigadier Fowkes found it necessary to order a retreat, which was speedily converted into a flight; and between three and four o'clock the citizens of Edinburgh witnessed the alarming spectacle of the dragoons galloping in the greatest confusion and terror along the ground now occupied by Prince's Street. They halted for a few minutes at Leith, but on a cry being raised that the Highlanders were at hand, they resumed their flight as far as Prestonpans. In the course of the night, terrified by a cry for assistance from one of their comrades who had fallen into a disused coalpit full of water, the craven dragoons once more took to their heels, and never drew bridle till they reached North Berwick, twenty miles to the east of Edinburgh. Colonel Gardiner had taken up his quarters for the night in his own house, which was close by the field chosen by the dragoons for their bivouac. When he rose in the morning, he found all his men gone, and was obliged to follow, with a heavy heart, in the direction they had taken. The road along which they had fled was strewed with swords, pistols, and firelocks, which the terror-stricken dragoons had thrown away to expedite their flight. The gallant veteran, deeply depressed by the shameful conduct of his men, caused these weapons to be collected and carried in covered carts to Dunbar,* whither the dragoons had preceded him.

Panic of the dragoons.

Throughout the whole of Monday the capital was in a state of great agitation. Early in the day a message from the prince was delivered to the citizens, by a person named Alves, requiring them to submit, and threatening them with military execution if they ventured to resist. After the flight of the dragoons, crowds of the inhabitants collected in the streets, and clamoured loudly for the surrender of the city. At four o'clock in the afternoon the provost called a meeting of the magistrates to consider what should be done. The officers of the crown were invited to attend, and give their advice; but it was found that they had prudently withdrawn from the city. A large number of unauthorised persons crowded into the chamber where the provost and magistrates were assembled, so that it was found necessary to adjourn to the New Church aisle, where the question "Defend or not defend the town" was put. The meeting was exceedingly noisy and tumultuous, and whilst the excitement was at its height, and the great majority were clamorous for surrender, a letter was handed in from the prince demanding that the city should be given up, under a promise that the property of the citizens should be protected, and their rights and liberties preserved. The perusal of this letter finally decided the meeting in favour of a capitulation, and deputies were immediately appointed to wait on the prince at Gray's Mill, with instructions to solicit time for deliberation.

Agitation of the citizens of Edinburgh.

Negotiations for a surrender.

* Home's Works, vol. iii.

Meanwhile, the volunteers were drawn up in the street in readiness to obey any orders that might be given them, when a gentlemen, whose person was not recognised, rode up the West Bow on a grey horse, and passing rapidly along the front of their line, cried out that he had just seen the Highlanders, and that they were sixteen thousand strong.* This announcement completed the dismay of the disheartened volunteers, who immediately marched to the castle and delivered up their arms to General Guest. The other bodies of militia that had received their arms from the castle magazine speedily followed their example, so that all hope of resistance was now virtually laid aside, although the trained bands still continued to man the walls.

The deputies had scarcely left the city to wait upon the prince, when intelligence was received by the provost and magistrates that the transports with General Cope's forces on board were in sight of Dunbar. The prospect of speedy assistance from the royal army somewhat revived the drooping spirits of the citizens; and various projects for the defence of the capital were discussed by General Guest and the magistrates. The deputation returned about ten o'clock at night, bringing back another letter from the prince, reiterating his demand to be received peaceably into the city, and appealing to his own manifesto and his father's declaration as sufficient security for the safety of the inhabitants, and demanding a positive answer before two o'clock in the morning. The magistrates were in great perplexity, and, after a lengthened discussion, sent out a second deputation about that hour, with a renewed request for a little longer time, under the pretext of a wish to consult the citizens; but the prince refused to admit them to his presence, and they were obliged to return without accomplishing their object.

Charles was fully aware of the necessity of prompt measures, and, apprehensive of the speedy arrival of Cope, he resolved that an immediate attempt should be made to take the city by surprise. A detachment of nine hundred men, under Lochiel, Keppoch, Ardshiel, and O'Sullivan, was sent towards the city, carrying with them a barrel of gunpowder to blow up one of the gates, if necessary. Marching across the Boroughmoor by moonlight, they reached the south-eastern extremity of the city, and stationed themselves in ambush near the Netherbow Port. They tried by a stratagem to induce the guard to open the gate, but without

* Home's Works, vol. iii. p. 60.

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effect, and were hesitating what course they should adopt, when an accidental occurrence relieved them from their perplexity, and saved the city an assault. About five in the morning the gate was opened to let out the hackney coach which had conveyed the second deputation to Gray's Mill, the coachman wishing to return to his stables in the Canongate, where all the hackney coaches of Edinburgh were at that time kept. As soon as the portals were thrown open, the Highlanders rushed in, overpowered and disarmed the guard, and secured the guard-house and gate. O'Sullivan immediately sent round detachments to the other gates of the city, and to the stations upon the walls, and took possession of these also without noise or bloodshed, as quietly, says a contemporary, as one guard would relieve another in the ordinary routine of duty.* To the surprise of the assailants, not a single armed man was to be seen in the streets, and the inhabitants seemed all buried in slumber, except a few who, roused from sleep by the screaming of the bagpipes, and the shouts of the Highlanders, were seen in their night-dresses timidly peeping out of the windows at the appalling spectacle of a body of fierce-looking savages rushing up the street.

Capture of the city.

At daybreak the Camerons were marched up to the Cross, and remained posted in the Parliament Close till eleven in the forenoon, without a man quitting the ranks, or offering the slightest injury to the persons or property of the inhabitants. A strong guard was also stationed at the head of the West Bow, for the purpose of intercepting all communication between the city and the castle.

Charles, meanwhile, had passed an anxious night. He had slept only two hours, and that without taking off his clothes. At an early hour he received the gratifying intelligence of the capture of the city, and immediately prepared to take possession of the palace of his ancestors. Making a detour to the south, to avoid the fire of the castle, till he reached Braidsburn, he turned towards the city as far as the Buck Stone, a mass of granite on the side of the turnpike road near Morningside, on which his ancestor, James IV., is said to have planted the royal standard when he mustered the array of his kingdom on the Boroughmoor, before the campaign which terminated in the fatal battle of Flodden. He then turned off to the east by a beech-shaded cross-road which leads by the interesting old mansion of Grange † to Causewayside and Newington. Entering the queen's park near Priestfield by a breach which had been made in the wall, Charles traversed the Hunter's Bog, whose recesses had often echoed to the bugle horn of his ancestors. He left his troops there about noon, and rode forward towards Holyrood, attended by the Duke of Perth and Lord Elcho, and followed by a train of gentlemen. On reaching the eminence below the famous St. Anthony's Chapel and Well, where for the first time he came within sight of the old palace, he alighted from his horse, and paused for a brief space to survey the beautiful scene. Then descending to the Duke's Walk (so named because it had been the favourite resort of his grandfather, to whose flagrant misgovernment he owed his exile), he halted for a few minutes to show himself to the people, who now flocked around him in great numbers with mingled feelings of curiosity and admiration. Loud huzzas came from the crowd, and many of the enthusiastic Jacobites knelt down and kissed his hand. He then mounted his horse,—a fine bay gelding which had been presented to him by the Duke of Perth,—and rode slowly towards the palace. On arriving in front of Holyrood House, he alighted, and was about to enter the royal dwelling, when a cannon-ball fired from the castle struck the front of James V.'s tower, and brought down a quantity of rubbish into the courtyard. No injury was done, however, by this gratuitous act of annoyance, and the prince, passing in at the outer gate, and proceeding along the piazza within the quadrangle, was about to enter the porch of what are called the Duke of Hamilton's apartments, when James Hepburn of Keith, a staunch Jacobite who had taken part in the rebellion of 1715, and "a model of ancient simplicity, manliness, and honour," stepped from the crowd, bent his knee in token of homage, and then drawing his sword raised it aloft, and marshalled the way before Charles up stairs.

March of Charles to Holyrood.

While Charles was thus taking possession of his ancestral palace, his adherents were proclaiming his father at the Cross. At one o'clock a body of clansmen were drawn up around this venerable pile, and the heralds and pursuivants in their official dresses, and the magistrates in their robes, were compelled to assist at the ceremony. A Jacobite teacher of Edinburgh, named David Beatt, proclaimed James VIII. in the usual form, and read the commission of Regency with the declaration issued by James in 1743, and a manifesto in the name of the prince, dated at Paris, May 16th, 1745. A great multitude of sympathising spectators were present at the ceremony, and testified their satisfaction by cordial cheers. In the evening the long-deserted apartments of Holyrood were enlivened with a ball, at which the Jacobite ladies were charmed with the elegant manners and vivacity of the youthful aspirant to the throne.

James VIII. proclaimed.

The personal appearance of the prince was exceedingly prepossessing, and contributed not a little to increase the popularity of his cause. He was tall and handsome, of a fair complexion, with large blue eyes, well-formed and regular features, and a lofty brow. His mien was dignified, and his manners easy and graceful. "The Jacobites," says Home, "were charmed with his appearance; they compared him to Robert Bruce,

Personal appearance and dress of the prince.

* Home, vol. iii. p. 67.

† The seat of the late Sir Thomas Dick Lauder, author of the Account of the Moray Floods, and other well-known works. Principal Robertson spent the last years of his life in this mansion.

whom he resembled, they said, in his figure as in his fortune. The Whigs looked upon him with other eyes; they acknowledged that he was a goodly person, but they observed that even in that triumphant hour when he was about to enter the palace of his fathers, the air of his countenance was languid and melancholy; that he looked like a gentleman and a man of fashion, but not like a hero or a conqueror."* On his entry into the capital Charles wore a short tartan coat, with the star of the national order of St. Andrew, a blue velvet bonnet with a white satin cockade, a blue sash over his shoulder, small clothes of red velvet, and a pair of military boots. His appearance was greeted with loud acclamations by the country people, who crowded around him whenever he went abroad, and eagerly sought to kiss his hands and touch his clothes. But it was observed that very few of them could be induced to take up arms in his service. A considerable number of recruits, however, came in from other quarters. On the day after the occupation of Edinburgh, Lord Nairne came up from the north with a strong reinforcement of Highlanders from Athol. The Earl of Kellie,† Lord Elcho, eldest son of the aged Earl of Wemyss, Lord Balmerino, Sir David Murray, Sir Robert Threipland, Lockhart younger of Carnwath, Graham younger of Airth, Rollo younger of Powburn, Hamilton, of Bangour, the poet, and various other gentlemen of distinction, also joined the standard of the prince at this time. The Grants, of Glenmoriston, two hundred and fifty in number, came up on the morning of the 20th.

Return of Cope from the north.

While the Jacobite army was taking possession of Edinburgh, General Cope was landing his troops at Dunbar. The disembarkation was completed on the 17th; and having been reinforced by the two regiments of dragoons who had retreated with such haste from Coltbridge, and by the Earl of Home,‡ with a few other volunteers, Cope set out on his march to rescue the capital from the rebels. His army amounted altogether to about two thousand two hundred men, with six pieces of artillery, and formed a well-appointed and disciplined force, apparently far more than a match for the ill-armed and worse equipped Highlanders. On Thursday, the 19th September, Sir John advanced as far as Haddington, sixteen miles from Edinburgh, where he spent the night. Next day he resumed his march by the ordinary post road which leads to the capital, but on reaching a spot called Huntingdon, he turned off to the right and took the road which traverses the level country near the sea, apparently from a conviction that the enclosures near the other line would, in case of an attack, be unfavourable to the movements of his cavalry. His intention was to encamp for the night in the vicinity of Musselburgh, but on approaching the village of Preston, he received information that the Jacobite army was in full march to give him battle. He immediately halted, and drew up his troops on the level plain between Seton House and Preston, fronting the west, with his right extending to the sea, and his left towards the village of Tranent. He had scarcely taken up his ground when, to his great surprise, the Highlanders came in sight; not as he expected, from the west, but on the high ground to the south of his position.

He marches to meet the insurgents.

They resolve to give him battle.

It was on Thursday the 19th, the day on which Cope left Dunbar, that Prince Charles received intelligence of the movements of the royal army. He immediately proceeded to Duddingston, where his army was encamped, and calling a council of war proposed to march eastward next morning and encounter the royalists on their march. This courageous proposal was cordially approved of by the chiefs, and orders were at once issued to withdraw from the city the troops employed in mounting guard, that the whole army might be ready to march against the enemy. At daybreak next morning they prepared to set forward. They formed in one narrow column three deep, with the Prince at their head, who, drawing his sword, said, "My friends, I have thrown away the scabbard." He was answered by loud acclamations, and the march commenced. The insurgents were all on foot, with the exception of a few gentlemen and their retainers, amounting to about fifty. They possessed a single piece of artillery—an old iron gun drawn by a string of Highland poneys. It was useless for any military purpose, and was only employed for firing signals, but it accompanied the march in deference to the superstitious prejudices of the Highlanders, who were little accustomed to artillery, and attached great importance to the possession of this field-piece. Passing along by the little village of Easter Duddingston, the insurgents joined the post road near Portobello, and proceeding towards Musselburgh, crossed the Esk by the old bridge, a structure supposed to be of Roman origin, and "over which all of noble or kingly that had approached Edinburgh for at least a thousand years, must have passed—which has borne processions of monks and marches

* Home's Works, vol. iii. p. 71.

† In not a few instances father and son embraced opposite sides in this contest, so that in whatever way it might terminate the estate should be preserved to the family. On Mr. Beatoun, of Kilconquhar, expostulating with the Earl of Kellie about the absurdity of his joining the Chevalier, seeing that he had no followers, his Lordship replied, "Hout man, although I get a bullet through my wame, is there no Pittenweem (his eldest son) aye to the fore?" So far was this prudent policy carried, that the wife of the chief of the Macintoshes raised the clan in behalf of Charles, while the chief himself was an officer in a regiment of militia raised in support of the government.

‡ Lord Home joined the royal army, attended by only two servants. Even so late as 1633, one of Home's ancestors met King Charles I. as he crossed the Border, on his visit to Scotland, at the head of six hundred well-mounted gentlemen, his kinsmen and retainers. So great was the change that had taken place in the state of the Lowlands. The Earl of Kellie tried to raise a regiment for the prince's service upon his estates in Fife, but could only muster an old Fife laird, who was to be his lieutenant-colonel, and a single serving man, to represent all the rest of the troop.

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of armies, and trains of kings." Passing Pinkie Cleuch, the scene of one of the most disastrous defeats ever suffered by the Scots, the Highlanders went up Edgebuckling Brae, and ascended Falside hill, near Carberry, famous as the spot where the beautiful and unfortunate Queen Mary surrendered to her insurgent nobles. Then, turning to the left and still keeping the high ground, they marched eastward, till, within half a mile of Tranent, they came a little after noon in sight of the royal army in the plain below. The Highlanders immediately halted, and formed in order of battle along the brow of the hill.

The two armies come in sight of each other.

Sir John Cope, as we have seen, had at first drawn up his troops with their front to the west, but when he saw the enemy suddenly appear on the southern eminence, he immediately changed his front and faced the south, having his right covered by the park wall of Colonel Gardiner's mansion and the village of Preston, and his left by Seton House, with its trees and enclosures. He placed his foot in the centre, with a regiment of dragoons and three pieces of artillery on each flank. The two armies were about a mile asunder, and the sloping eminence occupied by the Highlanders, was separated from the level fields on which the royal army was drawn up, by a long strip of marshy ground intersected by several enclosures, and traversed throughout its whole length by a broad and deep ditch. Both parties seemed eager for the conflict. When the Highlanders first came in sight, the regulars uttered a loud shout and fired one or two of their cannon upon an advanced post of the enemy, who returned the defiance with a tremendous yell, which was re-echoed by the heights behind them. The prince was eager for an immediate attack, but he was assured by the country people that it was impracticable to pass the marsh in front of Cope's position. Their statements were confirmed by Mr. Ker, of Graden, an officer of experience, who, mounted on a little white pony, coolly and deliberately examined the ground, unmoved by the shots which were fired at him while he was performing this service. Charles then moved a portion of his troops to the west, and threatened Cope's right flank—a movement which led to a corresponding change of position on the part of the royal army. Finding the new front of the enemy strongly protected by the park walls in this quarter, the prince once more returned to the station which he had occupied near Tranent, and the regulars wheeled round at the same time, and again faced the south. The whole of the afternoon was consumed by these manœuvres, which left both armies in their original positions.*

Their respective positions.

The courage of the royal army was greatly damped by the timid, irresolute conduct of their general, in remaining on the defensive, while his opponents manifested such eagerness for a battle. Colonel Gardiner, and other officers, in vain urged upon Cope the necessity of bolder measures, and earnestly recommended him to attack the enemy, so long as his soldiers were in good spirits for the encounter. Sir John seemed to imagine that he had done enough in maintaining the strong position he had assumed. The only offensive movement he could be prevailed on to undertake, was to fire a few cannot-shot at a party of Highlanders stationed in the churchyard of Tranent. The prince and his men, on the other hand, were so apprehensive that the royal forces would escape them, as they had done at Corriearrack, that he detached Lord Nairne with five hundred men to the westward of Preston, above Colonel Gardiner's park, in order to intercept the enemy, should they attempt to steal off towards Edinburgh during the night. The Highlanders then moved to the east of Tranent, and wrapping themselves in their plaids, lay down to sleep upon a stubble field.

Discouraging policy of Cope.

The royal army also bivouaced upon the ground, and as the night (20th Sept.) proved cold and dark, their general lighted great fires around his position to warm his men. He also placed pickets along the edge of the morass, to secure his army from surprise during the night, and sent his baggage and military chest down to Cockenzie under a strong guard. His forces were drawn up on the south side of the morass, in the following order: the foot formed one line facing the south, having in the centre eight companies of Lascelles' regiment, and two of Guise's; on the right, five companies of Lee's regiment; and on the left, the regiment of Sir John Murray, with some recruits. The right flank was protected by two regiments of Gardiner's, and the left by a similar number of Hamilton's dragoons. The artillery, consisting of six pieces, was stationed on the right of the army, near the waggon road from Tranent to Cockenzie, under the orders of Lieutenant-colonel Whiteford, and guarded by a company of Lee's regiment, commanded by Captain Cochrane. Strange to say, no proper artillerymen had been provided to work the guns, and Cope was obliged to rest satisfied with the services of the only gunner in Scotland, an old man who had belonged to the Scots' train of artillery before the Union, and three old invalid soldiers, assisted by a few sailors. Besides the regular troops, a small body of volunteers, consisting principally of the neighbouring tenants, with their respective landlords, had placed themselves under the royal standard.

Position of the royal army.

General Cope's army amounted altogether to two thousand one hundred men, and was rather inferior

* Late in the afternoon, Prince Charles, attended by the Duke of Perth and another officer, went to dine in the little inn of Tranent. The landlady could not provide any better entertainment for her distinguished guests than some Scotch kail, or broth, and the meat from which it had been made. As she had previously concealed her service of pewter for fear of the Highlanders, she could purvey no more than her wooden spoons for her three guests, and one butcher's knife to cut the meat, which they then ate with their fingers.—(Chambers's Hist., vol. i. p. 143.)

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in numbers to that of Prince Charles. Many of the Highlanders, however, were badly armed, and some of them had no other weapon than the blade of a scythe fastened to a long pole. As soon as it became dark, and the rebel forces had taken up their position for the night, a council of war was held, at which it was resolved, on the proposal of Lord George Murray, to attack the enemy at break of day, by crossing the morass near its eastern extremity, where it seemed least impassable. This resolution having been unanimously adopted, Charles, surrounded by his principal officers, lay down to rest in a field of pease made up into ricks, having a sheaf for his pillow. No fires were allowed to be lighted, and a strict silence was enjoined on their followers, for the purpose of concealing their position from the English general.

The Highlanders resolve to attack the regulars.

There was in the army of Prince Charles a young country gentleman, named Anderson,* of Whitburgh, in East Lothian, who was present at the council of war, but took no part in their deliberations. He was intimately acquainted with the ground in the vicinity, and after the council broke up, told Hepburn of Keith, that he knew a path by which the Highlanders could, without difficulty, pass the morass "without being seen by the enemy, and form, without being exposed to their fire." By Hepburn's advice he communicated this information to Lord George Murray, who regarded it as so important that he immediately went with him to impart it to the prince. Charles, who was lying asleep on a bunch of pease-straw, roused himself at once, and listened attentively to Mr. Anderson's proposal. He then sent for Lochiel and some other chiefs, and finding that they cordially approved of the plan, he prepared to put it into immediate execution. An aide-de-camp was dispatched to recall Lord Nairne's detachment from its position near Preston, and the whole army got under arms and began its advance about three o'clock in the morning (Saturday, 21st Sept.) They marched as usual in two columns of three men abreast, preserving the strictest silence. Mr. Anderson led the way, followed by Macdonald of Glenaladale, major of the Clanranald regiment, with a chosen party of sixty men, whose appointed duty it was to seize the enemy's baggage. They proceeded in an easterly direction till near the farm of Ringanhead, when they turned to the north down a hollow or valley, which winds through the farm. It was fortunate for them that the path across the morass, either from ignorance of its existence or from oversight, was left entirely unguarded, for it was so narrow that the column could scarcely find room to advance, and the ground was so soft that many of the Highlanders sunk knee-deep in mud. At this point the ditch which traversed the morass from west to east became a mill dam, and was crossed by a narrow wooden bridge, which the clansmen passed without interruption. Charles, who was at the head of the second column, attempted to leap across the dam, but stumbled, and fell upon his knees on the other side. Having cleared this impediment, the leading column continued its course towards the sea, till the whole army had passed the morass and gained the eastern extremity of the plain, at the west end of which the royal army was stationed. Then, wheeling about, the clans formed in battle array on the level ground. At this moment some of the dragoons, who were stationed as pickets in this quarter, for the first time perceived the approach of the enemy, and firing their pieces, rode off to give the alarm. The cry of "Cannons, cannons! get ready the cannons, cannoneers!" was immediately heard throughout Cope's left wing, and the general hastened to make a new disposition of his troops to meet the impending attack. His right now rested upon the morass, and his left extended towards the sea. The infantry stood in the centre, and the dragoons, as formerly, occupied each flank. The artillery was placed on the right, in front of Gardiner's dragoons, in opposition to the advice of their commander, and behind them were the high walls, enclosing the pleasure grounds of the Grange and of Bankton, Colonel Gardiner's mansion. The space between the two armies was a level field of considerable extent, which had just been cleared of its crop of corn. As the expanse was unbroken by tree, or bush, or fence, it was peculiarly favourable for the operations of cavalry.

Plan of attack.

The Highlanders had now completed their preparations for the attack. They were drawn up in two lines: the Macdonalds, under the Duke of Perth, formed the right wing, an honour which they claimed as their hereditary right, because Robert Bruce had assigned that position to their clan at the battle of Bannockburn; the Duke of Perth's regiment and the Macgregors occupied the centre; while the left wing, commanded by Lord George Murray, was composed of the Camerons, under Lochiel, and the Stewarts of Appin, led by Stewart of Ardshiel. The second line, which was intended to act as a reserve, was drawn up at the distance of fifty yards behind the other, and consisted of the Athol men, the Robertsons of Strowan, and the M'Lauchlans. The command of this body was entrusted to Lord Nairne. The front line was speedily broken up into small groups or masses, each composed of an individual clan, having the best armed men in front, who were to a considerable extent protected by their targets from the enemy's fire. Each chief fought in the centre of his clan, and surrounded by his principal relations and officers. Their inferior and worse-armed followers closed the rear, and by their physical pressure gave impetus to the charge of the front ranks.

When all arrangements had been completed, Charles addressed his men in these words: "Follow me, gentlemen, and by the blessing of God, I will this day make you a free and happy people." He

* The father of this gentleman, who was still living, had been engaged in the rebellion of 1715.

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had expressed his wish to lead the charge, but in compliance with the urgent request of the chiefs, he consented to take a position between the two lines, in midst of a small guard.

The morn had now fully dawned, and the beams of the rising sun were beginning to illuminate the waters of the estuary on their right; but the mist was still rolling in huge masses over the morass on the left, and the cornfields in front, so as to hide the two armies from each other. Everything being now in readiness, the order to advance was given. A brief and solemn pause ensued, during which the clansmen took off their bonnets, raised their faces to heaven, and uttered a short prayer. Then, pulling their bonnets over their brows, and throwing aside their plaids, they began their charge. They advanced in silence, at first slowly, but as they proceeded they quickened their pace, and moved with such rapidity that they had to halt once or twice to recover their broken ranks, before closing with the enemy. The left wing, composed of the Camerons and Stewarts, had the start of the other divisions, and moved somewhat obliquely, in order that it might keep close to the morass, and prevent the dragoons from turning its flank. An interval was thus left in the centre of the line, through which a watchful enemy might have penetrated. At this moment the mist rose like a curtain and showed the royal troops the dark masses of the clans rushing on to the attack. With a tremendous yell the Camerons threw themselves, with irresistible impetuosity, upon the glittering ranks of their enemies. The artillerymen instantly fled, and though Colonel Whiteford, with his own hand, discharged five of the six cannon upon the advancing foe, they recoiled only for an instant, and immediately resumed their charge. The artillery guard next fired a volley, but without effect. The first squadron of dragoons, under Lieutenant-colonel Whitney, was then ordered to attack them; but on receiving an irregular fire from their fusees, these dastards, who had not recovered from the canter of Coltbridge, were seized with a disgraceful panic, and wheeling about rode over the artillery guard, and galloped from the field. The second squadron, under Colonel Gardiner, was then led forward to the attack by the gallant veteran himself, who encouraged them to stand firm; but they had not advanced many paces, when they too wavered, halted, and followed their companions in their flight.

The battle of Preston.

Total defeat of the royal army.

Hamilton's dragoons, who were stationed on the left of the royal army, behaved even worse than Gardiner's, for no sooner did they perceive the flight of their companions on the right, than they turned and galloped off the field in confusion, without striking a blow, before the enemy could close with them. The royal infantry, however, though their flanks were left uncovered by the dastardly flight of the dragoons, stood their ground for a brief space, and poured a well-directed volley upon the centre of the insurgents, which prostrated a number of their best men. But their extended files were soon pierced and broken by the furious onset of the Highlanders, who, dropping their pieces when they had fired, drew their broadswords, and threw themselves upon the opposing ranks with an impetuosity which swept everything before it. The royal infantry, attacked at once in front and on their flanks, were irretrievably routed, and throwing down their arms fled from the field. The park walls in their rear, however, so impeded their flight, that nearly the whole of them were either killed or taken prisoners. In five or six minutes the battle was decided; and so rapidly did the Highlanders drive the regulars off the field, that though their second line was only forty paces behind the first, it is stated by Chevalier Johnstone, who stood behind the prince in front of this line, that he could see no other enemy but the killed and wounded lying on the ground.*

A desperate effort was made by Cope himself, assisted by the Earls of Home and Loudon, Colonel Whitney, and other officers, to rally the dragoons after they had cleared the enclosures around Preston; and by dint of threats and entreaties, and by presenting pistols at the men's heads, they succeeded in turning about four hundred and fifty of the fugitives off the high-road into a field, and endeavoured to lead them back to the charge. But their terror was too deep-rooted to be thus easily dispelled. The accidental firing of a pistol renewed their panic, and in spite of all the efforts of their luckless general, they went off at full gallop towards the south, ducking their heads along their horses' necks to avoid the balls, which a few Highlanders fired after them. Sir John had no alternative but to follow his panic-stricken troops. He reached Coldstream on the Tweed that night, and next day retired to Berwick, everywhere bringing the first tidings of his own defeat. A few dragoons fled to Edinburgh, and galloping up the High Street with great confusion and uproar, sought admission into the castle. But old General Preston, who had again assumed the command of the fortress,† ordered them to be gone, or he would open his guns upon them as cowards and deserters. Terrified by this threat the runaways turned their horses down the Castle Wynd, and pursued their flight to Stirling.

Of the royal infantry only one hundred and seventy escaped, all the rest being killed or taken prisoners. The number of the slain was estimated at four hundred, among whom were six officers, including Colonel Gardiner. The death of that gallant and pious veteran—a model of a Christian soldier—was greatly lamented. At the beginning of the onset he was wounded in the breast by a musket-ball; but, disdaining to follow his dragoons in their flight, he put himself at the head of a small body of foot,

* Memoirs, p. 37.

† General Guest, it is said, regarded the place as indefensible, and recommended its surrender. This proposal was strenuously opposed by General Preston, who at once agreed to take upon himself the responsibility of conducting the defence. (See Chambers's History, vol. i.)

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who, though without a leader, were bravely standing their ground, and encouraged them to fight on, exclaiming, "Fire on, my lads, and fear nothing." But in a few moments he was cut down by a Highlander armed with a scythe, dragged from his horse, and mortally wounded within a few yards of his own mansion. He was carried almost lifeless to the manse of Tranent, where he expired a few hours afterwards.*

The number of prisoners was between sixteen and seventeen hundred, including about seventy officers. The whole baggage, artillery, and military stores of the royal army, together with the military chest, containing £2500, fell into the hands of the victors. Many ludicrous mistakes were made by the rude mountaineers respecting the nature and value of their booty. One of them who had got a watch, which had once belonged to some unfortunate English officer, sold it soon afterwards for a trifle, observing with great satisfaction, "he was glad to be quit of the creature, for she lived no time after he catched her,"—the machine having in reality stopped for want of winding up. Another exchanged a horse for a horse-pistol. A quantity of chocolate found among the baggage, was afterwards cried in the streets of Perth under the name of "Johnnie Cope's salve." Several were seen carrying each a large military saddle upon their backs, apparently under the impression that they had secured an article of great value. A large number, in accordance with their usual practice, immediately quitted the army and returned home with their spoils.†

The loss sustained by the victors in this battle was only four officers and thirty privates killed, and seventy men and six officers wounded. Among the latter was Captain James Macgregor, son of the celebrated Rob Roy, who fell at the commencement of the action, wounded with no fewer than five balls, two of which went through his body. He immediately raised himself upon his elbow, and called to the Macgregors, whom he commanded, to advance bravely, swearing that he would see if any of them failed to do their duty. He recovered of his wounds, and, after the suppression of the rebellion, retired to France.

After the battle was concluded Charles spent several hours in providing for the relief of the wounded of both armies, preserving, says a Whig historian, "from temper or from judgment, every appearance of moderation and humanity." His followers were fierce and barbarous in some respects, though they were not slow to follow his example;‡ and tradition has preserved numerous instances of their eagerness to administer such relief as was in their power to their wounded prisoners. "Whatever notion," says a Jacobite officer, "our Low country people may entertain of the Highlanders, I can attest they gave many proofs this day of their humanity and mercy. Not only did I often hear our common clansmen ask the soldiers if they wanted quarter, and not only did we, the officers, exert our utmost pains to save those who were stubborn, but I saw some of our private men, after the battle, run to Port Seton for ale and other liquors to support the wounded. As one proof for all, of my own particular observation, I saw a Highlander carefully, and with patient kindness, support a poor wounded soldier by the arms, and afterwards carry him on his back into a house, where he left him with sixpence to pay his charges. In all this" adds the writer, "we followed, not only the dictates of humanity, but also the orders of our prince, who acted in everything as the true father of his country."*

Prince Charles passed the night after the battle of Preston at Pinkie House, near Musselburgh, and the next evening returned to Holyrood, amid the shouts of the populace. The Camerons had entered Edinburgh only a few hours after the battle, playing their pipes and displaying in triumph the colours they had taken from the dragoons. But the main body of the victorious army delayed their entrance into the capital till next day, when they marched in triumph through all the principal streets of the city, displaying the prisoners, the spoil, and the standards they had taken, amid the joyous acclamations of the multitude, while the pibrochs played the old Jacobite tune, "The King shall enjoy his own again." Amid the tumultuous licence of the moment, the exulting Highlanders repeatedly fired their pieces into the air, and one of them having been accidentally loaded with ball, it grazed the forehead of Miss Nairne, a young Jacobite lady, who was waving her handkerchief from a balcony overlooking the High Street. "Thank God," exclaimed the fair enthusiast, as soon as she was able to speak, "that the accident has happened to me, whose principles are known. Had it befallen a Whig, they would have said it was done on purpose."†

Triumphal entry of the clans into Edinburgh.

Charles, who did not accompany this triumphal procession, behaved with great moderation under his victory. He prohibited any outward demon-

* Some remarkable passages in the Life of Colonel Gardiner, by Doddridge, p. 187.

† Chambers, vol. i. p. 171.

‡ Hume's Works, vol. iii.

* In a letter to his father, written the night after the battle, Charles says the reflection that his victory had been obtained over Englishmen, had thrown a damp upon it that he little imagined; and he adds, "I am in great difficulties how I shall dispose of my wounded prisoners. If I make a hospital of the church it will be looked upon as a great profanation. * * Come what will, I am resolved not to let the poor wounded men lie in the streets, and if I can do no better, I will make a hospital of the palace, and leave it to them." The greater part of the wounded of both armies were, in the first instance, taken into Colonel Gardiner's house; such of them as could be removed were afterwards conveyed to Edinburgh, and placed in the Royal Infirmary. One of the officers having broken his parole by escaping into the castle, the others were sent to Perth. The private soldiers were removed to Logierait in Athol. The wounded were released as soon as they recovered, on taking an oath not to serve against the prince for a twelvemonth—an engagement which it is alleged many of them violated.—(Jacobite Memoirs, p. 42.)

† Waverley, note to chap. li.

strations of public joy, "on the ground that those who had fallen in the battle, though in arms against his father, might have become his friends and dutiful subjects when they had got their eyes opened to see the true interest of their country." The banking companies having taken refuge in the castle, to the great inconvenience of the citizens, the prince issued a proclamation inviting them to return and resume their business, but none of them complied with the request. He also sent a message to the clergy of Edinburgh desiring them to continue the exercise of their religious functions, and assuring them of his protection. But they seem not to have placed any confidence in the guarantee offered, for they absented themselves from the city during the whole time it was occupied by the Highlanders. The two clergymen of the neighbouring parish of St. Cuthbert's, Messrs. Macvicar and Pitcairn, continued, however, to officiate as usual; and, though a number of Highland officers were present, the former not only prayed for King George, and that "the crown might sit long easy on his head," but even added the following petition in behalf of the prince: "As for the young man that is come among us to seek an earthly crown, we beseech Thee in mercy to take him to thyself, and give him a crown of glory." Charles is said to have laughed heartily at the concern for his spiritual welfare expressed by the worthy clergyman, and to have refused to interfere with him.*

Moderation of the prince.

The battle of Preston, which annihilated the only regular army in the kingdom, made Charles master of the whole of Scotland, with the exception of the castles of Edinburgh and Stirling, and a few insignificant Highland forts. The Scottish state officers sought refuge either in England, or in remote districts of their own country. The Chevalier de St. George was proclaimed as King James VIII. in all the large towns, and the public money was everywhere seized for his service. The news of the victory produced a strong feeling in the prince's favour, and excited unbounded enthusiasm among his supporters. Many concealed friends of his cause now openly avowed their sentiments, and united with the old Jacobites in drinking deep potations to the health of a prince who, in their own language, "could eat a dry crust, and sleep on pease straw; take his dinner in four minutes, and win a battle in five."† The ladies especially displayed an enthusiastic attachment to his person and cause, and contributed not a little to produce a reaction in his favour. President Forbes, in describing the state of public feeling at this juncture, says, "All Jacobites, how prudent soever, became mad; all doubtful people became Jacobites; and all bankrupts became heroes, and talked of nothing but hereditary rights and victory. And what was more grievous to men of gallantry,—and if you will believe me, much more mischievous to the public,—all the fine ladies, if you will except one or two, became passionately fond of the young adventurer, and used all their arts and industry for him in the most intemperate manner."*

Effects of the victory.

State of public feeling.

It now became a serious question with the prince and his advisers in what manner the victory at Preston was to be followed up. Charles himself was eager to march immediately into England; and on the very next morning he dispatched an agent named Hickson into Northumberland, with instructions to notify his success to his friends in that quarter, and to urge them to do all in their power to support him in his enterprise. There can be no doubt that the state of England at this period rendered it by no means improbable that such a vigorous measure as Charles proposed, might have been attended with temporary success. The British army was still in Flanders; the government and legislature were distracted by factions, feuds, and jealousies, while the great body of the people regarded the issue of the struggle with apathy and indifference. The tidings of the destruction of the royal army at Preston had created a general panic, and caused a run upon the Bank of England, and the supporters of the government seemed everywhere paralysed by terror. There was no fortified place on the coast between the two capitals, except Newcastle; and even there, as we learn from John Wesley, many of the inhabitants had so little confidence in the strength of their ramparts, that they removed their goods from the town; "and," he adds, "most of the best houses in our street are left without either furniture or inhabitants."† If Charles, therefore, had been able to march at once into England, at the head of three or four thousand men, it is highly probable that in the midst of the prevailing apathy of one party, and the terror of another, he would have succeeded in obtaining temporary possession of the capital.

Charles proposes to invade England—

The great majority of the prince's counsellors, however, were strongly opposed to the projected march into England. They urged that the army was daily diminishing in number by the return of the Highlanders to their native mountains, according to custom, for the purpose of securing their plunder; that by delaying his expedition, time would be allowed for the arrival of the expected supplies from France, which could reach him only by means of Montrose, Dundee, and other ports on the north-east coast of Scotland; and that, in the meantime, powerful reinforcements would be obtained by the accession of various clans, whom the tidings of victory and the hope of spoil would attract to the Jacobite standard. Charles was, therefore, reluctantly obliged to forego his resolution, and to prolong his stay in the capital.‡

—but is overruled by his council.

* Ray's History of the Rebellion, p. 45.
† Caledonian Mercury, quoted in Chambers's Hist. vol. i. p. 175.

* Culloden Papers, p. 250.
† Wesley's Journal, Sept. 23, 1745.
‡ Kirkconnel MS., quoted in Browne's Hist. of the Highlands, vol. iii. p. 93.

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Vigorous measures were immediately adopted to reinforce the Highland army. Two confidential agents, Mr. Kelly and Sir James Stewart, were dispatched to the French court to entreat a liberal supply of arms and money; letters were sent to various parts of the Highlands containing news of the victory, and urging immediate aid from friendly or wavering clans; and inducements were held out to the prisoners taken at Preston to join the ranks of their captors, and not without success, though the greater part of the recruits obtained from this source deserted their new allies before the march into England. Peculiar anxiety was felt by the prince to secure the assistance of Lord Lovat, Macleod of Macleod, and Sir Alexander Macdonald of Sleat, three powerful chiefs, whose accession to the enterprise would at once have doubled the strength of the Jacobite army. Alexander Macleod of Muiravonside, a gentleman of the Scottish bar, was, therefore, dispatched to the Isle of Skye, only three days after the battle of Preston, with instructions to assure Sir Alexander Macdonald, and the chief of Macleod, that the prince did not impute their inactivity in his cause to any disaffection or want of loyalty or zeal; that he was still ready to receive them with the utmost affection and favour; and that he required them to repair with all possible speed, at the head of their retainers, to Edinburgh, where they should be furnished with arms. A correspondence was also opened with Lovat, and every possible means was employed to stimulate the ambition of that crafty and selfish chief, and to induce him to raise his clan and declare for the prince.

Measures taken to recruit the army.

These intrigues were zealously counteracted by the exertions of President Forbes, who employed all his influence to confirm the wavering chiefs in their allegiance to the government. Though, to use his own words, "almost alone, without troops, without arms, without money or credit, provided with no means to prevent extreme folly, except pen and ink, a tongue, and some reputation, and, if you will except Macleod, supported by nobody of common sense or courage,"* he yet succeeded, by his sagacious measures and indomitable energy, in neutralising to a great extent the efforts of the emissaries of Charles to induce the doubtful clans to join the ranks of the insurgents.

Prudent policy of President Forbes.

Meanwhile, Charles, seated in the palace of his ancestors, was discharging the functions of royalty, and exerting himself to the utmost to secure the popular favour. He ordered troops of horse guards to be levied for the defence of his person, held a daily levée in Holyrood Palace, and appointed a council to meet him every morning at ten o'clock, consisting of the Duke of Perth, Lord George Murray, Quarter-master O'Sullivan, Lord Pitsligo, Lord Elcho, Sir Thomas Sheridan, Secretary Murray, and all the Highland chiefs.

Charles discharges the functions of royalty—

* Culloden Papers, p. 250.

According to Elcho, the business of the council was conducted in the following manner:—"The prince used always first to declare what he himself was for, and then he asked everybody's opinion in their turn. There was one-third of the council whose principles were that kings and princes can never either act or think wrong; so, in consequence, they always confirmed whatever the prince said. The other two-thirds thought that kings and princes thought sometimes like other men, and were not altogether infallible, and that this prince was no more so than others, and therefore begged leave to differ from him when they could give sufficient reasons for their difference of opinion. This very often was no hard matter to do, for as the prince and his old governor, Sir Thomas Sheridan, were altogether ignorant of the ways and customs of Great Britain, and both much for the doctrine of absolute monarchy, they would very often, had they not been prevented, have fallen into blunders which might have hurt the cause. The prince could not bear to hear anybody differ in sentiment from him, and took a dislike to everybody that did; for he had a notion of commanding this army as any general does a body of mercenaries, and so let them know only what he pleased, and expected them to obey without inquiring further about the matter. This might have done better had his favourites been people of the country, but as they were Irish, and had nothing to risk, the people of fashion that had their all at stake, and consequently ought to be supposed prepared to give the best advice of which they were capable, thought they had a title to know, and be consulted in what was for the good of the cause in which they had so much concern; and if it had not been for their insisting strongly upon it, the prince, when he found that his sentiments were not always approved of, would have abolished this council long ere he did."

—daily meeting of his council.

Charles appeared to greater advantage in the ball-room of Holyrood House than at the council-board, where he exhibited too much of the arbitrary self-will which had proved so fatal to his family. When the council rose he generally dined in public with his officers, and then rode out attended by his guards. In the evening he frequently gave balls to the ladies who favoured his cause, and exerted himself to the utmost to render his entertainments attractive. "He talked, he danced, and he flattered," says one of his eulogists. He called alternately for Highland and Lowland tunes, and sometimes wore a tartan dress, at other times a court suit with the ensigns of the Garter. He went so far in his desire to gain popularity as on one occasion to touch a child for the king's evil.* He issued several proclamations, for the purpose of conciliating his enemies and encouraging his wavering friends to declare themselves openly in his behalf. He offered an in-

Charles's daily routine—

—his proclamations.

* Chambers, vol. i. p. 183.

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demnity to all his father's subjects for their treason during the exile of his family, on condition that they should promise henceforth to submit to his authority; but, at the same time, he demanded the surrender of all the arms and ammunition in Edinburgh and the surrounding country; and his necessities compelled him to exact large contributions from the various public bodies of the kingdom. He compelled the city of Edinburgh to furnish his troops with a thousand tents, two thousand targets, six thousand pair of shoes, and a large quantity of other articles to the value of upwards of £15,000. On the city of Glasgow he imposed the payment of £5500. He sent letters to all the chief magistrates of the various burghs throughout Scotland, ordering them, under the pain of rebellion, to contribute certain sums for his service; and he enjoined, also, under similar penalties, the collectors of the land-tax, the collectors and comptrollers of the customs and excise, and the factors upon the estates forfeited in 1715, to repair immediately to Holyrood with the money which was at that time in their hands. Not content with these exactions, he seized all the smuggled goods in the custom-houses at Leith and other ports, and converted them into money by selling them to the smugglers from whom they had been taken. Several of the nobility and gentry in the neighbourhood of Edinburgh were compelled to supply the army with considerable quantities of hay and oats; and a large number of horses, together with all the arms that could be found, were carried off by parties of Highlanders from the seats of the Dukes of Hamilton and Douglas, and the Earl of Hopetoun.*

Forced loans and contributions.

For a few days after the battle of Preston, the communication between the castle and the city continued open; but the garrison having annoyed the Highland guards stationed at the Weigh House with cohorns and cannon, orders were issued on the 29th of September, that no person should be allowed to pass. The governor immediately sent a letter to the Lord Provost, intimating that unless the blockade was removed, he would fire upon the stations occupied by the Highland guards. This threat excited great consternation among the inhabitants, who, though they had no power to open the communication between the fortress and the city, would have been the only sufferers in the event of a bombardment. With some difficulty they obtained a respite for one night, in order to lay the matter before the prince. Charles immediately returned an answer in writing, in which he expressed his surprise at the barbarity of the governor in threatening to inflict serious injury on the inhabitants for not doing what it was out of their power to do. He might, he said, with equal reason, be required by the same threat to quit the city at once, and to abandon all the advantages of his victory. He assured the citizens that if any injury should be inflicted on the city he would take care to indemnify them for their losses; and that if the threatened barbarity should be carried into effect, he would make reprisals not only upon the estates of the officers in the castle,* but also "upon all who were known to be open abettors of the German government." This answer was laid before the governor, and, after some altercation, he agreed to suspend hostilities until the return of an express which he sent to London for orders, provided that in the meantime no attempt should be made upon the castle. On the following day, however, the Highlanders, owing to a misunderstanding respecting the conditions, fired at some people who were carrying provisions up the castle hill. Upon this the governor considered himself justified in firing upon the insurgents stationed at the Weigh House. Charles retaliated by closely blockading the fortress, and prohibiting, under the severest penalties, all communication between the citizens and the garrison. In revenge for this step the garrison fired at all the Highlanders they could see. On the 4th of October a cannonade was opened upon the city, and was kept up till the evening. When it grew dark a sally was made by the garrison for the purpose of destroying some deserted houses near the castle. They then dug a deep and broad trench across the castle hill, where they planted several pieces of artillery, which discharged cartridge shot down the street, and killed and wounded a number of the citizens, as well as of the rebels. The bombardment was renewed next day, and caused the utmost confusion and dismay among the inhabitants, who were to be seen hurrying out of the city in the most dreadful alarm, carrying their most valuable effects, along with their children and aged infirm relatives. Another and more urgent appeal was now made to the prince, who, either from policy, or pity for the distress of the citizens, yielded to their solicitations, and issued a proclamation on the evening of the 5th of October, removing the blockade. The cannonade then ceased on the part of the garrison, and supplies were henceforth allowed freely to pass into the fortress.

Attempted blockade of Edinburgh Castle.

The governor cannonades the city.

Removal of the blockade.

The bombardment was not the only injury which the citizens of Edinburgh received from the presence of the rebel army. Under the pretence of searching for arms, the Highlanders were guilty of various acts of outrage and depredation. The greater part, however, of the felonies that were committed at this time were traced to the thieves and robbers who, during this period, when the courts of law were suspended and the authority of the magistrates in abeyance, perambulated the

Depredations of thieves and robbers.

* Marchant's Hist. of the Rebellion, p. 113.

* It is said that the prince intimated to General Preston that the house of his elder brother at Valleyfield, on the northern shores of the Forth, should be destroyed if he ventured to fire on the city, and that the stout veteran received the threat with scorn, declaring that if Valleyfield were injured, the English vessels of war should, in revenge, burn down Wemyss Castle, the property of the Earl of Wemyss, whose eldest son, Lord Elcho, was in the Jacobite camp.

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country in bands, wearing white cockades and the Highland dress, and exacting large sums of money from the people.* The rebels were, however, indirectly to blame for these misdeeds, for they everywhere opened the public jails and released the prisoners. Against these miscreants Charles issued several severe proclamations, and made every exertion to procure the restoration of the stolen property.

Spirited manifesto of the prince.

Charles proposed at one time to summon a Scottish parliament at Edinburgh, but ultimately relinquished the design, in consequence of the difficulties that lay in the way. He issued a proclamation, however, on the 3rd of October, denouncing "the pretended parliament of the Elector of Hanover," summoned at Westminster for the 17th, and declaring it treason for the Scotch to attend. Next day he issued a second, and very spirited, manifesto, explaining the course of policy he intended to follow. He was well aware how obnoxious the Act of Union was to a large portion of the Scottish people. In this proclamation, therefore, he explicitly announced that his father would never ratify this "pretended union," which was brought about by "the grossest corruption," and had for its principal object "the exclusion of the royal family from their undoubted right to the crown;" but "with respect to every law or act of parliament since the Revolution, so far as in a free and legal parliament they shall be approved, he will confirm them." He then proceeds to entreat the people to lay aside their prejudices, and to listen impartially to the statement of his claims. "Let me now," he says, "expostulate this weighty matter with you, my father's subjects. . . . . Do not the pulpits and congregations of the clergy, as well as your weekly papers, ring with the dreadful threats of popery, slavery, tyranny, and arbitrary power, which are now ready to be imposed upon you by the formidable powers of France and Spain? Is not my royal father represented as a blood-thirsty tyrant, breathing out nothing but destruction to all those who will not immediately embrace an odious religion? Or have I myself been better used? But listen only to the naked truth. I, with my own money, hired a small vessel; ill provided with money, arms, or friends, I arrived in Scotland attended by seven persons; I published the king my father's declarations, and proclaimed his title, with pardon in one hand, and in the other liberty of conscience, and the most solemn promises to grant whatever a free parliament shall propose for the happiness of the people. I have, I confess, the greatest reason to adore the goodness of Almighty God, who has in so remarkable a manner protected me and my small army through the many dangers to which we were at first exposed, and who has led me in the way to victory, and to the capital of this ancient kingdom, amidst the acclamations of the king my father's subjects. Why, then, is so much pains taken to spirit up the minds of the people against this my undertaking? The reason is obvious; it is, lest the real sense of the nation's present sufferings should blot out the remembrance of past misfortunes, and of the outcries formerly raised against the royal family. Whatever miscarriages might have given occasion to them, they have been more than atoned for since; and the nation has now an opportunity of being secured against the like for the future. That my family has suffered exile during these fifty-seven years, everybody knows. Has the nation, during that period of time, been the more happy and flourishing for it? Have you found reason to love and cherish your governors as the fathers of the people of Great Britain and Ireland? Has a family upon whom a faction unlawfully bestowed the diadem of a rightful prince retained a due sense of so great a trust and favour? Have you found more humanity and condescension in those who were not born to a crown, than in my royal forefathers? Have their ears been open to the cries of the people? Have they, or do they, consider only the interest of these nations? Have you reaped any other benefit from them than an immense load of debts? If I am answered in the affirmative, why has their government been so often railed at in all your public assemblies? Why has the nation been so long crying out in vain for redress against the abuse of parliaments upon account of their long duration, the multitudes of place-men which occasion their venality, the introduction of penal laws, and, in general, against the miserable situation of the kingdom at home and abroad? All these, and many more inconveniences, must now be removed, unless the people of Great Britain be already so far corrupted, that they will not accept of freedom when offered to them; seeing the king, on his restoration, will refuse nothing that a free parliament can ask, for the security of the religion, laws, and liberty of his people. The fears of the nation from the powers of France and Spain appear still more vain and groundless; my expedition was undertaken unsupported by either. But, indeed, when I see a foreign force brought by my enemies against me, and when I hear of Dutch, Danes, Hessians, and Swiss, the Elector of Hanover's allies, being called over to protect his government against the king's subjects, is it not high time for the king my father to accept also of the assistance of those who are able, and who have engaged to support him? But will the world, or any one man of sense in it, infer from thence that he inclines to be a tributary prince rather than an independent monarch? Who has the better chance to be independent on foreign powers? He who, with the aid of his own subjects, can wrest the government out of the hands of an intruder, or he who cannot without assistance from abroad support his own government, though established by all the civil power, and secured by a strong military force against the un-

* A notorious villain named James or Daddie Ratcliff, who occupies a prominent part in Sir Walter Scott's "Heart of Midlothian," was a ringleader in these depredations.

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disciplined part of those he has ruled over so many years? Let him, if he pleases try the experiment; let him send off his foreign hirelings, and put the whole upon the issue of a battle. I will trust only to the king my father's subjects, who were, or shall be, engaged in mine or their country's cause. But, notwithstanding all the opposition he can make, I still trust in the justice of my cause, the valour of my troops, and the assistance of the Almighty, to bring my enterprise to a glorious issue."

Reinforcements received by Charles.

Meanwhile the insurgent army was receiving almost daily reinforcements from the northern districts of the country, where the strength of the Jacobite cause lay. On the 3rd of October Lord Ogilvie, eldest son of the Earl of Airlie, joined the standard with a regiment of six hundred men from Strathmore and the Mearns. Old Gordon of Glenbucket arrived next day with a body of four hundred men from the upper part of Aberdeenshire. On the 9th the venerable Lord Pitsligo, a nobleman of great respectability and influence, joined the army at the head of a squadron of north-country gentlemen, attended by their servants, well armed and mounted, forming an excellent corps of cavalry a hundred and fifty in number. He also brought with him a small body of foot. Macpherson of Cluny, who had been carried to Perth as a prisoner by the insurgents, and was released on condition that he would raise his clan for the prince, returned at this juncture with a reinforcement of three hundred men. The only force, however, raised south of the Tay was a regiment of four hundred and fifty men, many of them of no very reputable character, which Colonel Roy Stewart levied in the capital, while it was in the possession of the Highlanders.

Hostility of the Lowlands to his cause.

The great body of the Lowland population of Scotland regarded the cause of the prince with hostility or indifference, and could not be induced either by entreaties, persuasions, or threats, to join his standard. The Lowland nobles and landed gentry who espoused the Jacobite cause, repaired to the camp attended only by their body servants. The ill-fated Earl of Kilmarnock, who, when a youth, fought along with his father for the Hanoverian dynasty in 1715, had on that occasion, without the slightest difficulty, raised a large regiment among his tenants and retainers for the defence of the government; but now that he had changed sides, all his territorial and hereditary influence could not raise one man for the cause of the Stewarts out of the thriving town which bore his name and stood at the gates of his castle. Baffled in his attempts to obtain recruits for the insurgent army among the Kilmarnock weavers, he ultimately limited his demands to their arms, which had been heirlooms in their families since the days of Drumclog. But this too was sternly refused; and one of these stout-hearted Presbyterians had the courage to tell his lordship, that "if they presented him with their guns, it would be with the muzzle till him."* The clever but eccentric Earl of Kellie was equally unsuccessful in his efforts to raise his tenants in Fife. Even in those districts where the old covenanting spirit, with its hatred of popery and despotism, had greatly declined, the people were in no way disposed to risk their lives and fortunes in asserting the claims of a stranger and a foreigner. "For my part," said a cautious rustic on being asked what side he was going to take in the contest, "I'm clear for being on the same side as the hangman. I'll stay till I see what side *he's* to take, and then I'll decide."†

Defection of Macleod and Macdonald of Sleat.

The reinforcements, therefore, received by the insurgents were mainly drawn from the districts in which the Episcopalians and Roman Catholics abounded, and even of these the prudent policy and indefatigable efforts of President Forbes induced not a few either to espouse the cause of the government, or to remain neutral. The most prominent of the chiefs who were persuaded to raise their vassals in behalf of the reigning sovereign were Sir Alexander Macdonald of Sleat, and Macleod of Macleod, who had long wavered as to the side they should take in this contest, but at length decided for the government, and accepted some of those commissions of companies which had been judiciously placed at the disposal of the President. Their example was followed by the Earl of Sutherland, Lords Seaforth and Reay, Sir Robert Munro of Foulis, the Master of Ross, and the Laird of Grant.

Intrigues and base policy of Lovat.

The President was less successful with Lord Lovat. That cunning and selfish intriguer had formed a plan of collecting an army at Corriearrack, consisting of his own powerful clan, together with the men of Skye, the Macphersons, the Mackintoshes, and Farquharsons, which might at first occupy a neutral position, and ultimately join the stronger side. Sir Alexander Macdonald and Macleod, however, refused to be parties to a scheme so obviously selfish and base, and Lovat was compelled, therefore, to act on his own responsibility. He remained long in a state of perplexity and irresolution, but the victory of Preston at length decided his course. On receiving the news of that contest, he at once formed his resolution, and descending to the courtyard of his castle, in the presence of his vassals, he flung his hat on the ground, and drank "Success to the White Rose,‡ and confusion to the White Horse and all its adherents." But with characteristic duplicity and selfishness, though casting his influence into the scale of the insurrection, he sought to provide for his own safety, whatever might be the issue of the contest, and still endeavoured to keep on the mask which he had so long worn. He there-

* Towards him. (Chambers, vol. i. p. 199.)
† Ibid, p. 200.
‡ The badge of the house of Stewart, in imitation of that of Lancaster. The White Horse forms a conspicuous figure in the armorial bearings of the Brunswick family.

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fore placed his clan under the charge of his son, who was only eighteen years of age, and in spite of the indignant protest of that noble and gallant youth against this crooked and dishonourable procedure, his unnatural parent, by arguments and threats, compelled him to take the field on behalf of the insurgents. He then wrote to President Forbes, throwing all the blame of this step upon his son, whom he represented as the most headstrong and disobedient of children.* The cunning and dastardly expedient, however, of this hoary-headed villain to provide for his own safety by risking the life of his son, did not impose upon the President, who knew Lovat too well to give the slightest credit to his assertions. His fine-spun policy, while it ultimately brought destruction upon himself, did little good to the cause which he had espoused; for he delayed the march of his clan so long, that the prince had left Edinburgh for the south before the Frasers reached Perth, and was thus deprived of their powerful aid in his invasion of England.

The desertion of Macdonald and Macleod, and the delay of Lovat, were a severe blow to the Jacobite cause, as these three great chiefs could have brought an accession of at least four thousand men to the ranks of the insurgents. But, notwithstanding these defections, within six weeks after the battle of Preston the reinforcements they received from time to time swelled the rebel army to nearly six thousand men. Their greatest deficiency was in money. In spite of forced loans, and the seizure of the public revenues, the rebel treasury was very scantily supplied. Voluntary contributions were, in some instances, sent by ladies or by partizans too old or too timid to take the field in person, and four vessels opportunely arrived at this period from France, bringing about £6000, with five thousand stand of arms, and a train of six fieldpieces. With these welcome supplies came over several French and Irish officers, along with M. de Boyer, called the Marquis d'Eguilles, who brought a letter of congratulation to the prince from Louis XV. Charles, affecting to regard the marquis as the accredited ambassador from the King of France, termed him "Monseigneur de Boyer," and treated him with studied ceremony. He also gave out that he had received the promise that his brother Henry, titular Duke of York, was to be dispatched immediately to his assistance, at the head of a French army, an assurance which contributed greatly to raise the spirits of his adherents.

Arrival of supplies from France.

Having now spent nearly six weeks in Edinburgh, it became necessary for Charles to decide as to his future movements. He had never for a moment relinquished his intention to march into England, but the members of his council were much divided in opinion respecting the propriety of this step. Some of them thought, not without reason, that their present force was wholly insufficient for such an enterprise. Their long stay in Edinburgh had enabled the government to concentrate at Newcastle an army of nearly ten thousand men, under General Wade. The Duke of Cumberland was busy forming another army in the midland counties; considerable reinforcements were expected from the continent; the militia had been called out in many districts; thirteen regiments of infantry and two regiments of cavalry were about to be raised by the Duke of Bedford and other influential nobleman; liberal supplies of money had been voted by the House of Commons, and every effort had been made to rouse the nation from its lethargy to a due sense of the danger which threatened its religion and liberties. In these circumstances the invasion of England appeared to some of the prince's counsellors as hazardous in the extreme, if not desperate, and they recommended that it should, at least, be delayed until the arrival of the promised succours from France; while others were of opinion that the march into England should be altogether laid aside, and that the prince should content himself with the possession of his ancestral kingdom of Scotland. Charles, however, was not to be diverted from his purpose. He asserted that the French auxiliaries would be landed before his army could reach the border; that his father's subjects in England were ready to welcome him with open arms, and that his appearance among them would be the signal for an immediate and general rising in his favour. The question was discussed in three several councils without any conclusion being come to. At length, the prince, finding that his arguments had produced no effect upon the minds of his officers, declared in a peremptory manner, "I see, gentlemen, you are determined to stay in Scotland and defend your country, but I am not less resolved to try my fate in England, though I should go alone."

Proposal to invade England—

—opposed by the chiefs

Finding that the prince's determination was not to be shaken, the chiefs reluctantly yielded, but, instead of marching upon Newcastle to fight General Wade, as Charles had proposed, it was unanimously resolved, on the suggestion of Lord George Murray, to enter England by the western border. It was seen that by adopting this route they would avoid an immediate collision with the royal forces, and thus give time both for the rising of their English friends and the arrival of the French auxiliaries; while Marshal Wade would be compelled, if he wished to give them battle, to undertake a fatiguing march of sixty miles over a mountainous country, as disadvantageous for the movements of his own troops as it was favourable to the Highlanders.

—their ultimate acquiescence.

The prince finally quitted Edinburgh on the evening of October 31. He slept that night at Pinkie House, and next day his army, divided into two columns, commenced its march. Charles joined them at Dal-

Charles sets out for the south—

* Culloden Papers, pp. 231—254.

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keith the same day; and Macpherson of Cluny, Menzies of Shien, and some other Highland chiefs, arrived with a reinforcement of nearly one thousand men. Notwithstanding this accession, the last the prince received in Scotland, his force was still quite inadequate to the object he had in view.

State of his army.

It amounted to only between five and six thousand men, five hundred of whom were cavalry. They were, however, well equipped, and carried with them provisions for four days, besides a considerable quantity of baggage, for the transport of which they were provided with horses and waggons. Thirteen regiments, numbering in all between three and four thousand men, consisted of Highlanders dressed in their native garb. Five regiments were made up of Lowlanders; and of the cavalry two troops were guards, under the command of Lord Elcho and Lord Balmerino, while one troop under the Earl of Kilmarnock consisted of light horse, for scouring the country and procuring intelligence. Carlisle had been selected as the first place of attack, but, in order to mislead Marshal Wade as to the route they intended to follow, Charles sent forward a party to order quarters for his army at all the towns on the road to Berwick. He now also appointed his principal officers. The Duke of Perth was named general; Lord George Murray, lieutenant-general; Lord Elcho, colonel of the Life Guards; the Earl of Kilmarnock, colonel of the Hussars; and Lord Pitsligo, colonel of the Angus Horse.

The arrangements being completed, a considerable body, under the command of Tullibardine, set out from Dalkeith, on the evening of the 1st of November, for Peebles, intending to proceed by Moffat to Carlisle. A second division, commanded by the prince in person, set forward on the 3rd, taking a route more to the south, as if for the purpose of fighting Marshal Wade at Newcastle. Their real destination was all along kept profoundly secret even from the army itself, as the march into England was from the first far from popular among the common soldiers, particularly among the Highlanders, who deserted in considerable numbers by the way. On the evening of the first day's march, Charles reached Lauder with his division; but a false rumour that a strong body of dragoons was advancing to meet him, induced him next day to fall back on the village of Channelkirk, in order

His arrival at Kelso—

to bring up his rear. On the following day he proceeded to Kelso, while a third division took the road by Galashiels, Selkirk, Hawick, and Mosspaul.

Charles remained at Kelso for three days, and,

—he enters Cumberland.

with a view still to keep up the deception practised on the English force at Newcastle, he sent orders to Wooler, which lies on the direct road to that town, to have quarters in readiness for the reception of his whole army. He then suddenly gave orders to march to the westward, and proceeding down Liddesdale, the insurgents entered Cumberland on the evening of the 8th of November. Next day the three divisions of the army, hitherto kept in ignorance of one another's movements, met on a heath at a short distance from Carlisle.

This ancient city, the capital of Cumberland, had formerly been a place of considerable strength, and for ages had protected the western border against the incursions of the Scots. Since the union of the two kingdoms, however, its fortifications had been allowed to fall into decay, and presented no very formidable obstacle to an invading army. The city was surrounded by an old crumbling wall, manned by a few volunteer citizens and a body of the Cumberland and Westmoreland militia, while the castle was feebly garrisoned by a company of invalids.

On the 10th of November, the insurgents having crossed the Eden by several fords,

Investment of Carlisle.

invested the city, and Charles sent a message to the mayor, commanding him to surrender. To this summons no answer was returned, but the mayor issued a proclamation to the citizens, intimating his intention to hold out to the last extremity.

In the meantime, intelligence reached the prince that Wade was on his march from Newcastle, and was rapidly pushing forward to the relief of Carlisle. Nothing intimidated, Charles immediately advanced with the greater part of his army to Brampton, in order to engage the English general, with the advantage of the hilly ground in that direction. He remained at Brampton for several days, but having satisfied himself that he had been imposed on by false intelligence, he sent back the Duke of Perth, with a considerable body both of foot and horse, to prosecute the siege of Carlisle. On the afternoon of the

Siege of the city—

13th, the Highlanders once more appeared before that place. They instantly commenced raising a battery on the east side of the town, and, in order to encourage the troops, both Perth and Tullibardine took part in the work, and wrought, with their coats off, in the trenches. During these operations the garrison were not idle, but kept up an incessant firing on the besiegers, which, however, was not very destructive: indeed, so unskilfully were the guns wrought that the Highlanders turned the whole affair into ridicule, and waved their bonnets in derision. Next day the courage of the besieged began to give way, and at the moment when the assault was about to be commenced, a white flag was seen waving from the walls, and the mayor intimated a wish to come to terms for the surrender of the city. A cessation of hostilities was agreed on, and,

—its surrender.

in the meantime, an express was forwarded to the prince to know his pleasure. Charles wisely refused to grant any terms to the city, unless the castle also was given up, and, accordingly, both were surrendered, on condition that the garrison and militia should retire unmolested on delivering up their arms and horses, and engaging on oath not to bear arms against the prince for the

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space of twelve months. The insurgents, of course, obtained possession of all the military stores in the castle, among which were one thousand stand of arms, together with much valuable property, that had been deposited for safety in the castle, by the inhabitants of the surrounding country. The capture of Carlisle cost the rebel army only one man killed, and one wounded. On the 17th Charles made his triumphal entry into the place, but though he received the submission of the inhabitants, few or none of them manifested any interest in his cause.

Triumphal entry of Charles.

On the day after the surrender of Carlisle, Marshal Wade commenced his march for that city. He had proceeded as far as Hexham when intelligence of that event reached him, and finding the mountain roads almost impassable in consequence of a heavy fall of snow, and probably entertaining an exaggerated opinion of the strength of the insurgent army, he immediately faced about and returned to Newcastle.

Wade marches for Carlisle.

The success which had hitherto attended the Jacobite enterprise was soon to be superseded by difficulty and disaster; and already there were many unfavourable symptoms calculated to throw a damp over the triumphant enthusiasm of the prince and his associates. Among these was a misunderstanding which had sprung up between the Duke of Perth and Lord George Murray, originating, it would seem, in the jealousy of the latter, because he had not been consulted on some matter of importance, on which Perth had thought proper privately to communicate with the prince. Murray, in consequence, wrote to Charles resigning his commission, but at the same time offering to serve as a volunteer. The army, too, were dissatisfied that a papist should be entrusted with the chief command—a circumstance which they considered likely to injure their cause among the English. On this occasion Perth evinced his disinterested zeal for the service, by resigning his appointment, and retiring to the command of his own regiment. Lord George then became commander-in-chief, a post for which he was in all respects better qualified than his rival, and apparent amity was thus for a time restored.

Dissensions in the insurgent army.

On leaving Scotland, Charles had appointed Lord Strathallan as commander-in-chief in that country, with instructions to employ his utmost diligence in collecting reinforcements. He had been partially successful, and by detachments which had arrived under the Master of Lovat, the Earl of Cromarty, Macgregor of Glengyle, and other chieftains, he could now muster between two and three thousand men. On the other hand, however, great efforts were being made by the friends of the government, under the Earl of Loudon and President Forbes, who had collected a considerable force at Inverness. The capital had recovered from its panic; the crown officers had returned and entered the city in solemn procession; and Wade had sent two regiments of cavalry to their support. Other considerable towns, particularly Glasgow, Paisley, and Dumfries, were raising militia for the support of the government, while at Perth and Dundee the birthday of King George had been celebrated with public rejoicings.

State of the Jacobite's cause in Scotland—

Affairs in England wore a still more threatening aspect. The insurgent army was greatly reduced by desertion, and the people had as yet manifested no disposition to join the rebellion.

—and in England.

The government were now thoroughly roused to a sense of their danger, and strong measures were in progress for the suppression of the rebellion. The greater part of the British troops had been recalled from Flanders, and an army consisting of ten thousand of these experienced veterans was already stationed in Staffordshire to oppose the progress of the rebel army towards the capital. Besides the forces under General Wade at Newcastle, and the troops assembled in the midland counties, General Ligonier was advancing with another army towards Lancaster, and a third to be headed by the king in person, with the Earl of Stair as his lieutenant, was forming on Finchley Common for the protection of London. The cordial reception too which the king had met with on his return from the continent, and the assurances of support which he received from parliament, together with the loyal addresses which poured in from every part of the country, all showed that the great body of the people were firm in their allegiance to the House of Hanover.

Measures adopted by the government.

All these circumstances were well known to Charles, who, nevertheless, remained unshaken in his resolution to force his way to the capital. He seems to have imagined that the valour of his troops, aided by the justice of his cause, would be sufficient to overcome all opposition. He hoped, too, that as he advanced into the heart of the country many of the English people would be induced to join his standard. These expectations, however, were not shared by the majority of the officers, or of the soldiers; and at a council of war which he found it necessary to call, very conflicting opinions were entertained. Some proposed to march to Newcastle, and offer battle to General Wade; others to advance directly towards London, even though they should have to fight their way through the army under Ligonier; while a third party proposed to return at once to Scotland. Charles warmly urged the advance on London, in accordance with the plan he had formed before leaving Edinburgh, and Lord George Murray having at some length advocated the same view, the rest of the council acquiesced.*

Charles holds a council of war.

Resolution to march to London.

* Home's Works, vol. iii. p. 120; Jacobite Memoirs, p. 49.

Arrival at Preston.

On the 20th of November, having garrisoned Carlisle with two hundred men, the army commenced its perilous march. The whole force, when mustered, amounted to no more than about four thousand five hundred men, above a thousand having deserted on the road from Edinburgh. They were separated into two divisions, which kept about half a day's march asunder. Of these the first was commanded by Lord George Murray, the second by Charles himself. They proceeded through Shap, Kendal, and Lancaster, and on the 27th were reunited at Preston. This place, associated in history with the defeat of the Duke of Hamilton in the civil wars, and the surrender of Brigadier Mackintosh in 1715, was regarded by the Highlanders with superstitious dread, as a barrier which no Scottish army could ever pass; but Murray, who was aware of this feeling, on reaching the town, without halting, marched the vanguard at once across the Ribble, and quartered a large detachment on the opposite side of the stream.

Though this portion of England was believed to be in general well affected to the cause of the Stewarts, Charles had the mortification to find that neither on the march, nor during his stay at Preston, did a single recruit join his standard; while the proclamation of his father, which was duly made at all the market towns on their route, was listened to with apparent indifference. Only at Preston his arrival was hailed with acclamations and the ringing of bells. He continued, however, to encourage his followers with the hope of being joined by a large body of friends on their arrival at Manchester, where a considerable number of the Lancashire gentry, chiefly Roman Catholics, still had their town residences.

March to Wigan, and Manchester.

From Preston the army marched on the 28th to Wigan, and thence, next day, to Manchester. Crowds from the surrounding country, attracted, probably, by the novelty of the spectacle, thronged around the insurgents on their march, cheered the young prince as he passed, and expressed a wish for his success; but when invited to join in the expedition, all declined on the plea of ignorance of the art of fighting. As the army approached Manchester, the symptoms of popular favour continued to increase, and when they entered the town, the bells rung out a joyous peal, white cockades were mounted, the air was rent with the acclamations of the multitude, great numbers pressed forward to kiss the prince's hand, and to offer their services; and, in the evening, the houses of the inhabitants were splendidly illuminated.

The troops halted at Manchester one day, during which they obtained a subsidy of £3000, and were joined by about two hundred recruits, who were embodied under the name of the Manchester regiment, and placed under the command of Mr. Francis Townley, a Roman Catholic gentleman belonging to an old Lancashire family, and one of the few persons of note who had joined the army on their march.

Critical situation of the insurgents—

The situation of the insurgents was now critical in the extreme; surrounded by enemies on all sides, in the midst of a population for the most part hostile to their cause, the hope of reinforcements and supplies from France, which their leader had so often held out for their encouragement, now entirely cut off by the English cruisers, under Admiral Vernon, in the Channel, and those under Admiral Byng, then hovering on the east coast of Scotland, while large bodies of militia were being raised in various districts of the surrounding country, it seemed nothing less than insanity any longer to persevere in an enterprise so hopeless. But Charles, who had "set his life upon a cast," and was evidently resolved to "stand the hazard of the die," insisted on marching onward, assuring his dispirited followers that he was certain of obtaining more and more support as he proceeded. In the meantime, however, his principal officers, in just alarm, remonstrated with Lord George Murray against being led onward to certain destruction. His lordship recommended them to wait until their arrival at Derby, where he expected they would be joined by large numbers of English Jacobites, but promised that should this hope be disappointed, he would employ his utmost influence with the prince to induce him to retreat.*

—they proceed to Derby.

On the not improbable supposition that the Highland army intended to march into Wales, all the bridges across the Mersey, in that direction, had been broken down by order of the Duke of Cumberland. Charles, however, who had resolved on proceeding to Derby, on the 1st of December, resumed his march at the head of one division of his army, and forded the Mersey near Stockport, with the water up to his middle. The other divisions, with the artillery and baggage, crossed somewhat lower down the stream at Cheadle, where a kind of temporary bridge was formed of the trunks of poplar trees. The two divisions reunited at Macclesfield the same evening. Here they received intelligence that the royal army, of which the Duke of Cumberland had now assumed the command, was quartered at Lichfield, Coventry, Stafford, and Newcastle-under-Line, and it became necessary to mislead the duke as to their intentions. This was dextrously accomplished by Lord George Murray, who marched with a detachment of the army towards Congleton, which lies on the road to Lichfield, and drove back an advanced party of the English horse, under the Duke of Kingston, towards Newcastle. The Duke of Cumberland immediately concluded that the insurgents were on their march either to give him battle, or to join their friends in Wales, and hastily pushed on to Stone, in order to intercept them, leaving the road to Derby open. Lord George, having thus gained his object, after passing the night at Congleton, turned off early next morning to the left, passed through Leek, and gained Ashbourne in the

* Kirkconnel, MS.

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evening. Charles, in the meantime, after halting a day at Macclesfield, had taken the direct road by Gawsworth, and came up with the other division of his troops at Ashbourne on the 3rd of December.

The insurgents arrive at Derby.

The insurgent army reached Derby on the following day. The prince took up his quarters in the house of the Earl of Exeter, and the usual proclamations were by his order made in the market-place. Charles now found himself within one hundred and twenty-seven miles of the capital, and was already, in imagination, enjoying his triumphal entry into London, and the complete realization of his long and ardently-cherished hopes. At supper that evening, with his principal officers, his heart was full to overflowing, and he even discussed the question whether he should make his entry into the capital in a Highland or an English dress. Next morning, however, all these splendid anticipations melted away like a dream. At an early hour he was waited upon by Lord George Murray with the whole of his chief officers, who submitted to him their unanimous opinion, that they ought instantly to commence their retreat into Scotland.

A council of war.

They represented to him that every expectation by which they had been induced to proceed thus far had been disappointed. No succours had arrived, or could now arrive, from France; there had appeared no symptoms of a rising in their favour among the people of England; they were opposed by three armies, each superior in number to their own, which only amounted to about five thousand men, while the combined forces of the enemy were probably not less than thirty thousand. In such circumstances, even present victory could not avert ultimate ruin. On the most favourable supposition, that they should be able to elude the Duke of Cumberland's army, and reach the capital without fighting a battle or losing a man, they must then encounter the force assembled on Finchley Common, and, even though they should prove victorious in the fight, their numbers, diminished as they must be by the contest, were utterly inadequate to gather any fruits of victory, or to keep possession of a populous city like London; and if, on the other hand, they were defeated, not a single man of their army would escape, and the prince himself, if not killed in the action, would inevitably fall into the hands of his enemies. They would have a much better chance of success, Lord George added, if they were to return into Scotland, especially as they had learned by despatches which had just arrived, that Lord Strathallan was ready to join them from Perth with an army of at least three or four thousand men.*

All these weighty arguments were thrown away upon Charles, who listened to them with the utmost impatience. He replied that he placed a firm reliance on the justice of his cause, and the protection of Providence. He admitted that there was some danger in advancing, but argued that, in addition to the disgrace, there was equal danger in attempting a retreat; and he still expressed a confident expectation that his friends would join him as he proceeded, and that the French would effect a landing on the coast of Kent or Sussex. As these arguments made no impression, he had recourse to entreaties, which proved equally unavailing, and, finding that the council were immovable in their resolution not to advance farther into England, as a last resource he proposed that they should march into Wales, and give his friends there an opportunity of joining his standard. The rejection of this final proposal closed this painful conference, which, after lasting for several hours, was broken up without having come to any decision. The army halted at Derby for the remainder of the day, during great part of which Charles was employed in expostulating with his officers individually. All, however, remained inflexible, and at another council, which was held in the evening, he reluctantly consented to a retreat, moodily remarking, "That he would call no more councils, since he was accountable to nobody for his actions, excepting to God and his father, and would, therefore, no longer either ask or accept their advice."

A retreat to Scotland resolved on.

It has been affirmed of late that the chiefs committed a great mistake in pressing a retreat, and that if they had followed the urgent advice of the prince, they would, in all probability, have overturned the Hanoverian dynasty, and restored the Stewarts to the throne.* It is argued that the consternation which pervaded the capital when the arrival of the Highlanders at Derby was made known, showed that no effectual resistance could have been offered by the citizens;† and that, if Charles had succeeded in beating the Duke of Cumberland, the army on Finchley Common would have dispersed of its own accord. Many of the inhabitants had fled to the country, carrying with them their most valuable effects; all the shops were shut; there was a great run upon the Bank, which only escaped bankruptcy by paying in sixpences to gain time. The Duke of Newcastle, it is affirmed, was at his wits' end, and shut himself up for one whole day in his house, deliberating whether he should not declare for the prince; and it is even said that the king himself caused his most precious effects to be put on board his yachts, and ordered these to remain at the Tower stairs in readiness to sail at a moment's warning.‡ Most of these statements, however, are greatly exaggerated or altogether groundless. It is true that the news of the approach of the insurgents excited great alarm in the capital. Fielding, who was in London at the time, states that "when the Highlanders, by a most incredible march, got between the duke's army and the metropolis, they struck a terror into it scarcely to be credited." But though the citizens, excited by

* Jacobite Memoirs, p. 54.

* See Earl Stanhope's Hist. of England, vol. iii. p. 293, and Browne's Hist. of the Highlands, vol. iii. p. 14[illegible].

† The day on which the news arrived was long remembered under the name of BLACK FRIDAY.

‡ Chevalier Johnstone's Memoirs, p. 77.

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exaggerated rumours respecting the habits of the clansmen, entertained a very natural apprehension of a visit to their shops and dwelling houses on the part of these savage warriors, it by no means follows that there was any imminent danger of a revolution. It is, indeed, preposterous to imagine that five or six thousand ignorant and undisciplined Highlanders, without any experienced general or statesman to guide their movements, even though they had succeeded in evading or defeating the three armies opposed to them, could have retained possession of the capital for a week. It had become evident to all that the great body of the people, both in Scotland and England, were hostile to the pretensions of the exiled family, and would neither support nor submit to their restoration to the throne. The march of the rebel army through the Lowlands of Scotland and the most disaffected districts of England, had afforded a favourable opportunity for their friends to join them, yet even the old Cavalier gentry had almost to a man held aloof. Whatever discontent existed towards the government, it had not strengthened the Stewart cause, or augmented the number of the insurgents. The farther they proceeded from their base, their condition became the more perilous. With three armies hovering around them, each double the size of their own, a way of escape could not long remain open. No wonder then, that when the chiefs carefully considered the position of affairs, they became unanimously convinced of the absolute necessity of a retreat.

The rebels commence their retreat.

They commenced their retrograde movement on the 6th of December, the inferior officers and common soldiers believing they were on their march to attack the Duke of Cumberland. They had set out before dawn, and were in high spirits, elated with the hope of victory. As soon as the returning light of day enabled them to discover that they were retracing their steps to the north, their ranks resounded with outcries of rage and indignation. They could have submitted to be beaten in a fair field by a superior foe, but to turn their backs on the enemy, without striking a blow, was felt to be a disgrace beyond endurance. Charles was greatly dispirited, and seemed to follow rather than to lead his soldiers. He seldom conversed with any one, but rode most frequently behind the troops in silence and dejection.

Cumberland sets out in pursuit.

Cumberland, on learning that the rebel army was at Derby, hastily withdrew his troops to Meriden Moor, near Coventry, and with so much secrecy had the movement of the insurgents been conducted, that he was two days there before the intelligence of their retreat reached him. No sooner, however, was he assured of the fact than he commenced a vigorous pursuit, at the head of his cavalry and of a thousand foot soldiers, mounted on horseback for the occasion. On reaching Macclesfield, he found that the enemy were two days' march in advance of him. The van of the insurgent army, headed by Charles, reached Penrith on the 17th; but Lord George, who had charge of the rear, was detained by some accident at Shap until the morning of the 18th, when they set forward to overtake their comrades. On reaching the village of Clifton, about three miles from Penrith, they found several parties of volunteer cavalry drawn up to intercept them. These, however, were quickly put to flight by a single charge from Glengarry's men, and several were made prisoners. Among these was a footman of the Duke of Cumberland, who informed them that his master was close upon their rear at the head of four thousand men. Murray immediately sent a messenger to the prince to inform him of this circumstance, and to request directions, as well as a reinforcement of a thousand men. Charles, however, sent back the messenger with orders to Lord George to abstain from offensive operations against the duke, and to hasten forward to Penrith. But it was now too late to avoid an encounter, and Murray accordingly drew up his troops on a moor on the right of the road, while those of the duke, coming up just as the sun was setting, formed within the opposite enclosure, the public highway with its two hedges alone intervening between the two armies. It was now nearly dark, but by the light of the moon, which fitfully shone out between broken clouds, Lord George could discern a body of soldiers coming stealthily forward as if to surprise him. He immediately gave the war-shout of "Claymore!" and rushing forward, followed by the Macphersons and Stewarts, after a fierce but brief contest, completely repulsed the English, and drove them back to their main body, with the loss of a hundred men in killed and wounded. Colonel Honeywood, who commanded the party, was severely wounded and left on the field. The Scots, who had lost only twelve men, were eager for pursuit; but Murray, in obedience to the prince's orders, withdrew his troops to Penrith.

Skirmish at Clifton.

Early on the 19th of December, the insurgents reached Carlisle, where they rested until the following day. Here it was thought expedient to leave a garrison, though for what purpose does not very plainly appear, as it could not have been reasonably supposed, that a place which they had captured with so much ease on their march to the south, would be capable of resisting the combined forces of the Duke of Cumberland and Marshal Wade. The number of the garrison has been variously estimated, but according to the most reliable accounts, could not be less than from three to four hundred men. These consisted of the Manchester regiment, some detachments from the Lowland regiments, and a small number of French and Irish. A few of these, particularly the Scots, had voluntarily consented to be left behind, but the English wished to follow Charles into Scotland and share his fortunes, and were only induced to remain through the misrepresentations of Townley, their colonel, who informed them that such was the prince's pleasure.* The result might easily

* MS. Memoirs of Captain Daniel.

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have been anticipated. No sooner had the insurgent army withdrawn than the place was invested by Cumberland. Having procured from Whitehaven some battering artillery, he soon silenced the fire of the unfortunate garrison, who had at first manifested a disposition to hold out to the last extremity. The cannonade commenced on the 29th, and on the morning of the 30th a white flag was displayed from the walls, and a message was sent by the governor to the duke, expressing a wish to capitulate, and requesting to know what terms he would be pleased to grant. His answer was that the only terms he would or could grant, were, "that they should not be put to the sword, but reserved for his majesty's pleasure." On such ominous terms the garrison were constrained to surrender, and to await, with what patience they might, the declaration of their fate.

Surrender of Carlisle to the Duke of Cumberland.

On the morning of the 20th, which was Charles's birthday, he left Carlisle with his army, and proceeded to re-enter Scotland by fording the Esk, which there "divides the sister kingdoms." This, under ordinary circumstances, would be an achievement neither difficult nor dangerous; but, on this occasion, the river having been swollen by an incessant rain of several days' duration, was fully four feet in depth. It was necessary, however, to make the attempt without delay, as the heavy rain still continued to fall, and the stream becoming deeper every hour would have soon grown quite unfordable. The arrangement made for crossing, according to the description given of it by the Chevalier de Johnstone, who was one of the party, was somewhat ingenious. "Our cavalry," he says, "formed in the river to break the force of the current, about twenty-five paces above that part of the ford where our infantry were to pass; and the Highlanders formed themselves into ranks of ten or twelve abreast, with their arms locked in such a manner as to support one another against the rapidity of the river, leaving sufficient intervals between their ranks for the passage of the water. Cavalry were likewise stationed in the river, below the ford, to pick up and save those who might be carried away by the violence of the current. The interval between the cavalry appeared like a paved street through the river, the heads of the Highlanders being generally all that was seen above the water. By means of this contrivance our army passed the Esk in an hour's time, without losing a single man; and a few girls, determined to share the fortune of their lovers, were the only persons who were carried away by the rapidity of the stream."* When they reached the opposite bank, fires were kindled to restore warmth to their benumbed bodies and to dry their clothes, and such was their delight at finding themselves once more on their native soil, that, forgetful of all their fatigues, privations, and dangers, and even of their mortification at their retreat, they began to dance for very joy.

The insurgents re-enter Scotland.

Charles now divided his army into two columns, one of which took the road by Ecclefechan and Moffat, and the other, conducted by Charles himself, proceeded directly to Annan, where they halted for the night. Lord Elcho, with a body of about five hundred cavalry, advanced to take possession of Dumfries, and thither the column under Charles followed next day. The inhabitants of this town had been always distinguished by their strong attachment to the Protestant faith and the Hanoverian dynasty; they had manifested their determined hostility to the cause of Charles by seizing on the baggage waggons of the insurgent army at Lockerby; and at this very time, on hearing a report of some disaster having befallen the rebels, they had given expression to their loyalty by public rejoicings and a general illumination. When the Highlanders entered they found the candles still in the windows, and the bonfires still burning in the streets. The consternation of the people was naturally very great. They expected nothing less than that their town should be plundered and laid in ashes. Charles, however, contented himself with ordering a contribution of £2000 and one thousand pairs of shoes for the use of his army. Even this was no slight punishment. It was found impossible to raise more than £1100, and the provost and another magistrate were carried off as a guarantee for payment of the remainder.

Advance of the insurgents to Dumfries.

A rumour that the Duke of Cumberland was advancing with his troops to Dumfries, induced Charles precipitately to evacuate the town, and the army separating into several divisions proceeded by different routes towards Glasgow, levying contributions very freely on the country people by the way. Charles himself proceeded by way of Hamilton, where he halted with his troops for one day, lodging in the ducal palace, and enjoying his favourite pastime of hunting in the spacious deer parks surrounding the mansion.

Their departure for Glasgow.

The first body of the insurgents entered Glasgow on Christmas-day, and on the next day Charles followed with the rest of the army. Their necessities were at this time greater than they had ever yet been since the commencement of their disastrous enterprise. Their scanty clothing hung around them in rags, and many of them were not only bare-legged, according to the approved Highland fashion of the time, but also bare-footed. Glasgow had no reason to expect any favour at the hands of Charles. It had from the first distinguished itself by the warmth of its attachment to the new dynasty, and had recently, in the exuberance of its loyalty, raised an army of twelve hundred men to aid the government in suppressing the rebellion. It was already a very wealthy city, while its utter defencelessness rendered it at once

Wretched condition of the insurgent army.

* Memoirs of the Rebellion of 1745 and 1746, by the Chevalier de Johnstone, aide-de-camp to Lord George Murray.

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a tempting and an easy prey. Charles was not loath to avail himself of the resources which he had the power to command. He immediately set about refitting his army at the expense of the citizens. Besides exactions in money amounting to about £10,000, he ordered the magistrates to provide 12,000 shirts, 6000 cloth coats, 6000 pairs of stockings, and 6000 pairs of shoes. He further imposed a fine of £500 upon the provost, because he refused to furnish a list of the parties who had subscribed for raising troops to assist the government. He also extorted a contribution of £500 from the town of Paisley, besides smaller sums from Renfrew and other places in the neighbourhood.

Heavy contributions levied in Glasgow.

As the Highlanders approached their own country they began to desert in considerable numbers; and by the time they reached Glasgow the whole of the insurgent army amounted to no more than three thousand six hundred foot and five hundred horse. Charles prolonged his stay in the west for an entire week, but so unpopular was his cause among the citizens, that he was unable to add more than sixty recruits to his army.

On the 3rd of January, Charles took his departure from Glasgow, his army being divided into two columns, one of which was ordered to take the direction of Kilsyth, and the other that of Cumbernauld. In the meantime the cavalry under Lord Elcho, had advanced to Falkirk, so that it appeared to be the intention of the insurgents to pay a second visit to the capital. The citizens of Edinburgh took the alarm, and began to make vigorous preparations for a defence, which, fortunately, circumstances rendered unnecessary. The column which had been dispatched to Kilsyth, after spending the night there, quitted next morning the road to Edinburgh, and proceeding towards Stirling, joined the other division in the evening at the village of Bannockburn. The object of this movement was to attempt the reduction of Stirling Castle, the importance of which, as commanding the principal avenue to the Highlands, was too obvious to escape the notice of the prince and his advisers. According to orders previously sent, he was joined at Stirling by the troops under Lord John Drummond and Lord Strathallan, the former having three thousand men under his command, and being well provided with artillery and military stores which he had brought from France. By these accessions, together with Lord Lewis Gordon's detachment, the total force of the insurgent army now amounted to nine thousand men, being the largest number that ever mustered under the banner of Charles.

Charles leaves Glasgow—

—and marches to Stirling.

Stirling Castle, which was at that time a fortress of considerable strength, was held by a strong garrison, under the command of General Blakeney, a brave and experienced officer. The town itself, which then contained about five thousand inhabitants, was quite untenable, being only partially defended by a low wall, incapable of resisting for an hour the assault of artillery. Nevertheless, by the instigation of General Blakeney, an attempt was made to defend it. A small body of militia was raised among the townsmen, and provided with arms and ammunition from the castle, and the governor encouraged this feeble and inexperienced force to make a vigorous resistance by assuring them that, in case of necessity, they should find refuge in the castle, which he had resolved to defend to the last extremity.

In the meantime, the English forces under Marshal Wade had reached the capital, where they were reinforced by the Duke of Cumberland's cavalry; but the duke himself having been sent with a detachment of infantry to protect the southern coast, in case of a French invasion, General Hawley was, by his recommendation, appointed to the command of the army in Scotland in the room of Marshal Wade, who was now incapacitated by age for active service. The force under Hawley, augmented by small bodies of volunteers from Yorkshire and Glasgow, and by some recruits from Argyleshire under Colonel Campbell, was nearly equal in numbers to the insurgent army. The arrival of such a force for the protection of the capital was hailed by the loyal portion of the citizens with lively satisfaction. An association was formed for providing the troops with blankets, and a general illumination took place in token of the popular enthusiasm. The new general "had not a better head, and certainly a much worse heart than Sir John Cope, who was a humane, good-tempered man."* Hawley's whole genius lay, as the son of Lord President Forbes remarked, in the management of a squadron, or in prosecuting with vigour any mortal to the gallows. He was a scoffing infidel,† and though personally brave, he was hated by his own soldiers for his cruel and brutal temper. Their nickname for him was "the Lord Chief Justice." "Frequent and sudden executions," says Horace Walpole, "are Hawley's passion. One of the surgeons of the army begged the body of a soldier, who was hanged for desertion, to dissect. 'Well,' said Hawley, 'but then you shall give me the skeleton to hang up in the guard-room.'"‡ On his arrival in Edinburgh he caused two gibbets to be erected, to show the treatment he meant to give the rebels who might fall into his hands.§ He was present at the battle of Sheriffmuir, and, in consequence of the success of the Duke of Argyll's right wing, had formed a very low opinion of the prowess of the Highlanders. He spoke contemptuously of the courage and capacity of his predecessor, General Cope, and imputed the success of the insurgents at Preston

Arrival of the English army in Edinburgh.

* Sir Walter Scott.

† His will, dated March 29, 1749, contains this instruction about his burial:—"My carcase may be put anywhere. The priest, I conclude, will have his fee; let the puppy have it."

‡ Letter to Sir H. Mann, Jan. 17, 1746.

§ Culloden Papers, p. 270.

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entirely to the misconduct of that officer. Confident of success, and eager to win the laurels which he fancied to be within his reach, he quitted the capital on the 13th of January, and marched towards Stirling, for the purpose, as he boasted, of driving the rebels before him.

Charles, meanwhile, was pressing the siege of Stirling. On the 4th of January, he ordered a part of his army to occupy a position within cannon-shot of the town, on the south, and as the stone bridge on the north had been broken down when General Cope was there with his army, the town was thus completely invested. Next day a message was sent requiring the surrender of the place, but the armed civilians, by whom it was defended, being ignorant of the usages of war, fired upon the messenger, who narrowly escaped with his life. A battery was then raised within musket-shot of the wall, and, on the 6th, a more peremptory summons to surrender having been sent, the courage of the besieged began to give way, and the magistrates sent a message requesting a truce until next day at ten o'clock. This was readily granted, but the whole day having been spent in deliberation, the besiegers became impatient, and in the evening began again to fire upon the town. Next morning, the terms of surrender were arranged. It was agreed that the town should be delivered up, on condition that the lives and property of the inhabitants should be protected, and that the arms with which they had been provided should be returned to the castle. In the afternoon of the same day (January 8th), the insurgents entered the town. On the 10th the castle was summoned to surrender, but General Blakeney, the governor, returned for answer: "That his royal highness would assuredly have a very bad opinion of him, were he capable of surrendering the castle in such a cowardly manner."* The siege of the fortress was therefore formally commenced, and a battery was raised between the church and a large house at the head of the town, called "Marr's Work." Very little progress was made in the undertaking, for the fire of the castle speedily demolished the battery and dismounted the cannon. Hawley was now on his march to relieve the place, and his approach compelled the insurgents to suspend their operations.

Surrender of the town of Stirling.

Leaving a few hundred men under Gordon of Glenbucket to continue the blockade of the castle, Charles, on the 16th, marched to meet the enemy, and, drawing up his men upon the Plean Moor, to the east of Bannockburn, a spot, as he remarked, of happy omen to his cause, he awaited an attack. The English, however, remained inactive in their camp about seven miles distant. Finding that they did not move, Charles resolved to assume the offensive; and on the 17th, having again drawn up his army, he called a council of war about midday, and announced his intention to march against the enemy. His plan was formed with considerable skill. The remains of the Torwood, once a forest of great extent, which repeatedly afforded a place of retreat to the patriot Wallace, lay between the two armies. The high road from Stirling and Bannockburn to Falkirk passes through the middle of this wood, and to the south of it lies a wild upland called Falkirk Moor, which it was the object of Charles to gain unperceived, so as to give his troops the advantage of the wind, as well as of the high ground for their operations. With this view he led the main body of his army along the west side of the Torwood, where they could not be seen from Hawley's camp, while Lord John Drummond with his own regiment, the Irish picquets, and all the cavalry of the insurgents, carrying the royal standard and other colours, was ordered to advance upon the direct road leading from Bannockburn towards Falkirk, and to make a display in front of the Torwood for the purpose of persuading the royal army that the whole rebel forces were advancing by that route. The stratagem proved completely successful. General Hawley entertained such contempt for the "Highland rabble," as he termed them, and was so fully persuaded that they would never venture to attack the royal forces, that, with unpardonable carelessness, he had neglected even the common precaution of sending out patrols. Such was his continued security, that at this critical juncture he allowed himself to be detained at Callender House, where he was enjoying the hospitality of the Countess of Kilmarnock, wife of one of the insurgent leaders, and was so much fascinated by her wit and gaiety, that he spent the whole forenoon in her company. General Huske, his second in command, though a good and experienced officer, was completely deceived by the manœuvres of Lord John Drummond's division, and remained in total ignorance of the movements of the main body of the rebels until they had crossed the river Carron near Dunnipace, and were only about two miles distant from the royal camp. About one o'clock an alarm was given by a countryman that the Highlanders were approaching, and the report was confirmed by two of the officers, who climbed a tree, and with the aid of a telescope discovered the mass of the insurgents in full march towards Falkirk Moor. The intelligence was immediately transmitted to Hawley, who received it with the utmost indifference, merely ordering that the men should put on their accoutrements, but without getting under arms. This order was obeyed, and the troops then sat down to dinner. Between one and two o'clock, some gentlemen volunteers rode in full gallop, bringing decisive intelligence of the approach of the enemy. The drum instantly beat to arms, and an urgent message was dispatched for Hawley, who still lingered at Callender House. His negligence caused bitter complaints among the officers, who were heard saying to one another, "Where is the general? What shall be done? We have no orders." General Huske saw the danger, and the

Charles resolves to attack the royal army.

He out-manœuvres Hawley.

* The Chevalier de Johnstone, p. 116.

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FALKIRK.

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importance of immediate steps to meet it, but in the absence of his superior officer he had no authority to undertake any movement against the enemy, and was therefore forced to content himself with forming the troops in line of battle upon the ground in front of the camp.

Hawley at length caught the alarm, and now came galloping up to the camp in a state of great excitement and without his hat. Placing himself at the head of the three regiments of dragoons, he ordered them to march full speed to the top of the moor, and the infantry to follow with their bayonets fixed. He seems to have been apprehensive that the Highlanders, in making for the high ground above his position, intended to repeat the manœuvre which they had practised so successfully against Cope at Preston, and this rash and inconsiderate step, to which his defeat is mainly to be attributed, was undertaken for the purpose of anticipating their movement.

The dragoons immediately began their march, and proceeding along the eastern wall of Bantaskine Park, ascended the hill at a rapid pace, followed by the foot. At this moment the sky, which had hitherto been serene, became suddenly overcast, and a violent storm of wind and rain from the south-west beat full in the faces of the troops, and retarded their progress. The Highlanders were meanwhile ascending the moor on the other side in two parallel columns, and for some time there was a kind of race between the dragoons and the clans, which of them should first attain the summit of the high ground. The fleet mountaineers, however, outstripped the English horse, and took possession of the eminence, so that the dragoons were compelled to take up somewhat lower ground.

The moor on which the hostile armies stood face to face, was exceedingly unsuitable for the operations of regular troops. It is now covered with thriving farms and plantations, and intersected by a railway and a canal, and commands a magnificent view of fertile and highly cultivated fields, and woods, and mansions, with the broad waters of the Forth in the distance.* But in 1746 it was a rugged and broken upland, interspersed with morasses and covered with shaggy heath. The Highlanders occupied the most elevated part of the moor, facing the east. The regulars stood a little lower, with their backs towards the town of Falkirk. There was a narrow ravine, which began about the centre of the position between the two armies, and gradually widened as it extended in a northerly direction down the declivity of the hill, till it reached the plain on the right of the royal army.

Battle of Falkirk.

The insurgents were drawn up in two lines. The first consisted of the three Macdonald clans, Keppoch, Clanranald and Glengarry, with the Macgregors on the right; of the Mackenzies and Mackintoshes, with a battalion of the Farquharsons, who occupied the centre; and of the Stewarts of Appin, the Camerons, the Frasers, and the Macphersons, who formed the left. The second line, which included the Lowland levies, comprised the Atholl brigade, Lord Ogilvie's regiment, the Gordons, M'Lauchlans, and Lord John Drummond's regiment. Charles took his station behind the second line, on an eminence still known by the name of Charlie's Hill. The horse guards, under Lords Elcho and Balmerino, were on his right, behind the Atholl men. The troops of Lord Pitsligo and the Earl of Kilmarnock, were stationed on the extreme left. The right wing was commanded by Lord George Murray, and the left by Lord John Drummond, who had marched after the main body of the army as soon as he perceived that the enemy had taken the alarm, and had quitted their camp. The royal infantry were also drawn up in two lines, with the three regiments of dragoons in front, and the Glasgow regiment and the Argyll militia forming a reserve in the rear. The right of the royal army was commanded by Major-general Huske, the centre by Hawley himself, and the left by Brigadier Cholmondeley. The cavalry were under the immediate charge of Lieutenant-colonel Ligonier, who, on the death of Colonel Gardiner, had succeeded to the command of his regiment. The two armies were nearly equal in numbers, amounting to about eight thousand each. There was no artillery on either side, for the Highlanders, in their rapid march, had left their guns behind; and the royal artillery, in crossing the moor, had stuck fast in a morass, and could not be extricated.

Defeat of the royal army.

As soon as his arrangements were completed, Hawley sent orders to Colonel Ligonier to commence the battle by attacking with his cavalry the enemy's right. The Macgregors and Macdonalds, who were stationed on that wing, advanced slowly to meet their assailants, and reserving their fire till the dragoons were within pistol-shot, at a signal given by Lord George Murray they poured in a volley so close and well aimed that the cavalry were completely broken, and many of them were killed or wounded. The two regiments which behaved so disgracefully at Preston instantly wheeled about and galloped down the hill, disordering and trampling upon some of their own foot. Cobham's regiment, however, stood its ground for some time, but after a fierce, though short struggle, they too were compelled to give way, and, wheeling to the right, galloped off between the two armies, receiving in their flight a murderous volley from the centre of the Highland line. In spite of the efforts of Lord George Murray to keep the Macdonalds in their ranks, and prevent a disorderly pursuit, the victorious clansmen rushed down the hill, and, throwing away their muskets, fell sword in hand upon the flank of the infantry stationed upon the left of the royal line, which were at the same time assailed in front by the centre of the insurgents. Hawley, whose sole virtue was courage, kept his ground, con-

* Bruce, the celebrated Abyssinian traveller, whose property lay in this neighbourhood, declared that the view from the battle-field in extent, variety, and beauty, was not surpassed by any he had seen in the course of his travels.

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spicuous by his white uncovered head, and encouraged his men to stand firm. But, nearly blinded by the wind and rain, which beat full in their faces, with their firelocks so wetted that hardly one in five went off, and discouraged by the flight of the dragoons, they were speedily thrown into confusion and driven down the hill. About three-fourths of the royal army were thus completely routed in the course of twenty minutes.

Good conduct of the right wing.

On the extreme right of the line, however, the fortune of the day was very different. The ravine which lay between the two armies at this part of the field prevented the Camerons and Stewarts, who formed the left wing of the insurgents, from charging sword in hand, according to their favourite mode of fighting. The three royal regiments of foot, Price's, Ligonier's, and Burrel's, stationed at this point, stood firm, and by their steady and well-directed fire, compelled the enemy to fall back in some disorder from the opposite edge of the ravine. Supported by Cobham's dragoons, who had rallied in their rear, these three gallant regiments not only repulsed their immediate opponents, but checked the pursuit of the Macdonalds on their left, and obliged a number of them to retire in disorder up the hill. "At this moment," says Home, "the field of battle presented a spectacle seldom seen in war. Part of the king's army—much the greater part—was flying to the eastward, and part of the rebel army was flying to the westward. Not one regiment of the second line of the rebels remained in its place, for the Atholl brigade, being left almost alone on the right, marched up to the first line and joined Lord George Murray, where he stood with the Macdonalds of Keppoch. Between this body of men on the right of the first line, and the Camerons and Stewarts on the left (who had retreated a little from the fire of the troops across the ravine), there was a considerable space altogether void and empty, those men excepted who had returned from the chase and were straggling about in great disorder and confusion." Lord George Murray, however, succeeded in bringing six or seven hundred of these scattered clansmen into order; while Charles, seeing from the eminence on which he had taken his station, the check which his left wing had received, put himself at the head of the reserve, and led them to the brow of the hill. This movement arrested the progress of Cobham's dragoons, and of the three regiments acting with them, and they commenced their retreat, in good order however, with drums beating and colours flying. General Huske, who had acted throughout with judgment and courage, brought up the rear.

It was now about five o'clock of a winter evening, and the early darkness was increased by the violent storm, which still continued. The victorious right wing of the insurgents, therefore, did not venture to continue their pursuit farther than the foot of the hill. They were, indeed, ignorant of the extent of their victory, for the Highlanders were scattered in every direction over the moor, and the different clans were mingled together in the utmost confusion. It was not till several hours after the close of the battle that a considerable portion of the rebel army received information of the result. At length two of the officers entered Falkirk in disguise, and returned with the intelligence that Hawley, after issuing orders to set fire to his tents, had abandoned the town, and was retreating on Linlithgow. Lord George Murray immediately advanced and took possession of the town. Later in the evening the prince, amid torrents of rain, made his entry into Falkirk, and was conducted by torch-light to a lodging which had been prepared for him. The Highlanders were so eagerly occupied in securing the spoil of the English camp, that it was with difficulty a sufficient number could be got together to form a guard for the town and the prince's person during the night.

Hawley's flight to Edinburgh.

Hawley did not stop that night till he reached Linlithgow, whither some of his recreant dragoons had preceded him in their flight. Next day he retreated to Edinburgh, but some of his dastardly followers, who had been quartered in the old palace of Linlithgow, before their departure deliberately set it on fire, by raking the live embers from the hearths into the straw on which they had lain, and thus reduced the venerable and interesting pile to a blackened ruin.* Hawley left behind him on the battle field between three and four hundred men killed and wounded, including sixteen officers, among whom were Colonel Sir Robert Munro of Foulis and his brother, three lieutenant-colonels, and nine captains. There were also about one hundred prisoners taken by the insurgents.† Seven pieces of cannon, seven standards, a large quantity of military stores, with all the baggage of the royal army, fell into the hands of the victors. The loss on the side of the Highlanders was estimated at about forty men, with near double that number wounded; but this return must have been considerably underrated.

Effect of the battle of Falkirk.

The news of the battle of Falkirk caused great dismay throughout the country, as the retreat of the Highlanders from Derby had produced a very general impression that the rebellion was virtually at an end, and the confident boastings of Hawley had led the supporters of the government to count upon the total overthrow of the rebel army as certain. Hence the unexpected defeat of the veteran troops, who had fought at Dettingen and Fontenoy, by a body of undisciplined mountaineers, whom they had been taught to despise, excited general consternation. Hawley himself was exceedingly

* Sir Walter Scott's Provincial Antiquities, vol. ii. p. 173.

† John Home, the author of "Douglas," was one of those taken prisoner. He and a considerable number of his companions were sent to Doune Castle, whence they succeeded in making their escape in a somewhat romantic manner.

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mortified and depressed by his misfortune, and endeavoured to console himself for his disasters by insulting and brow-beating the civil authorities, and hanging several of his recreant soldiers upon the gibbets which he had erected for the punishment of the rebels. Old General Wightman, who had fought in the rebellion of 1715, says, in a letter to President Forbes, written a few days after the battle, "Hawley seems to be sensible of his misconduct, for when I was with him on Saturday morning, at Linlithgow, he looked most wretchedly, even more so than Cope did a few hours after his scuffle, when I saw him at Fala. This is an odd state of things, and altogether an unexpected occurrence, and will doubtless shock the king and the ministry, as well as the whole English nation, more than the Preston affair did."* But when the tidings of this disaster reached the court on the day of a drawing-room, though the countenances of most of the company betrayed doubt and apprehension, his majesty exhibited the most perfect composure. The Earl of Stair, too, was unmoved, while Sir John Cope was radiant with joy at the discomfiture of Hawley, who was in the habit of ridiculing severely the conduct of his predecessor.†

Dissensions among the insurgents.

The victory at Falkirk was productive of very little advantage to the insurgents. Violent dissensions broke out among their leaders, who blamed each other for the incompleteness of the victory, and the escape of the enemy. There was no unity of command among them, and therefore no steadiness of purpose and no discipline. A great number of the Highlanders, according to their invariable practice, immediately quitted the camp and returned to their mountain homes, for the purpose of securing their plunder. An unfortunate accident, too, which occurred the day after the battle, contributed still further to diminish their ranks. One of Keppoch's men was examining a loaded musket, which he had picked up upon the battle field, when the piece went off, and unluckily killed Colonel Æneas Macdonald, second son of Glengarry, who was passing at the time. The young officer, fully satisfied of the innocence of the man, entreated, with his dying breath, that he might not suffer, and Charles himself, to soothe the feelings of the clan, and to show his respect for the memory of their brave and estimable leader, attended his funeral as chief mourner. All was unavailing. "Nothing," says an eye-witness, "could restrain the grief and fury of the clansmen."‡ The unhappy owner of the musket was given up to their vengeance, and immediately led out and shot. This savage act of retribution did not after all pacify the enraged tribe, and great numbers of them quitted the army, and returned to their mountains.

Siege of Stirling resumed.

On the 19th the prince returned to Bannockburn, and there, by means of a printing press, which he had brought from Glasgow, he issued an account of the battle of Falkirk, the last of his proclamations or gazettes. He then resumed the siege of Stirling Castle, which he had neither the means nor the skill to reduce. The operations of the siege were placed under the care of M. Mirabelle, a French engineer, who was very imperfectly acquainted with his profession. He constructed, with great labour and difficulty, a battery on the Gowlan Hill, to the north of the castle, and another on the Ladies' Rock, on the south-east, and opened a brisk fire from them on the morning of the 29th February. But these positions were so ill chosen that the garrison could see the French artillerymen down to their shoe buckles, and though they allowed the batteries to be erected without serious molestation, for the purpose, it is alleged, of detaining the besiegers before the fortress till the royal army should be in a condition again to take the field, as soon as the guns were unmasked, they poured down upon them a destructive fire, which speedily silenced the batteries that had been constructed with so much labour, and compelled the besiegers to retire with considerable loss.

The Duke of Cumberland sent to Scotland.

While the insurgents were wasting their time in these ill-judged and fruitless operations, the government had sent down the young Duke of Cumberland to take the command of the army, and to retrieve the disasters brought upon it by the incapacity of Hawley. His royal highness quitted London on the 25th of January, 1746, and by travelling night and day, reached Holyrood Palace on the 30th. He took up his lodgings in the same apartments, and slept in the same bed, which had lately been occupied by Charles. His unexpected arrival revived the drooping spirits of the soldiers, with whom he was a favourite, and put a stop to the cruel punishments inflicted by his savage predecessor. The duke was a person of remarkable courage and respectable military talent, with great energy and steadiness of purpose. He was truthful, open, and upright in his dealings; but his manners were boisterous and brutal, his temper hasty, harsh, and often tyrannical, and his passions violent and ungovernable. He was held in detestation even by the people of England, who believed him capable of any atrocity. His deeds of blood in Scotland gained him, from his contemporaries, the name of "The Butcher," and have stamped his memory with indelible infamy.

Marches against the rebels—

On the day after his arrival the duke put himself at the head of the royal army, and set forward to give battle to the insurgents. The force under his command consisted of fourteen

* Culloden Papers, p. 267.

† Sir Walter Scott. An abstracted Scottish peer, at this drawing-room, addressed Sir John by the title of General Hawley, to the no small amusement of the company.—Quarterly Review, No. lxxi., p. 180.

‡ Kirkconnel's Journal, in Lockhart's Papers, vol. ii.

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battalions of infantry, and twelve squadrons of horse, amounting in all to about fourteen thousand men, who were eager to be led against the enemy, in order that they might retrieve the reputation they had lost at Falkirk. Hawley, instead of the punishment which his negligence and incapacity deserved, was appointed to act as one of the duke's lieutenant-generals, the other was the Earl of Albemarle. On approaching Falkirk, the duke was informed that the Highlanders were in full retreat, and two loud reports, which were presently heard, like the blowing up of powder magazines, seemed to confirm the intelligence.

—they resolve upon a retreat.

A retreat indeed had now become a matter of necessity on the part of the insurgents. The prince, with his usual dogged adherence to his own plans, had persisted in carrying on the siege of Stirling Castle after the hopelessness of the undertaking had become apparent to every one else. He called no councils of war, but consulted only with Secretary Murray, Sir Thomas Sheridan, and O'Sullivan, the quartermaster-general, who flattered his prejudices and re-echoed his opinions. Lord George Murray, Lochiel, Keppoch, and the other chiefs, however, held a consultation of their own, and drew up a memorial pointing out the imminent danger of remaining longer in their present position, and urging the necessity of an immediate retreat into the Highlands, in order to save the army from destruction. It is stated by John Hay, who occasionally acted as secretary to the prince at this juncture, that this memorial overwhelmed Charles with astonishment and grief; that he had previously announced to Lord George Murray his intention to advance and attack the Duke of Cumberland as soon as he reached Falkirk; that Lord George had shown him only the day before a plan which he had drawn for the proposed battle, with which Charles had expressed himself much pleased, and that when he read this paper recommending a course so different, he exclaimed, "Good God! have I lived to see this!" and dashed his head with such violence against the wall that he staggered. He then sent Sir Thomas Sheridan to Falkirk to persuade the chiefs to alter their resolution, but without effect. He had, therefore, no alternative but to submit.*

Retreat of the rebels.

The insurgents commenced their retreat on the 1st of February, having first spiked their heavy cannon, and blown up their powder magazine at St. Ninian's, about a mile from Stirling. But so carelessly or unskilfully was this last operation performed, that the explosion destroyed the church, and killed several of the villagers as well as of the Highlanders. The whole movement, indeed, was mismanaged; no proper precautions were taken to cover the retreat; there was no rear-guard; Lord Elcho's troop of horse, which was stationed at the bridge of Carron, was forgotten and nearly left behind, and the whole army was thrown into confusion, and obliged to abandon a considerable portion of their baggage. The blame of this disorder is attributed to the prince, who was sullen and reckless, in consequence of having been thwarted in his designs, and either neglected to give the proper orders, or by countermanding orders previously given, threw the whole army into confusion, so that their retreat in some degree resembled a disorderly flight. Their ultimate destination was Inverness; but in the first instance they directed their march towards Crieff, which they reached next day, taking their English prisoners along with them. They had lost a considerable part of their baggage by the way; there was a great deal of wrangling and altercation among the officers; and their ranks were found to have been largely thinned by desertion. Meanwhile, the Duke of Cumberland, who had formed the resolution of pursuing the rebels, was detained for two days waiting the repair of a bridge at Stirling, and even after he had surmounted this obstacle, such was the state of the roads, that he could not advance more than ten or twelve miles a day. Having reached Perth, he fixed his head-quarters there, and sent out detachments in all directions to suppress the insurrectionary movements in the surrounding country.

At Crieff, the rebel army separated into two divisions, which, for the sake of more easily procuring supplies of provisions, took different roads to Inverness. This town, which had been slenderly fortified with a ditch and pallisade, was occupied by Lord London with an army of two thousand men; and Charles, on reaching Moy castle, where he arrived on the 16th of February, thought it prudent to halt until the rest of his forces should come up. Here he narrowly escaped being surprised and taken prisoner by Lord Loudon, who, at the head of fifteen hundred men, made a sudden night march to Moy, for the purpose of seizing the prince's person while off his guard. The scheme, of which Charles had not more than an hour's notice, was disconcerted by five or six of the Mackintoshes, who, having been ordered by Lady Mackintosh to watch the road from Inverness, fired upon the advancing troops from a wood which flanked the highway, and by imitating the well known war-cries of Lochiel, Keppoch, and other clans, produced an impression that the whole Highland army was close at hand. The vanguard, seized with a sudden panic, fled with precipitation, and threw the rear into irretrievable confusion. In the hurry of their flight many were thrown down and trodden upon by their comrades, and so great was their consternation, that they continued their flight till they reached Inverness. This disorderly retreat has ever since been known by the name of the Rout of Moy.

Rout of Moy.

Next morning, the 17th of February, Charles mustered his men, and set out on the 18th for Inver-

* Appendix to Home's Works, vol. iii. p. 335.

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ness, to repay Lord Loudon his unfriendly visit. His lordship, however, deemed it prudent to evacuate the town, and embarking with his army, in boats, accompanied by the Lord President, he crossed the Moray Firth, by the Kessoch Ferry. But the Earl of Cromarty, at the head of some regiments of Highlanders, marched round the head of the ferry and drove him into Sutherland, where, being still threatened by Cromarty, he disbanded his army.

The insurgents enter Inverness.

The Highland army entered Inverness without opposition, and Charles immediately set about the reduction of the citadel, which, although it contained a considerable garrison well supplied with provisions and ammunition, surrendered in a few days. Sixteen pieces of cannon and a hundred barrels of beef thus fell into the hands of the insurgents. Charles ordered the works to be destroyed, to the great gratification of his followers, who had naturally a strong dislike to these strongholds. Fort Augustus, which was next attacked by a detachment of the insurgent force, shared the same fate; but they failed in their attempt to reduce Fort William, as they could not cut off the communication with the garrison by sea.

Early in February a detachment from the Duke of Cumberland's army, under Colonel Sir Andrew Agnew, was sent to garrison Blair Castle, in the Atholl country, while another division, under Colonel Leighton, occupied Castle Menzies, in Strath Tay. These garrisons were intended to cut off the supplies of the insurgents, and to put a stop to the recruiting which Lord George Murray and his elder brother, the Marquis of Tullibardine, were carrying on in this district among their clan, by means of the fiery cross, and other similar influences. Lord George resolved, in conjunction with Cluny Macpherson, to expel these intruders from his native district, and lost no time in attempting to carry his intentions into effect. About the middle of March, having collected a force of seven hundred men, he pushed rapidly through the passes which lead from Badenoch into Atholl, and at midnight of the 16th reached a place called Dalspiddel, where he made his final dispositions, and having divided his men into a number of small parties, explained to them that his object was to surprise and cut off all the military posts in Atholl held by the royal troops. So skilfully had his plans been laid, and so well were they executed, that the whole of these posts were carried in the course of the night, and upwards of three hundred prisoners taken, without the loss of a single man. They were not equally successful, however, in their attempt to reduce the castle of Blair, which was resolutely defended by Sir Andrew Agnew, a sturdy veteran of the old military school. After a close blockade, which lasted till the end of March, and the garrison were reduced to the last extremity, the Highlanders precipitately abandoned the siege on the approach of a body of Hessians from Perth, under the Earl of Crawford.

Straitened condition of the insurgents.

Meanwhile, the rebel army at Inverness were suffering severely from the failure both of money and of provisions. The surrounding country could not afford them the means of subsistence; no supplies could now reach them from the Lowlands, and those sent from France were mostly intercepted by British cruisers, or were driven back into French ports. One of these vessels, bringing a small reinforcement and about £10,000 in gold, ran ashore on the coast of Sutherland, where the Mackays took possession of the treasure and made prisoners of the crew. Charles, who had now not more than five hundred louis-d'ors in his exchequer, was reduced to the expedient of paying his troops in meal, of which the supply was so scanty that they were often pinched with hunger. These privations, which the officers shared equally with the men, produced much discontent, and led to frequent breaches of discipline, which it was found impossible either to prevent or punish.

The duke marches towards Inverness.

On the other hand, the army of the Duke of Cumberland, who had by this time fixed his headquarters at Aberdeen, was abundantly supplied with provisions, and had, besides, received a reinforcement of five thousand auxiliaries, who had landed at Leith, under the command of Prince Frederick of Hesse Cassel, the duke's brother-in-law. Collecting his forces, which now amounted to about eight thousand foot and nine hundred horse, the duke set out from Aberdeen on the 8th of April, and marched for Inverness. His route lay along the coast, and at a short distance from the shore a fleet of victualling ships kept pace with the march of the army, and supplied them with provisions. The duke reached Banff on the 10th, where he caused two spies to be hanged. One of them was caught while in the act of notching upon a stick the number of the royal forces. Next day the army approached the Spey, a deep and rapid river, where the insurgents, at first, resolved to resist the further progress of the enemy, and had accordingly made an attempt to fortify the left bank of the river. But finding it impossible to keep the fords against the heavy artillery and overwhelming numbers of the enemy, especially as the river was at this time low, owing to a recent drought, Lord John Drummond, who commanded the insurgent troops stationed at this point, retired on the approach of the royal forces, and allowed them to cross unmolested. On the 14th the royalists reached Nairn, which was only sixteen miles distant from the position occupied by the main body of the insurgents. As they entered the town they came up with the party of the rebels, who had retired before them as they forded the Spey. Some shots were interchanged, and a serious encounter would probably have taken place, had not Charles unexpectedly come up with a reinforcement, on seeing which, the English thought it prudent to retire. Charles

The royalists cross the Spey, and halt at Nairn.

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and his principal officers took possession of Culloden House, where they lodged for the night; while their hardy followers, although the weather was extremely cold, lay upon the open moor, the heath, as one of them remarked, serving both for bed and fuel. Next morning, in expectation of an immediate attack, they were drawn out in battle array, but as the duke did not make his appearance, a small party under the conduct of Lord Elcho, was sent forward to reconnoitre. They soon returned with the report that the royal army had halted at Nairn, where they were celebrating the birthday of their leader with much festivity and rejoicing. By this time the insurgents were reduced to the last extremity for want of provisions, a small piece of extremely coarse bread served out to each man, constituting their whole rations for the day. In this dismal plight many of them quitted their ranks and returned to Inverness, or wandered about in search of food, while they had the mortification of seeing the victualling ships of the enemy entering the creek with an abundant supply. To add to these distressing circumstances—so unfavourable for a general engagement, which now appeared imminent—their numbers were greatly diminished. Several of their best regiments, in spite of their utmost exertions, had not yet been able to join them, among which were those under Cluny, Lord Cromarty, and the Master of Lovat, so that not more than about five thousand men remained.

Unsuccessful attempt to surprise the English camp.

Charles now summoned a council of war, at which it was resolved, on the proposal of Lord George Murray, to make a night attack upon the enemy's camp at Nairn, distant about twelve miles. Charles ordered the heath to be set on fire in order that the light might deceive the enemy into the belief that the insurgents still remained in the same position. Injunctions were issued immediately to recall the stragglers from Inverness and other places, whither they had gone in search of food; but these orders, after much waste of time, were but partially and reluctantly obeyed, many of the men declaring to the officers who were sent after them, that they would rather be shot for disobedience than brought back to die of hunger. Before the muster was completed it was eight o'clock in the evening, and two o'clock in the morning was the time appointed for the attack. The troops were divided into two columns, which were to proceed at some distance from each other. Of these, one placed under the command of Lord George Murray moved forward first, and the other followed commanded by Charles in person. Avoiding the public highways lest their movements should be prematurely discovered, they proceeded across the country through rough, and often marshy ground, by which their progress was greatly impeded, and many of their men, already exhausted with privation, sunk down or fell behind, so that the first column had only reached Kilravock House, four miles from the English camp, when the hour which had been appointed for the attack arrived. Lord George now called a halt, and represented to his officers that it would be impossible to reach their destination before dawn, and that he considered it worse than useless to proceed farther, as their purpose was already frustrated. Some discussion ensued, during which a messenger arrived from Charles, intimating that he was still ready to attempt the attack, but leaving it to Lord George to judge whether it could now be done in time or not. Lord George, on this, instantly gave the order to retreat, and, after a toilsome retrograde march, the dispirited and exhausted troops once more mustered on Culloden Moor.

Condition of the Highland army.

The morning of the 16th of April found the Highland army in a condition but ill suited for a general engagement. Worn out by their fatiguing march and countermarch over a rugged and pathless moorland, the greater part had lain down on the open heath to snatch, if possible, a little repose; while others wandered in all directions in quest of provisions, of which, for many days they had been able to obtain scarcely enough to support life, and that of the coarsest and most unpalatable description. Nor were Charles and his officers much better provided than the troops. On this dismal morning the aspirant to the throne of Britain could find no better refreshment than a morsel of bread and a little whisky. The royal army, on the other hand, had all along been amply provisioned, and, at this very time, a number of vessels, freighted with supplies for their use, lay in the bay within sight of the insurgents.

In these discouraging circumstances, Lord George Murray, and some other experienced officers, wisely advised to avoid an action for the present, or at least to remove from the open moor, which was peculiarly fitted for the movements of regular troops, and take up a position beyond the river Nairn, where the ground was diversified with bogs and elevations, and consequently inaccessible either to the cannon or cavalry of the enemy. Here, it was conceived, that the Highlanders could fight to the best advantage, while their enemies would have difficulties, almost insurmountable, to encounter at every step. This opinion has been fully confirmed by that of military men of the highest eminence, who have subsequently visited the spot, including the celebrated Marshal Macdonald, Duke of Tarentum.

Charles, however, with an overweening confidence in the prowess of his troops, would not listen to the prudent counsel of his best officers. "His royal highness," says Lord George Murray, "had so much confidence in the bravery of his army, that he was rather too hazardous, and was for fighting the enemy on all occasions." * It appears, also, that, as usual, Charles was confirmed in his rashness and obstinacy by the approbation of his favourite counsellors. According to an officer who

* Jacobite Memoirs, p. 122.

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was present "when proposals were made to retire over the river Nairn, which might have been done with great facility, Sir Thomas Sheridan and others from France, having lost all patience, and hoping no doubt for a miracle, in which light most of them had considered both the victory at Preston and that at Falkirk, insisted upon a battle, and prevailed, without reflecting that many were then absent, and those on the spot, spent and discouraged by a forced march during a long, dark night, whereas upon the other two occasions the men were in full vigour and spirits."*

Advance of the English army.

Some of the foraging parties at length returned with a considerable supply of provisions, but, before these could be cooked, the enemy were descried in the distance, steadily advancing over the plain. Not a moment was lost in marshalling the insurgent army. Charles immediately gave orders for recalling the stragglers, and cannon were fired as a signal for their instant return. The whole force, when assembled, amounted to not more than five thousand men, who, worn out by fatigue and weakened by hunger, now prepared to encounter an army nearly double their number, in the best physical condition, and greatly superior both in horse and artillery. A last attempt was now made to persuade Charles either to defer the action, or to remove to a more advantageous position. But he was deaf alike to argument and entreaty, and insisted on committing all to the hazard of an immediate engagement.

Disposition of the two armies.

The insurgents were drawn up in two lines: on the right were the Atholl men, the Camerons, the Stewarts of Appin, the Frasers, Mackintoshes, and some other clans under Lord George Murray; the three Macdonald regiments formed the left, commanded by Lord John Drummond. The right was slightly protected by some park walls, and the left by a morass. In the centre, and at each extremity of the front line, were placed four pieces of cannon. The second line, consisting of the Gordons, the Lowland regiments, and the French auxiliaries, was commanded by General Stapleton, while Charles, surrounded by a small body of guards, posted himself on a rising ground in the rear.

The English army was arranged in three lines, with a body of cavalry on each wing, and two pieces of artillery between every two regiments in the front line. Notwithstanding their great superiority over the insurgents, the duke manifested extraordinary anxiety as to the result of the pending engagement. The battles of Preston and Falkirk were still fresh in his recollection. The dreadful havoc made by the Highland broadsword on these memorable occasions, had proved incontestably its superiority over the bayonet; and it became, therefore, a question of no ordinary difficulty and importance, in what way this advantage on the part of the insurgents was to be neutralized. The plan recommended by the duke was simple and ingenious. He had observed that the Highland soldier received the bayonet on his target, and then, dextrously turning it aside, employed his broadsword in cutting down his opponent, who was thus rendered defenceless. To obviate this the duke ordered that each soldier should direct his thrust not against the man directly opposite to him, but against the opponent of his own right-hand comrade. By this unexpected manœuvre, the target would be rendered useless, and its bearer would be wounded in his right side before he had time to adapt his movements to this new mode of fighting.

* Appendix to Home's Hist., p. 332.

The duke's address to his army.

Before engaging, the duke addressed his soldiers in a short speech, exhorting them to consider that the liberties of their country, as well as the rights of their sovereign, depended on the issue of the contest. He counselled them to dismiss from their thoughts all recollections of past disasters, and represented to them, that situated as they were in a hostile country, abounding in marshy and difficult ground, to yield would be to court destruction, and that their only chance of safety lay in victory. He concluded by saying that if any, from whatever cause, felt disinclined to fight, "He begged them, in the name of God, to return, as he would rather face the Highlanders with one thousand determined men at his back, than have ten thousand with a tithe who were lukewarm." It was now nearly one o'clock, the usual dinner hour of the army, and it was suggested to the duke that the men should partake of that meal before engaging. "No," was his reply, "they will fight more actively with empty bellies, and besides, it would be a bad omen. You remember what a dessert they got to their dinner at Falkirk."*

All was now ready for action, when a circumstance occurred which not a little disconcerted the Highland army, and probably contributed to bring about the disaster now impending over them. The day which had hitherto been fine, was suddenly overcast, and a dense shower of sleet began to fall, and was driven full in their faces by a strong gale which sprung up from the north-east. Charles, who could not fail to perceive this disadvantage, endeavoured to avoid it by shifting his position, but the duke observed and counteracted every movement, and the two armies, after spending some time in fruitless manœuvres, at length resumed their original position.

Battle of Culloden.

The action was commenced by a cannonade on the part of the insurgents, which was so unskilfully managed, that the shot went over the heads of the enemy, and inflicted little or no damage. The English were consequently in no haste to return the attack; but, at length, opening their batteries, under the direction of Colonel Belford, they poured in such a steady and well-directed fire, that spacious gaps soon began to appear in the Scottish lines.

* Chambers's Hist., vol. ii. p. 103.

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Charles, who before taking his position in the rear of his army, was riding along the ranks encouraging his men, narrowly escaped falling a victim to his temerity. A well-aimed shot ploughed up the ground at his feet, covered him with dust, and killed an attendant, who held a led horse by his side. He exhibited no symptom of alarm, however, but continued and finished his inspection, and then stationed himself on the little eminence before mentioned.

The cannonade was kept up for nearly half an hour, during which both armies steadily maintained their respective positions; but such was the havoc committed among the Highland ranks, that the men became impatient to mingle with their enemies in that closer and more active combat, in which they had always hitherto had the advantage. Perceiving this, Lord George Murray sent Colonel Ker of Gradon to solicit permission from Charles to commence the onslaught. This request being granted, after a little delay, the right wing and centre rushed forward, sword in hand, with a loud shout, in the face of a perfect storm of musketry and grape-shot, and, coming up with the first line, broke furiously through Munro's and Burrel's regiments, and captured two pieces of cannon. But the duke, anticipating this result, had drawn up his second line in three ranks; the first, kneeling, the second, bending forward, the third standing erect. Reserving their fire until the fugitives from Burrel's and Munro's regiments had escaped to the rear, and the Highlanders were only a few yards distant, this second line poured in a fire so steady and destructive as to throw the assailants into irretrievable disorder; whilst Wolfe's regiment, drawn up perpendicular to the front, opened, at the same time, a flanking fire. Blinded by the smoke, the Highlanders could see neither friend nor foe. A few of the bravest who survived rushed on, and perished in a desperate conflict with the English bayonets. Most of the chiefs who commanded in this part of the battle, and almost every man in the front rank, were killed. The survivors were driven in confusion from the field, leaving it covered with heaps of slain. While the right wing of the Highlanders was making this gallant, though fatal charge, the Macdonalds, who had always fought on the right wing since the battle of Bannockburn, and now resented as an indignity the post assigned them on the left, stood sullen and motionless, and seemed uncertain whether to attack or not. The Duke of Perth, who commanded the Glengarry regiment, called out "Claymore," and told the discontented clansmen, that if they behaved with their usual valour they would convert the left into the right, and that he would in future call himself Macdonald. The appeal was listened to in sullen silence. The gallant Keppoch, hoping to stimulate them by his example, charged with a few of his kinsmen, while his clan (an event unheard of in Highland warfare) remained stationary. They beheld unmoved the fall of their chief, pierced by several musket balls, and heard his agonising exclamation, "My God! have the children of my tribe forsaken me!" without making a movement to avenge his fate. They contented themselves with discharging their muskets in answer to the fire of the regiments opposite to them, and observing the total rout of their right and centre, they turned their backs and retreated in good order, without striking a blow. The second line of the prince's army was still unbroken, and, reinforced by a part of the first line, showed some intention of standing its ground; but the day was irretrievably lost. In front stood the victorious royalists preparing for a new attack, while three regiments of Argyleshire Highlanders, supported by a body of cavalry, having broken down the park walls on the right, menaced the flank and rear of the insurgents. The case was evidently desperate, and in a few minutes the whole of the beaten army was seen in full retreat.

Total defeat of the Highland army.

Charles, from the small eminence on which he stood, beheld with astonishment and dismay the ruin of his army and the frustration of all his ambitious hopes. Lord Elcho alleges that at this juncture he rode up to the prince, and urged him to put himself at the head of the left wing, which was still entire, and to make a last effort to retrieve the fortune of the day, and that, on receiving a doubtful or hesitating answer, he turned from him with a bitter execration, swearing he would never see his face again. Several other officers of the insurgent army, however, have declared that the prince was endeavouring to rally his broken forces, and to lead them back to the charge, when Sir Thomas Sheridan and O'Sullivan seized his horse by the bridle, and forced him from the field.

After the battle the victorious army behaved with the most shocking inhumanity. The soldiers, under the direction of their officers, wandered over the field, and, in savage merriment extinguished in various ways—some of them of the most merciless and revolting description—the last remains of life that still lingered in many of the mangled bodies with which it was strewed. On quitting the battle-field the fugitives separated into two divisions. Of these the larger crossed the water of Nairn, and proceeded with some degree of order towards Badenoch. The other, consisting of Lord John Drummond's regiment and the French auxiliaries, together with the Frasers, took the road to Inverness, pursued by the English cavalry, who, with a cruelty equal to their cowardice at Preston and Falkirk, showed no mercy to those that fell into their hands. The duke now marched forward and took possession of the town, but, though he gave quarter to the French and Irish regiments that had there taken shelter, the Scottish insurgents, were diligently hunted out and massacred in cold blood. Next day, a report having reached the duke that some of the wounded rebels were still alive on

Shocking inhumanity of the victors.

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the field of battle, he dispatched thither a party of soldiers, not to have them removed and tended, as common humanity would have dictated, but to terminate their sufferings by military execution. Not fewer than seventy were gleaned from the fatal field, and having been propped up and ranged in a row, were despatched by platoon firing. A few, who even after this fusilade still exhibited signs of life, had their brains dashed out by the soldiers with the but-ends of their muskets. These cold-blooded cruelties were intermingled with scenes which give us even a more degrading idea of the character of the duke and his officers. For the amusement of his soldiers at Fort Augustus, his royal highness instituted horse and foot races, and induced the women of the camp to take part in those races naked, and mounted on the bare-backed ponies of the country. General Hawley, who, as might have been expected, was foremost in every cruelty, also took a prominent part in these disgusting amusements.* On the following day a strict search was made for the wounded rebels who had, in the interval, managed to crawl to the shelter of any of the thickets or huts in the neighbourhood of the field. All that could be found were murdered without mercy; and a number of the unhappy fugitives having concealed themselves in a miserable cabin, their place of refuge was surrounded with a guard to prevent any from making their escape, and set on fire. Not fewer than thirty-two blackened corpses were afterwards found among the ruins. There can be no doubt that these and other similar atrocities perpetrated on this occasion were expressly ordered by the Duke of Cumberland, who seems to have been willingly obeyed by his ruthless followers. To palliate these shocking cruelties, it was pretended by the victors, that an order in the handwriting of Lord George Murray had been found, enjoining the Highlanders to give no quarter in the event of their being victorious. No such order, however, has ever been produced, and as such inhumanity would have been at utter variance with the conduct of the rebel army at other battles in which the royal troops had been defeated, it is fair to infer that it never had an existence.

The numbers, on both sides, slain on the field of Culloden, have never been ascertained with any approach to precision. According to the reckoning of the victors, their loss in killed and wounded amounted to no more than 310 men, while that of the rebels was 1000, being about a fifth part of their entire army. All the cannon and baggage of the rebels, together with 2300 muskets, 190 broadswords, thirty-seven barrels of powder, and fourteen stand of colours, fell into the hands of the royalists.

Though as a general rule no quarter was given to the unhappy fugitives, yet a considerable number, including several men of rank, were made prisoners. These, according to the accounts afterwards given by eye-witnesses, and some of the prisoners themselves,* were treated with a degree of cruelty at which humanity shudders. Some were consigned to the tolbooth of Inverness, while others, who could not be accommodated there, were confined in the church. No care or attention was given, or even permitted to be given, to the wounded. Many were stripped of their clothing, and allowed to remain for a considerable time in a state of almost complete nudity; while the only food they received was a small supply of oatmeal, not more than half of what was necessary to support life. After being detained for some time in this wretched condition, they were put on board transports to be conveyed to London; but their sufferings during that voyage may fitly be compared with those of the slaves on the middle passage. They were thrust in their semi-naked condition into the holds of the vessels, where their only bed was the cold and damp stones and shingle, which had been thrown in for ballast, and their only food about half a pound of oatmeal and a bottle of water to each man daily. The sailors used to amuse themselves by hoisting the prisoners up to the yard-arm and dropping them into the sea, and by fixing them to the mast and flogging them. Under such circumstances, it is not surprising that many of them fell sick and died. In one vessel, which was kept at sea for the extraordinary period of eight months, out of one hundred and fifty-seven originally consigned to its wretched hold, only forty-nine were alive at the end of the voyage.†

Inhuman treatment of the prisoners and wounded.

The day before the battle of Culloden, Lord Cromarty, who as we have seen had pursued Lord Loudon into Sutherland, was surprised and taken prisoner with his son and other officers, and a hundred and fifty of his men, at Dunrobin Castle, by a party of the county militia. They were put on board the "Hound," a British sloop-of-war, and conveyed to Inverness, where they were landed two days after the battle which had destroyed their cause.

On the 23rd of May the Duke of Cumberland left Inverness, which had been the focus of the rebellion, and fixed his head-quarters at Fort Augustus, the centre of the disaffected districts. From this place he sent out detachments of his troops in all directions, which devastated the country with fire and sword, and committed atrocities unparalleled in the history of Scotland. The cattle were everywhere seized and driven away;‡ the means of subsistence completely destroyed; the mansions of the chiefs and the huts of their retainers were equally given to the flames; such of the men as could be found were shot without trial or investigation of any description; and the women and children, driven from their

* Letter from Fort Augustus, June 27, 1746.

* Printed in the Jacobite Memoirs.

† Ibid.; Chambers's History of the Rebellion.

‡ Some idea of the immense number of cattle carried off by the soldiers may be formed from the fact that there were sometimes two thousand in one drove. See Scots' Mag., vol. viii. p. 287.

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homes, and exposed to the grossest indignities from the brutal soldiery, wandered about without food or shelter, until many of them perished miserably of hunger and cold,* while others were driven by starvation to follow their ruthless plunderers and humbly implore them, but in vain, for the blood and offal of their own cattle. According to the testimony of a volunteer who served in the expedition, neither house, cottage, man, nor beast, was to be seen within the compass of fifty miles: all was ruin, silence, and desolation.

That noble-minded patriot, President Forbes, whose disinterested and ill-requited exertions had contributed so much to the suppression of the rebellion, was deeply grieved by the cruelties perpetrated on his simple and misguided countrymen, most of whom had been led to take part in the rebellion solely from a sense of duty to their chiefs. It is alleged that on mentioning to the duke that the laws of the country should be observed even by an enemy, he was repulsed with the reply, accompanied by an oath, "The laws of the country! —I'll make a brigade give laws." His royal highness had indeed declared in a letter to the Duke of Newcastle, before Culloden, "All in this country are almost to a man Jacobites, and mild measures will not do. You will find that the whole of the laws of this ancient kingdom must be new modelled." And, again, writing from Fort Augustus, "I am sorry to leave this country in the condition it is in; for all the good we have done is a little bloodletting, which has only weakened the madness, but not at all cured it."†

This state of matters continued until the month of July, when the duke took his departure for Edinburgh, where he was welcomed and honoured as a public benefactor. Thence he proceeded to London, where he received the thanks of parliament and a pension of £25,000 a year to himself and his heirs.

Notwithstanding the most diligent search and the greatest vigilance, not a few of the insurgent chiefs, after undergoing almost incredible hardships and privations, and being exposed for weeks to the most imminent dangers, succeeded in effecting their escape to the continent. Lord George Murray found means to retire to Holland, where, under the assumed name of De Valignie, he continued for the most part to reside, until his death in 1760. The Duke of Perth, Lord John Drummond, Lords Elcho and Nairn, Sir Thomas Sheridan, and Mr. O'Sullivan, and others, embarked on board a French vessel at Lochnanaugh; but the duke, who had long been in bad health, died on the voyage: the others reached the Continent in safety. Another party of twelve or thirteen persons, including Lord Ogilvie, and the venerable Lord Pitsligo, after remaining for some time in hiding in Buchan, procured a ship which conveyed them to Bergen in Norway. Several, however, of the chiefs of the insurrection, together with a great number of their followers, fell into the hands of their pursuers. Among these were the Marquis of Tullibardine, the Earl of Kilmarnock, Lords Balmerino, Strathallan, Lovat, and Secretary Murray. Tullibardine died in the Tower, of a disease under which he had been labouring during the whole progress of the rebellion; and Strathallan of a wound which he had received at Culloden.

Adventures of Charles.

We turn now to follow the fortunes of the unhappy leader of this disastrous enterprise. After leaving the field of battle, Charles, accompanied by Sheridan, O'Sullivan, Captain O'Neil, and a few other persons, fled along the south-east bank of Loch Ness to Gortuleg, near the Fall of Foyers, where Lord Lovat was then residing. It was the first and last time the hoary intriguer saw the prince, whose sacred countenance he professed to have yearned to behold. In the bitterness of his disappointment he is said to have heaped angry reproaches on the poor adventurer, whose appearance too surely proclaimed the downfall of his own fortunes. On recovering his self-possession, he entered into conversation with Charles respecting his future proceedings, and recommended that a body of three thousand men should be collected to defend the Highlands until the government should be induced to grant them reasonable terms. But this judicious advice passed unheeded. Leaving Gortuleg at ten o'clock the same evening, the prince and his attendants set out for Invergarry, the seat of Glengarry, which they reached about four o'clock next morning, so utterly worn out with fatigue that they slept upon the floor in their clothes. They had nothing to eat until one of the servants caught two salmon in the river Garry, on which they dined.

From Invergarry the fugitive prince penetrated into the West Highlands, and on the 20th reached a small village called Glenboisdale, very near the place where he first landed. Here he was joined by Clanranald, Lockhart, younger, of Carnwath, Æneas Macdonald, the banker, and several other adherents.

About twelve hundred of the fugitives from Culloden had meanwhile assembled at Ruthven, in obedience to the prince's order; and Lord George Murray, who remained with them, was of opinion that they should still continue the contest. But, disheartened as they were, by their recent defeat, destitute of supplies of every kind, many of their best leaders killed or wounded, it was impossible that they could long keep together, or offer an effectual resistance to the far superior forces of the enemy. On receiving, therefore, a message from Charles, two or three days after the battle, thanking them for their fidelity and gallant conduct, and recommending them to look after their own safety, as he was compelled by circumstances to retire in the meantime to France, they "took a melancholy leave of each other," and dispersed.

Charles remained a few days at Glenboisdale, till

* Jacobite Memoirs, p. 236, *et seq.*

† Coxe's Pelham, and Letters. April 4, and July 17, 1746.

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a report that Lord Loudon was about to come over to Arisaig, induced him to quit the mainland, with the view of seeking shelter in that group of isles called the Long Island, on the coast of which he hoped to find a French vessel to convey him to the Continent. On the evening of the 26th of April he embarked in an eight-oared boat in the Bay of Lochnanuagh, accompanied by O'Sullivan, O'Neil, Allan Macdonald, a Roman Catholic priest, and Edward Burke, servant to Alexander Macleod. After encountering a violent storm, which exposed them to great danger and suffering, they next day effected a landing on the wild island of Benbecula. Charles passed two days on this remote spot, and then set sail for Lewis, where he attempted, but without success, to hire a vessel to carry him to France, and with difficulty he escaped from the island. After enduring great hardships from exposure to the weather, and want of provisions, and narrowly escaping capture by a man-of-war, the unfortunate adventurer returned to the solitudes of Benbecula, where he passed several days in a miserable hovel, the door of which was so low that he could enter only by creeping in on his hands and knees. He then removed to South Uist, where he was visited by Clanranald, who brought him a supply of provisions, some wine and brandy, and a few articles of clothing.

Charles spent some weeks in this retreat, but at length, a report of his place of concealment having reached the government officials, a body of militia and regular troops, amounting in all to about two thousand men, were landed on the island, and while these were dispersed in search of him in all directions, the shores were encircled with vessels of war to prevent his escape. In these circumstances his speedy capture seemed almost inevitable, when he was saved by the generous heroism of Miss Flora Macdonald, whose memory will ever be held in esteem for the noble and disinterested part she acted on this occasion. This amiable and courageous young lady was the step-daughter of Hugh Macdonald, of Armadale, one of the captains of the government militia then eagerly searching for the hapless adventurer. Having obtained from her step-father, who probably had no suspicion of her purpose, a passport to the Isle of Skye for herself, a man-servant, and a female attendant, she, with the assistance of Lady Clanranald, got Charles arrayed in female attire, in which disguise he was to personate her maid-servant under the name of Betty Burke. Accompanied by a trusty man-servant named Neil McEachen, the prince and Flora on the 25th of June embarked in an open boat, which soon carried them beyond the reach of their enemies. Next day brought them within sight of Skye; but, as they approached the shore at Waternish, they were compelled hastily to retire by a volley of musketry from a party of military stationed there. They were not, however, pursued, and in a few hours they were enabled to land unopposed near the northern extremity of the island, in the vicinity of Mugstat, the seat of Sir Alexander Macdonald. This powerful chief had at first hesitated which side to take in the contest, but had at last espoused the cause of the government, and was at this very time in attendance on the Duke of Cumberland at Fort Augustus. Fortunately his lady, a daughter of the Earl of Eglinton, was on terms of friendship with Flora Macdonald, and was secretly attached to the cause of Charles. To her Flora communicated her secret, and although she was at that moment entertaining a large party of the hostile militia in her house, she did not shrink from entering into the scheme for the escape of the fugitive prince, and committed him to the care of Macdonald of Kingsburgh, the kinsman and factor of her husband. It was necessary, however, for his safety that he should tarry no longer where he was, and it was accordingly arranged that he should be conveyed to Raasay, a little island on the east of Skye; but, as it would have been dangerous to sail along the coast, it was thought better that he should proceed by land to Portree, where a boat might be procured to convey him across Raasay Sound. The distance to Portree is about fourteen miles, which Charles accomplished on foot in his female disguise, attended by Flora and Kingsburgh. His awkwardness in the management of his female apparel, as well as his singular appearance, attracted notice and excited suspicion on more than one occasion. "Your enemies," said Kingsburgh, "call you a pretender, but if you be, I can tell you, you are the worst of your trade I ever saw!" Before entering Portree, Charles retired into a wood, where he changed his clothes, putting on a suit of male attire of the Highland fashion, consisting of a coat and waistcoat, a philabeg, short hose, a plaid, and a bonnet, and personated a man-servant, under the assumed name of Lewis Caw. At Portree, he took an affectionate farewell of his generous preserver, remarking, "For all that has happened, I hope, madam, we shall meet in St. James's yet." *

Flora Macdonald.

Charles bids farewell to Flora Macdonald—

On the arrival of Charles and his attendants at Raasay, he found the utmost difficulty in procuring any accommodation, almost all the houses on the island having been burned by the soldiery. They spent the night in a rude and miserable hut, which scarcely afforded them shelter from the weather. Here Charles for once complained of the grievous hardships to which he had been so long subjected. He expressed surprise at his having

—he lands on the island of Raasay—

* Shortly after parting with the prince, both Kingsburgh and Flora Macdonald were arrested. The former was conveyed to London, the latter to Edinburgh; and it was not until after a year's confinement that Flora was set at liberty. A subscription for her behoof was set on foot among the Jacobite ladies of London, and nearly £1500 were thus collected. On regaining her liberty Flora returned to Skye, where she married Kingsburgh's son, with whom, some time afterwards, she emigrated to North Carolina. On the breaking out of the contest between the colonists and the mother country, they returned to their native country, and fixed their residence once more in Skye, where Flora died in 1790, at the age of seventy years.

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been able to bear so much fatigue and privation, and remarked, "Since the battle of Culloden, I have endured more than would kill a hundred; sure, Providence does not design this for nothing: I am thus certainly yet reserved for some good."

—proceeds to the mainland—

After a variety of adventures, much suffering, and many narrow escapes, Charles once more made his way to the mainland. Early in the morning of the 5th July, he landed at a place called Little Malleck, on the south side of Loch Nevis, in Moidart, about thirty miles from the spot where he first reared his standard. The whole district was now in the hands of the king's soldiers, and was watched with such untiring vigilance that for three days and three nights the hapless party durst not stir, but lay concealed among the heather, under the open sky. From this wretched retreat, they at last contrived to effect their escape by creeping during the darkness of night down a rugged ravine, the bed of a mountain torrent, which divided the posts of two sentinels. For several weeks their migrations could be effected with safety only during the night, while by day they were compelled to crouch, like beasts of prey, in any place of concealment which they might chance to discover. Their food during these miserable wanderings was necessarily precarious, and generally scanty, uncooked, and of the coarsest description.

—takes refuge among a band of outlaws.

About the end of July, the prince and a small remnant of his friends reached the neighbourhood of Glenmorriston, where they found refuge among a band of outlaws, consisting, as they discovered, of seven men who had served in the rebel army, and now subsisted by plunder. With these men Charles and his companions enjoyed a welcome, though anxious, repose of nearly three weeks, during which the generous freebooters carefully watched over the prince's safety and supplied his wants. Their fidelity was unshaken either by the reward of £30,000 offered for the prince's apprehension, or by the danger which they incurred by affording him shelter. Their only place of refuge was a cave in a lonely mountain side; and here the greater part of them kept guard day and night, while small detachments were sent out in disguise in search of provisions. They sometimes ventured to Fort Augustus, and on one occasion procured and brought to Charles with great joy a pennyworth of ginger-bread, which they esteemed the greatest dainty they had ever been privileged to taste.

Charles, at last, became extremely anxious to leave this retreat, and, if possible, to form a junction with his tried friends Cluny and Lochiel, who, he had learned, were then living in a somewhat more agreeable place of concealment; but his kind entertainers, who better knew his danger, would not permit him to depart until they had made sure of his being able to do so with safety. In a few days, intelligence was brought by spies from Fort Augustus that the troops had returned to their camp, and Charles was then permitted to set out, accompanied by a party of his kind and faithful entertainers.

Charles joins Lochiel and Cluny—

At last, after many singular perils and hair-breadth escapes, he succeeded in joining Lochiel and Cluny. These faithful adherents, on the arrival of the prince, were not satisfied with the precautions which they had employed for their own safety, but deemed it prudent to change their quarters, and to station watchmen on the neighbouring hills, to give notice of the approach of any party of the military, or suspected strangers.

—his retreat on Mount Benalder—

At first, they took up their residence in a wretched shieling, where they remained for three days, when they removed to a romantic retreat called the Cage, which had been constructed by Cluny at a great elevation on the face of a craggy, precipitous rock, forming a part of Mount Benalder. This singular habitation, which was capable of accommodating six persons, was concealed by a thicket, and being supported by a large tree firmly rooted in the crevices of the rock, was to some extent suspended in the air like a bird's cage. In this singular retreat Charles enjoyed rest and comparative comfort, with a plentiful supply of food, to which he had long been a stranger. "Now, gentlemen, I live like a prince!" he exclaimed, on partaking of the first comfortable meal he had enjoyed for months.*

In the meantime, two French vessels, named L'Heureux and La Princesse de Conti, had been fitted out and dispatched for the conveyance of the way-worn wanderer from the shores of Scotland.

—his embarkation and arrival in France.

About the end of August, they set sail from St. Maloes, under the direction of Colonel Warren, of Dillon's regiment, and on the 6th of September arrived at Lochnanuagh, the spot where the prince had landed fourteen months before. The cheering intelligence of this event reached Charles in his aerial hiding-place. He instantly began to make preparations for his departure, so that when the messengers arrived from Cluny, to bring him the good news and accompany him to the vessels, they found him ready to start at a moment's warning. Surmounting many formidable obstacles, escaping many dangers, and travelling only by night, Charles reached Borodale on the 19th of September, and next day embarked on board L'Heureux, accompanied by Lochiel, Colonel Roy Stuart, young Clanranald, Sullivan, Sheridan, and about one hundred other friends, who had heard of the arrival of the ships, and were glad to seek for safety on a foreign shore. Concealed by a fog, the vessels passed safely through the midst of the English fleet, and, on the 29th of September,

* A romantic story has been frequently told of an incident alleged to have happened at this time, which had the effect of causing the search after the prince to be very much relaxed. It is said that an insurgent officer named Mackenzie, having fallen into the hands of the soldiers, was shot by them, and when dying, exclaimed, "You have slain your prince!" with the view of aiding Charles's escape. But the story, as Earl Stanhope remarks, is not supported by any credible testimony.

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[illegible] J. C. Armytage

PRINCE CHARLES EDWARD STUART.

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arrived at the port of Roscoff, near Morlaix, in Brittany.

Thus terminated a series of adventures which has few parallels in history. For upwards of five months did the hapless aspirant to a throne wander from place to place in daily and hourly danger of his life—chased from island to island, and from mountain to mountain—subjected to almost incredible fatigues and privations—exposed to every vicissitude of the weather—suffering from hunger and thirst—often barefooted, and with clothes worn to tatters, compelled to pass the night on a bleak hill-top, or among the heather on its sides, under the open sky. In the course of his wanderings he had occasion to trust his life to the fidelity of hundreds of individuals, many of whom belonged to the humblest classes of society, and yet not one of them could be prevailed on, even by so great a reward as that which was offered, to betray him. Such fidelity and disinterestedness are worthy of the highest commendation, and must ever reflect honour on the Highland clans.

"'Tis wonderful
That an invisible instinct should frame them
To loyalty unlearned, honour untaught,
Civility not seen from others; valour
That wildly grows in them, but yields a crop
As if it had been sowed." *

Charles never again revisited the Scottish shores, but for many long years his memory was fondly cherished by his devoted followers. His youth, manly beauty, and personal accomplishments—his romantic adventures and singular misfortunes, captivated the imaginations even of many who were unfriendly to his claims, and rendered him the object of almost idolatrous veneration among the adherents of his family, especially among the primitive and warm-hearted race who had suffered so much in the chivalrous effort to restore him to his ancestral throne. The finest of Scotland's sweet and simple airs have been allied with plaintive songs commemorating the heroism and exploits of "Bonnie Prince Charlie"—commiserating his sufferings when roaming a lonely "stranger o'er hills that were by right his ain"—declaring with the Jacobite matron that if she had ten sons she "would give them a' to Charlie," or with the Jacobite maiden that if she were a man, like her brothers, she "would follow him too"—bewailing the loss of the best and bravest on "Culloden's fatal heath," or swelling into a triumphal prophecy that for all that was past a glorious day was about to dawn upon Scotland, when "the king should come o'er the water," and the "auld Stewarts should enjoy their ain again."

It would have been well for the reputation of Prince Charles if he had perished at Culloden. The faults of his character gathered strength with advancing years, and, sad to relate, humiliating habits of intoxication, and family discords, arising out of an unhappy union with a German princess, Louisa of Stolberg, darkened the close of his unhappy career, which terminated at Rome, 31st January, 1788, in his sixty-eighth year. His brother Henry, a cardinal and titular Duke of York, the last direct male heir of the line of Stewart, survived till 1807.

* Shakespeare.

The government having completely succeeded in suppressing this formidable rebellion, had now leisure to turn their attention to the punishment of such of its authors and promoters as had fallen into their hands. Nor were they loth to proceed to the performance of a task which, even when demanded by justice, ought not to be executed in a spirit of revenge. Instigated, however, by the remembrance of their recent terror, by the merciless counsels of the Duke of Cumberland, and by the clamours of the people for vengeance on the disturbers of the national tranquillity, they manifested a degree of severity, alike impolitic and cruel, and which it is painful to contemplate or to record.

Trials of the prisoners: the garrison of Carlisle;

Among the first sufferers were the officers and privates of the Manchester regiment, who had been left by Charles to garrison the Castle of Carlisle. Eighteen of these were brought to trial at Southwark on the 13th of July, and, with one exception, all were condemned to suffer death. Eight were reprieved for a short period, but the rest, including Colonel Townley, were executed on Kennington Common on the 30th of the same month. Immense numbers assembled to witness the fatal ceremony, which was attended with all the circumstances of shocking barbarity prescribed by the ancient law of England in cases of treason, and which had disgraced the statute book ever since the days of Edward III. The unfortunate criminals were suspended by the neck for not more than three minutes—a period not sufficiently long to produce death, or probably altogether to extinguish consciousness. They were then cut down, their bodies ripped open, and the entrails, and yet palpitating hearts, consumed by fire. Revolting as this spectacle was, it elicited from the assembled multitude shouts of exultation. The sufferers exhibited in their last moments a degree of calmness and fortitude that might have excited admiration even in the enemies of the cause for which they had laid down their lives, and to which they persisted to the last in avowing their steadfast and conscientious adherence.

Kilmarnock, Cromarty, and Balmerino.

On the 28th of July the Earls of Cromarty and Kilmarnock, and Lord Balmerino, were placed on their trial at the bar of the House of Peers, in Westminster Hall. The two earls pleaded guilty, and endeavoured to propitiate their judges by expressing deep contrition for their crime. Balmerino, who had no counsel, after making a technical objection, which was overruled, to the relevancy of his indictment, pleaded not guilty, and the trial forthwith commenced. After the case against the prisoner had been stated by the counsel for the crown, a few witnesses were examined, by whose

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evidence it was fully proved that on a particular day Balmerino had entered Carlisle in a hostile manner at the head of a body of cavalry. It was found, however, that the day had not been correctly specified in the indictment, and the prisoner in his defence took objection to that error as vitiating the whole proceedings. After a brief sitting their lordships withdrew to their own House, for the purpose of consulting the judges respecting the legal effect of this mistake. But these authorities were unanimously of opinion that, as the overt act had been distinctly proved, the error in the indictment was of no importance. On the return of the peers to the hall the Lord Chancellor, Hardwicke, who acted as Lord High Steward, proceeded to take the opinion of the court as to the guilt of the accused, when a verdict of guilty was unanimously returned. The three unfortunate noblemen were then placed at the bar, and having been informed of the verdict, were ordered back into confinement.

The three noblemen convicted and condemned to death—

On the 30th the court again met, and the prisoners having been placed once more at the bar, were asked if they had anything to say why sentence of death should not pass against them. Kilmarnock and Cromarty acknowledged their crime with many professions of regret and contrition, and implored the court to intercede with his majesty in their behalf. The former pleaded in extenuation his early withdrawal from the ranks of the insurgents, his voluntary surrender to the royal army when he could without difficulty have made his escape, and the active loyalty of his heir, who had fought at Culloden in defence of the House of Hanover; while Cromarty sought to mollify his judges by representing, in eloquent and pathetic terms, the misery and ruin which his death by the hands of public justice would bring upon his wife and children. Balmerino on the other hand, without expressing any regret for his error, had recourse again to a technical objection. He submitted that it was incompetent to try and condemn him in the county of Surrey for an offence committed in Carlisle, and desired to have the benefit of counsel. After some discussion this was allowed, and the court adjourned for two days.

On the 1st of August the court again met; but Balmerino having in the meantime been assured by his counsel that his objection was untenable, declined their aid, and the Lord High Steward, after a pathetic address, pronounced sentence of death on the intrepid old peer, with his two noble associates. Cromarty was pardoned out of compassion for his numerous family and his wife, who was then far advanced in pregnancy. Kilmarnock and Balmerino were ordered for execution on Tower Hill, on the 18th of August. The former died acknowledging the justice of his sentence, and when the deputy lieutenant of the Tower, according to an ancient usage, said, "God save King George!" he answered "Amen!" Balmerino, on the contrary, emphatically exclaimed, "God save King James!" and, as he laid his neck on the block, he said firmly, "If I had a thousand lives I would lay them all down here in the same cause."

—their execution.

In the meantime great numbers of inferior rank were brought to trial, and many of them were condemned and executed in different parts of the country. Donald Macdonald, James Nicholson, and Walter Ogilvie, three of the Scottish officers taken at Carlisle, were hanged and embowelled on Kennington Common on the 22nd of August. Out of twenty-two persons, who had been convicted and condemned at different times, five were executed on the 28th of November. Among these were Sir John Hamilton, who had been the governor of Carlisle; Sir John Wedderburn, the treasurer of the insurgent forces, and James Bradshaw, a wealthy merchant of Manchester, who had already sacrificed his entire fortune in that ill-fated cause. They all, in their last moments, gave impressive testimony of their conscientious, though mistaken, loyalty to the House of Stewart by praying for King James openly on the scaffold. Numerous executions also took place at York and Carlisle. Not fewer than three hundred and eighty prisoners were driven like cattle into the latter town, where they were promiscuously huddled together in prison to await their trial. Government, however, through motives of policy rather than from the promptings of compassionate feeling, were induced to pause for a moment in their career of vengeance. It was feared that the capital punishment of such a great number of persons would defeat its own end, by enlisting the popular sympathy in favour of the sufferers, and exciting odium against the government. It was therefore resolved that the officers and a few of those most deeply implicated should be put upon their trial, while of the others, one in twenty, to be determined by lot, should be tried, and the remainder transported. Many of them, however, declined to avail themselves of this chance of saving their lives, and preferred abiding the issue of a trial.

Trials and executions of persons of inferior rank.

After a preliminary investigation, bills of indictment were found against one hundred and thirty-three of the prisoners. These were immediately brought to trial at Carlisle, when eighty of them were found guilty and condemned to death. The entire number imprisoned under sentence at Carlisle amounted to ninety-one, thirty of whom were ordered for execution in the month of October, ten at Carlisle on the 18th, ten at Brampton on the 21st, and ten at Penrith on the 28th. Of the first ten, one was reprieved, of the second, four, and of the third, three. The remainder were executed in the barbarous manner dictated by the existing law of treason. Similar proceedings were, in the meantime, going on at York. Bills of indictment were here found by the grand jury against seventy-five persons, of whom seventy were convicted and sentenced, and twenty-two suffered the last penalty

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of the law. Amongst all these sufferers, the fate of Charles Radcliffe, brother to the Earl of Derwentwater, executed in 1716, excited the deepest sympathy. He had been condemned for treason along with his brother, but had avoided a like fate by escaping from Newgate. He had recently been captured on board a French ship of war loaded with arms and stores for the insurgents. Satisfactory evidence of his identity having been adduced, he was put to death upon his former sentence.

Trial and execution of Lovat.

The last person who suffered for this rebellion was Lord Lovat. His complicity in the treason no one doubted; but as he had cunningly kept in the background, and had not only abstained from any overt act, but had even affected zeal for the royal cause, he would most probably have escaped the punishment he so justly merited, had not Secretary Murray * consulted his own safety by becoming king's evidence. The letters of Lovat to Charles, produced by Murray on the trial, and the corroborative evidence of some of his own clansmen, fully established the guilt of the accused, and he was condemned after a trial which lasted from the 9th to the 19th of March. When sentence was pronounced upon him, he said, "Farewell, my lords, we shall not all meet again in the same place—I am sure of that." During the brief interval between his conviction and his execution he displayed the utmost insensibility to his position, conversed in the most sprightly manner with his friends, and made his approaching death the subject of frequent jests. He met his fate with great composure, and, though in the eightieth year of his age, and so infirm that he had to obtain the assistance of two persons in mounting the scaffold, his spirits never flagged. Looking round upon the multitude, he said, with a sneer, "God save us! Why should there be such a bustle about taking off an old grey head from a man who cannot get up three steps without two assistants!" He professed to die in the Romish faith, and having spent a short time in devotion, he repeated the celebrated line of Horace—singularly inappropriate to his character and fate—

"Dulce et decorum est pro patriâ mori;"

and, laying his head upon the block, received the fatal blow with unabated courage, leaving, as Sir Walter Scott remarks, a strong example of the truth of the observation, that it is easier to die well than to live well.

Immediately after the suppression of the rebellion, and the punishment of the rebels, the legislature, in 1747, passed several measures for the purpose of preventing any future insurrection in behalf of the exiled family. The Highlanders had up till this present period continued to wear the peculiar dress of their ancestors, and never went without arms; but an act was now passed, not only disarming them, but forbidding, under severe penalties, the use of the Highland garb. In order completely to destroy the spirit of clanship, the hereditary jurisdictions which the chiefs and great proprietors exercised over their vassals were also abolished; and all tenures by wardholding, according to which tenants held lands by performance of military services to their landlords, were declared unlawful. The power of the chiefs was thus completely destroyed, and the essential features of the patriarchal and feudal systems were for ever abrogated.

* John Murray of Broughton, secretary to Charles.

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CHAPTER LXIII.

MANNERS AND MORALS OF THE PERIOD.

A GREAT change for the better had taken place in the manners and morals of the Scottish people since the commencement of the seventeenth century. Violent outrages on person and property were now much less frequent, and had lost something of their former ferocity. Family feuds, if not extinct, at least did not lead to such sanguinary results as in the preceding century. Such deeds of blood as the murder of "The Bonnie Earl of Moray" by the Marquis of Huntly—or the assassination of Campbell of Calder, by a ruffian suborned by three chiefs of the clan Campbell, acting in concert with the Lord Chancellor Maitland and Huntly—or the slaughter of Sir Walter Scott and Lord Torthorald publicly in the streets of Edinburgh—or the burning of Towie Castle, with its mistress, and her children and servants, by the brother of Huntly, now rarely occurred, and were no longer suffered to pass unpunished. The law was now strong enough to vindicate its supremacy; great criminals were no longer escorted to the bar by such an armed force of kinsmen and retainers as rendered their trial a mockery. The execution of Lord Maxwell, and some other culprits of high station, showed that rank and powerful friends could no longer avail to shield a criminal from the punishment which his crimes deserved. The judgment-seat was not yet completely purified from corruption, but judges and juries were not now coerced by threats or by actual violence to pervert justice, by condemning the innocent, or allowing the guilty to escape. The people were probably as intolerant as ever in their opinions respecting theological or ecclesiastical questions, but they now performed with greater care the practical duties of religion. The open profanation of the Lord's-day, by selling and buying, or by pastimes and games, was no longer tolerated. Licentiousness, though still widely prevalent among certain classes of the community, was no longer openly and unblushingly avowed; the domestic relations were purified and elevated; and the grossness of manners which formerly characterised all ranks, the highest as well as the lowest, was considerably modified.

Improvement in manners and morals.

Many of the superstitions which existed before the Reformation were still widely prevalent, and the most vigorous efforts of the Church failed completely to uproot such practices as the using of charms for the removal of sickness and the cure of sores and wounds, pilgrimages to holy wells, the kindling of fires at Midsummer and on St. Peter's eve, the reserving a field for the devil, the wearing of amulets, and the employment of sorcery. The belief in witchcraft was universal. Great numbers of wretched ignorant creatures, of both sexes and of various conditions (though usually belonging to the lower classes of society), were accused of this imaginary crime, and put to death, in many cases with the most cruel tortures. It is impossible to say at what time sorcery was first treated as a crime in Scotland, but so early as the reign of James III. the Earl of Mar, his brother, was convicted of consulting with witches and sorcerers how to shorten the king's days, and put to death. Twelve women of obscure rank and three or four wizards were burnt at Edinburgh, as the accomplices of the unhappy nobleman. No trial for witchcraft proper, however, appears on the records of the Justiciary Court until the reign of Queen Mary. In her ninth parliament an act was passed declaring that witches, or consulters with witches, should be punished with death. This law was not allowed long to remain inoperative. Charges of witchcraft, indeed, soon became the engrossing topic of the day, and were resorted to by all classes whenever it was the object of one individual to ruin another, or to blacken his character. Persons of the highest rank did not escape these imputations. The Countesses of Atholl, Huntly, Angus, and Lothian, the wife of the Chancellor Arran, Lady Buccleuch of Branxholm,* and other noble ladies, were openly charged with protecting witches and dealing in charms. It was alleged that Sir Lewis Bellenden (Lord Justice Clerk), dealt with "a notour and knawn necromancer" called Richard Graham, to raise the devil, and that Graham having raised him in Sir Lewis's own yard, in the Canongate, "he (Sir Lewis) was thereby so terrified that he took sickness, and thereof died."† Nay, to such a height had the belief in witchcraft grown, that the highest dignitaries of the Church, as well as of the court and of the justice seat, were deeply implicated in these forbidden practices; for we find the well known Patrick Adamson, Archbishop of St. Andrew's, in spite of the pains and penalties of the law, applying to an ignorant countrywoman for a charm to cure him of his sickness. Even the great reformer, John Knox himself, did not escape the accusation of witchcraft. He was charged with having attempted to raise "some sanctes" in the churchyard of St. Andrew's, but while engaged in his magical incantations he raised the devil himself, with a huge pair of horns on his head—a sight so terrible that Knox's secretary lost his senses with terror, and shortly after died.

Prevalence of superstition.

Witchcraft.

The first entry in the Justiciary Record of a trial for witchcraft occurs in 1572, when Janet Bowman, of whose case no particulars are given, was "convict and brynt." No fewer than thirty-five trials for this imaginary crime took place between this date and the close of James's reign in 1625. The details of some of these cases are peculiarly interesting and instructive. Bessie Dunlop, of Dalry, Ayrshire, who was tried November 8th, 1576, and convicted on her own confession, when asked by what art she could discover lost goods, or foretell the result of illness, replied that of herself she

Case of Janet Bowman.

Bessie Dunlop

* See *supra*, p. 322.
† Staggering State of Scots Statesmen.

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had no knowledge of such matters, but that she received information from one Thomas Reid, who died at the battle of Pinkie (September 10th, 1547). This familiar she described as "an honest weel elderlie man, grey beardit, and wearing ane grey coat, with Lombard sleeves of the auld fashion, ane pair of grey breeks and white stockings, gartered above the knee; a black bonnet on his head, and a white wand in his hand,"—probably an accurate description of the dress of a respectable man of Ayrshire at that period. Their first meeting, she alleged, took place as she was driving her cows to the pasture, "greetande (weeping) very fast for her cow that was dead, and her husband and child that were lying sick of the land-ill (some epidemic of the time), and she new risen out of gissane (child-bed)." Thomas saluted her courteously, reproved her for her distrust in Providence, and told her that her child should die before she reached home; that her two sheep should also die, but that her husband should recover. At their next "forgathering" he showed his true character, offering her plenty of everything if she would but "deny her Christendom, and the faith she took at the font-stone." The poor woman answered that, "though she should be riven at horse-tails she would never do that," but promised that she should obey him in all things else. He then left her in some displeasure.

His third appearance took place in her own house, in the presence of her husband and three tailors, who, however, were not sensible of his presence. He took her by the apron, and led her out to the end of the house, near the kiln, where she saw eight women and four men sitting, the former busked in their plaids, and "very seemly to see." They saluted her, and said, "Welcome, Bessie; wilt thou go with us?" But she returned no answer, and after some conversation among themselves, which she did not understand, they disappeared with "a hideous ugly sough of wind." Thomas Reid then informed her that these "were the gude wights that wonned in the court of Elfane," and that she should have gone with them. "Seest thou not me," he said, "both meatworth, clothesworth, and well enough in person," and promised she should be better off than ever she was. But Bessie declared she would not leave her husband and children, which caused the phantom to reply in ill humour, that if these were her sentiments she would get little good of him.

Although she thus refused to follow the advice of her familiar, Bessie Dunlop affirmed that he paid her frequent visits, and assisted her with his counsel in the cure of diseases, and the recovery of stolen goods. The remedies which she applied were, according to her own account, prescribed by him; and he taught her how to watch the operation of her charms, and to presage whether her patients were to recover or to die. Bessie received frequent visits from the fairies. On one occasion the Queen of Elfland in person called upon her, asked a drink of her, and predicted the death of her child and the recovery of her husband. On another occasion, as she went to tether her horse by the side of Restalrig Loch, near Edinburgh, she heard a tremendous sound of a body of riders sweeping past her, and seeming to rush into the lake with a hideous rumbling noise. She saw nothing, but her familiar informed her that the sound was occasioned by a procession of the fairy host. The case of this poor woman was evidently one of mental hallucination, but though her alleged sorcery was practised for beneficial purposes, she was, as usual, convicted and burnt.

The spells which Bessie Dunlop is charged with using seem all to have been employed to cure, and not to kill; but in many other cases the alleged sorcerers are accused of laying on diseases, both on men and cattle, of attempting to take away life by means of magical devices, of destroying crops, raising tempests to drown sailors, committing housebreaking and theft by means of charms, of raising unbaptized children from their graves, and dismembering dead bodies for the purpose of enchantments. One of the most remarkable of the cases in which magical devices were employed for the perpetration of crime was that of Lady Foulis, who was tried for witchcraft and poisoning in 1590. This lady was a daughter of Ross of Balnagowan, and the second wife of the fifteenth Baron of Foulis, chief of the warlike clan of Munro. Her object was to cut off Robert Munro, her eldest stepson, in order that his widow might marry her brother, George Ross of Balnagowan. She was accused of having at the same time compassed the death of several other persons who stood in the way of her schemes, particularly of her sister-in-law, Lady Balnagowan. For the accomplishment of these wicked schemes Lady Foulis called in the assistance of several persons of infamous character, commonly reputed witches. Their first step was to make her pictures or models of clay representing the intended victims, which were hung up on the north end of the apartment, and the lady, with one of the assistant hags named Lonkie Loscart, shot several arrows shod with elf-arrow-heads* at them, but without effect. Lady Foulis then gave orders that new figures should be modeled, in order to renew the attempt, but apparently distrusting this mode of enchantment, she resorted to more deadly measures, and secured the assistance of two accomplices of a different sort, viz., her brother George, and Catherine Ross, daughter of Sir David Ross, a lady evidently of resolute temper and acute intellect. A stoupful of poisoned ale was forthwith prepared for her victims, but the greater part ran out. A page, however, tasted the small quantity that remained, which was so strong that he immediately fell sick. Lady Foulis then gave orders to brew "a pig (jar) of ranker poison that would kill shortly," and this she sent by her

Trial of Lady Foulis, and of Hector Munro, her stepson.

* Points of flint used for arming arrows in ancient times, but regarded by the superstitious as weapons with which the fairies used to destroy both man and beast.

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own nurse to the young laird. But the messenger having stumbled in the dark broke the jar, and the nurse tasting of the liquor which had been spilled paid the penalty with her life. So powerful was the potion that sheep and cattle refused to touch the rank grass which grew on the spot where it fell. These repeated failures seem only to have had the effect of rendering Lady Foulis more resolute in carrying out her diabolical schemes. She next proceeded to try the effect of "ratton poyson" (ratsbane), which she administered to her stepson "in eggs browis or kail" (Scotch broth), but without effect, probably because his constitution proved too strong for the doses. She was more successful, however, in her attempts to destroy her sister-in-law, the young Lady Balnagowan, regarding whom she is represented as saying that "she would do by all kinds of wherever it might be had of God in heaven or the devil in hell, for the destruction and down-putting of Margery Campbell." By the aid of the cook, whom she bribed with "twa ells of gray claith and ane sark, with thirteen shillings and fivepence," Scots money, Lady Foulis contrived to get the "rattan poyson" mixed in a dish of kidneys, on which Lady Balnagowan and her company supped, and its effects were so violent that even the witch who provided it "scunnerit (revolted) with it sae meikle, that she said it was the sairest and maist cruel sight that ever she saw." At the date of the trial the unfortunate lady was still alive, though she had contracted what was alleged to be an incurable illness.

Not long after these events, two of the subordinate actors, Christian Ross and Thomas M'Kean, were apprehended, brought to trial, found guilty, and burnt November, 1577. But the instigator of these diabolical proceedings was allowed to remain at large till 1589, when, her husband being dead, the young Laird, Robert Munro, made an attempt to bring her to justice. She found means, however, to procure a suspension of the proceedings, and in the same year Robert Munro died. Next year his brother Hector, his successor, became the nominal prosecutor of his wicked stepmother; and she was at length brought to trial July 22, 1590. But though the evidence was clear and satisfactory, and her accomplices, who had expiated their crimes at the stake, had made an ample confession of the whole plot, Lady Foulis was "pronounced to be innocent, and quit of the haill points of the dittay." Her acquittal can easily be accounted for by the fact that the jury was a packed one, and consisted principally of the dependents of the Foulis family.

Immediately on the conclusion of Lady Foulis's trial, her stepson and nominal prosecutor, Hector Munro, was placed at the bar charged with similar crimes. He evidently wanted both the energy and the wickedness of his stepmother, and appears to have been completely under the control of the hags whose aid he had invoked. He had, in August, 1580, consulted three notorious witches with the view of curing his elder brother Robert, by whose death he would have succeeded to the family estates. The charms they employed for this purpose were unsuccessful, and they told him he had been too late in sending for them. But in the ensuing January he was himself seized with a lingering illness, and consulted a celebrated witch named Marion M'Ingarroch for the recovery of his health. She informed him that he must die, unless the principal man of his blood should suffer death in his stead. Under the strong instinct of self-preservation, he seems at once to have acquiesced in the plan proposed, and having agreed that the substitute referred to must be his half-brother, George Munro, son of the Lady Foulis already mentioned, Hector sent at least seven messages for the young man before he was prevailed upon to come. On his arrival, Hector, by the advice of his familiar, received the youth coldly, and gave his left hand into George's right hand, taking care at the same time not to speak till his brother broke silence, and asked how he did. Shortly after midnight, Marion M'Ingarroch, with several accomplices, left the house in which Hector was lying sick at the time, and passed to a piece of ground near the sea-shore, and forming the boundary between the estates of two proprietors. Here they dug a grave as nearly as possible the size of their patient. They then returned to the house and arranged their respective parts, and agreed that in order to prevent suspicion, the death of their intended victim should be lingering and gradual. Hector Munro was then carried forth in a pair of blankets,—the bearers all the time keeping strict silence,—and laid in the grave, the turf being laid over him and secured with staves. Marion M'Ingarroch then sat down by the grave, while Christian Neil Dalzell, the foster-mother of the young laird, ran the breadth of about nine riggs, leading a boy in her hand, and returning to the grave demanded of the chief witch "which was her choice." She answered that "Mr. Hector was her choice to live, and his brother George to die for him." This ceremony was three times repeated, and then the patient was removed from the grave and carried back to his bed, all remaining silent as before. In spite of this exposure on a January night, the invalid recovered. His brother took ill in April, 1590,—fifteen months after the performance of these magical incantations,—and lingered till the beginning of June, when he died. His mortal illness was of course attributed to witchcraft, and a prosecution was immediately commenced by his mother against Hector, now laird. But the trial had the same issue with the other, doubtless from the same cause.*

Trial of witches for a conspiracy against King James II.

The following year the public mind was astounded by the discovery of a series of most extraordinary enchantments practised against the life of the king. The first hint of these incantations was obtained from the confessions of a servant-maid, named Geilie Duncan. Her master, Daniel Seaton, bailiff of Tranent, having had his suspicions excited by some sudden

* Pitcairn's Criminal Trials, vol. i. pp. 191—204.

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cures performed by this girl, subjected her to the torture of the pilniewinks (a kind of thumb-screw), and "wrenched her head with a cord or rope, which is a most cruel torment," and thereby extorted from her both an acknowledgment that the devil had given herself the power of a witch, and disclosures which implicated a number of associates in the same guilt. Thirty or forty persons, some of whom were "as civill, honest women as anie that dwelled within the city of Edinburgh," and one, at least, if not more, belonged to the upper class of society, were apprehended upon this girl's confession. The credulous mind of James was put into a "wonderful admiration" by this discovery, and "in respect of the strangeness of these matters he took great delight to be present at the examinations" of these reputed sorcerers; and the investigation of their malpractices afforded the privy council and him occupation for the greater part of the winter. The persons chiefly implicated in the alleged attempts against the king's life, were John Cunningham, a schoolmaster near Tranent, usually called Dr. Fian; Agnes Sampson, termed the "Wise Wife of Keith," who is described by Archbishop Spottiswoode as "a woman not of the base and ignorant sort of witches, but matron-like, grave, and settled in her answers, which were all to some purpose;" Barbara Napier, wife of Archibald Douglas, brother to the Laird of Carshoggill; and Euphemia Macalzean, wife of Patrick Moscrop, advocate, and daughter of Lord Cliftonhall, one of the senators of the College of Justice. Fian

Dr. Fian.

was first brought to trial. He seems to have been a person of dissolute character, but of astonishing strength of mind and firmness of nerve. It was evidently taken for granted that no sorcerer would ever tell the truth except under compulsion, and therefore Fian was first examined by torture, but without effect; and then "was persuaded by fair means to confess his folly." As that "prevailed as little, he was put to the most cruel and severe pain in the world, called the boots; who, after he had received three strokes, being inquired if he would confess his damnable acts and wicked life, his tongue would not serve him to speak." A supposed charm was then removed from his person, and the miserable wretch, on being released from the instrument of torture,—doubtless under the influence of the agony produced by it,—made and subscribed a confession of the incantations employed against the king, as well as of a variety of charms used on other occasions.*

Fian was then remanded to prison, where, for a day or two, he "continued very solitarie, and seemed to have a care of his own soul, and would call upon God and show himself penitent for his wicked life." He contrived, however, to make his escape from prison, but was retaken, and brought back; and, to the great annoyance of James, denied the whole of his former confession; "whereupon the king's majestie, perceiving his stubborn wilfulnesse," expressed his belief that Fian "had entered into a new league with the devil, his master," and ordered him to be tortured in the most horrible manner. "His nayles upon his fingers were riven, and pulled with an instrument called in Scotch a turkas.* And under every naile there was thrusten two needles over even up to the heads. At all which torments, notwithstanding, the doctor never shrunke anie whit, neither woulde he then confess it the sooner for all the tortures inflicted upon him. Then was he, with all convenient speede, by commandment conveyed againe to the torment of the boot, where he continued a long time, and did abide so many blows on them, that his legs were crusht and beaten together as small as might be, and the bones and flesh so bruised that the blood and marrow spurted forth in great abundance, whereby they were made unserviceable for ever. And notwithstanding all these grievous pains and cruel torments, he would not confess anything: so deeply had the devil entered into his heart, that he utterly denied all that which he had before avouched, and would say nothing thereunto but this,—that what he had done and sayde before, was only done and sayde for fear of paynes which he had endured." †

The trials of the women, accused as accomplices of Fian, took place in 1591. Agnes Sampson, after being tortured for an hour by the twisting of a cord round her head, emitted a confession which bears a striking resemblance to that of Fian respecting the attempts against the king's life, and a great witch meeting which they had attended at North Berwick. Satan, it seems, had confidentially informed one of the witches that James was the greatest enemy he had in the world. On another occasion the archfiend stated in France, that he had no power over the king, for he was a man of God. James naturally became peculiarly obnoxious to Satan's emissaries. His visit to Norway to bring over his queen, of which he was not a little vain, afforded the devil and his agents a favourable opportunity to carry into effect their designs against his life. Accordingly Fian, who acted as the devil's secretary or registrar, summoned a meeting of wizards and witches for the purpose of concocting, with their master, a scheme for the destruction of the king. On Allhallowmass eve, the infernal emissaries, to the number of about two hundred, embarked "each in a riddle, or sieve," with much mirth and jollity, and after cruising about somewhere on the ocean with Satan, who rolled himself before them on the waves, dimly seen, and resembling a huge haystack in size and appearance, he delivered to one of the company, named Robert Grierson, a cat which had previously been drawn nine times through a cruik, giving the word "to cast the same into the sea. Hola!" This charm was intended to raise such a tempest as would infallibly destroy the king, then on his voyage home from Denmark; and (if we

Trial of Agnes Sampson and Barbara Napier.

* News from Scotland declaring the damnable life of Dr. Fian. Pitcairn, vol. i. p. 219.

* A smith's pincers, from *torquere*.

† News from Scotland, &c. Pitcairn, vol. i. p. 223.

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may credit the declaration of James, who greedily swallowed the story) was not without effect, for the ship in which the king was conveyed had to contend with a contrary wind, while all the other vessels of the fleet had a fair one.

After concluding their incantations on the water, the infernal party landed and enjoyed themselves with wine, which they drank out of the sieves in which they had previously sailed. They then moved on in procession to the kirk of North Berwick, the appointed place of rendezvous with Satan, preceded by Geilie Duncan, playing upon the "trump" or Jews'-harp; and the rest of the company, only six of whom were men, dancing and singing in one voice—

"Cummer go ye before; cummer go ye;
Gif ye will not go before, cummer let me." *

When the procession left the kirk, Fian, who acted as leader, "blew up the doors and blew in the lights, whilk were like meikle black candles sticking round about the pulpit," while another of the party, Grey Meill, termed by Sir James Melville "ane auld silly ploughman," acted as a doorkeeper. Suddenly, the Arch Fiend started up in the pulpit attired in a black gown and hat, "like ane meikle black man." Sir James Melville, who has given a minute account of this singular transaction, says—"The devil's body was hard lyk yrn, as they thocht that handled him; his faice was terrible, his nose lyk the bek of an egle, great bournying een (eyes); his handis and legis were herry with clawis upon his handes and feit, lyk the griffin, and spak with a how (hollow) voice." He first called the roll of the congregation, and "every one answerit, 'Here, Master!' Robert Grierson being namit, they all ran hirdy-girdy and were angry, for it was promisit that he should be callet Robert the Comptroller, *alias* Rob the Rower." Satan then demanded whether they had been good servants; what they had done since the last time they had convened, and what had been the success of the charm of a figure made of wax, and of other devices which they had employed against the king. Grey Meill replied that "naething ailet the king yet, God be thankit;" for which unlucky remark he was rewarded by a great blow. On the command of their master the assembly then "openit up the graves, twa within and ane without the kirk, and took off the joints of their fingers, taes, and knees, and partit them amang them; and Agnes Sampson gat for her part ane winding-sheet and twa joints. The devil commandit them to keep the joints upon them till they were dry, and then to mak ane powder of them to do evil withal. Then he commandit them to keep his commandments, whilk were to do all the evil they could." On his leaving the pulpit the whole congregation did homage to him, in a manner equally humiliating and indecorous, which does not admit of description.

* James sent for Geilie Duncan, and caused her to play before him the same tune to which the witches danced on this occasion.

It is impossible to say whether the wretched creatures brought to trial on these charges—and which either voluntarily or by constraint they confessed to be true—were under a mere hallucination, or had really attempted to do the evil laid to their charge. The remarkable coincidence of their confessions would seem to indicate that there must have been some foundation, in fact, for the alleged meeting at North Berwick. Whether innocent or guilty, however, their fate in that age of credulity and superstition could not be for a moment doubtful. Fian and Sampson were strangled and burnt; Barbara Napier, who was acquitted of being at the North Berwick convention, was found guilty of a few of the less important charges, and condemned to death: execution was delayed, however, on account of her pregnancy, and she was ultimately set at liberty.*

Trial of Euphemia Macalzean.

The fate of Dame Euphemia Macalzean, Lord Cliftonhall's daughter, was the severest of all. This lady, who seems to have been a person of powerful intellect and licentious passions, was not only accused, like Agnes Sampson, of many acts of sorcery of a common kind, but was also charged with complicity in the framing of the waxen figure of the king; and in conspiring to raise a storm for drowning the queen on her homeward voyage from Denmark. A great number of poisonings and attempts at poisonings were also included in her indictment. Though the jury acquitted her of several of these, they found her guilty of destroying by witchcraft her husband's nephew, Douglas of Pumfraston, and of attempting to destroy her father-in-law, as well as of participation in the practices against the king's life. This unfortunate lady was an adherent of the Romish faith, and a friend of the turbulent Earl of Bothwell, who is alleged to have been implicated in the framing of the waxen figure, and other similar devices against the king. Her punishment was the severest the court could pronounce. She was condemned to be "bound to ane stake, and burnt in assis, quick (alive) to the death," and all her estates and property were forfeited to the crown. She endured this horrible fate with the greatest firmness, on the Castle-hill of Edinburgh, June 25th, 1591.

These trials produced a deep and permanent impression on the credulous and superstitious mind of the "British Solomon," and they appear to have led to the composition of his noted work,—the "Dæmonologie."

Numerous other trials for witchcraft took place during the reign of James, all terminating in the same result. The unhappy victims of ignorance and credulity, were usually charged with removing

* The king was so incensed at this partial acquittal, that he caused the jury to be brought to trial for wilful error. They contrived to avert his wrath by throwing themselves on his mercy. It was perilous in those times for a jury to follow the dictates of justice and humanity, in opposition to the royal will. No wonder that the acquittals from a charge of witchcraft were so few.

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or laying diseases on men or cattle; with destroying crops, sinking ships, and drowning mariners, holding meetings with the devil, raising and dismembering dead bodies for the purpose of obtaining charms, and other offences of a similar kind. After the death of James, the epidemic seems to have abated somewhat in virulence; for from 1623 to 1640, there are only eight trials for witchcraft, entered on the records of the Justiciary Court; and, strange to say, in one case the alleged criminal was acquitted. The counsel for the accused, too, now at length ventured to impeach the credibility of the confessions made by the reputed witches, on the ground that "all lawyers agree that they are not really transported, but only in their fancies while asleep, in which they sometimes dream they see others 'at their orgies.'" * During the great civil war, however, and the Commonwealth, the crime of witchcraft seems to have been greatly on the increase, although the judges appointed by Cromwell discountenanced proceedings against reputed witches. Between 1640 and the Restoration, no less than thirty trials appear on the record, while an immensely larger number were handed over to commissioners composed of "understanding gentlemen," and ministers, appointed by the privy council, to examine and try those accused of witchcraft in their respective localities. No fewer than fourteen of these commissions were granted in one day (November 7, 1661), and there cannot be a doubt that many hundreds of persons, principally aged females, were put to death about this period for this imaginary crime. The calendar became even more bloody for some time after the Restoration, when the restrictions imposed by the republican Justiciaries were removed; and during the year 1661, no fewer than twenty persons were condemned for witchcraft by the Justiciary Court.

Increase of cases of witchcraft at the Restoration.

In 1662 occurred the famous case of the Auldearn witches, whose confessions are unrivalled in interest in this department of sorcery. One of these beldames, named Isabel Gowdie, who must have been crazed, gave a most minute and quite unique account of the proceedings of the "covin" of witches to which she belonged. She was examined at four different times, between the 13th of April and 27th of May, 1662, before a tribunal composed of the sheriff of the county, the parish minister, seven country gentlemen, and two of the townsmen; and though her conceptions are almost inconceivably absurd and monstrous, her narrative is quite consistent throughout. She was devoted to the service of the devil in the kirk of Auldearn, where she renounced her Christian baptism, and was baptized by the devil in his own name, with blood which he sucked from her shoulder and sprinkled on her head. The witch covin, or company, to which she belonged consisted of the usual number of thirteen females; one of whom, called the Maiden of the Covin, was always placed close beside Satan, and was treated with peculiar attention, as he had a preference for young women, which greatly provoked the spite of the old hags. Each of the covin had a nickname, as Pickle-nearest-the-wind, Through-the-cornyard, Able-and-stout, Over-the-dike-with-it, &c., and had an attendant spirit, distinguished by such names as the Red Reiver, the Roaring Lion, Thief of Hell, and so forth. These imps were clothed some "in saddun, some in grass green, some in sea-green, some in yellow, some in black." Satan himself had several spirits to wait upon him. He is described as "a very mickle, black, rough man." Sometimes he had boots and sometimes shoes upon his feet, but still his feet are forked and cloven.

Case of the Auldearn witches.

A great meeting of the covins took place quarterly, where a ball was given. At these feasts the devil took the head of the table, and all the covin sat around. One said a grace as follows:—

> "We eat this meat in the devil's name,
> With sorrow and sich (sighs) and mickle shame,
> We shall destroy house and hald,
> Both sheep and nolt until the fauld,
> Little good shall come to the fore
> Of all the rest of the little store."

And when the meal was ended, the company looked steadfastly at their president, and bowing to him said, "We thank thee, our Lord, for this."

The witches, it appears, sometimes took considerable liberties with their master's character, and called him "Black John, and the like;" and he would say, "I ken weel eneuch what ye are saying of me;" and then he would beat and buffet them very sore. They were beaten, too, if they were absent from the meetings, or neglected any of their master's injunctions. He found the wizards, however, much more easily intimidated than his emissaries of the other sex. "Alexander Elder," says Isabel Gowdie, "was soft and could never defend himself in the least, but would greet and cry, when Satan would be scourging him. But Margaret Wilson would defend herself fiercely, and cast up her hands to kep (ward) the strokes off her; and Bessie Wilson would speak crusty, and be belling again to him stoutly. He would be beating and scourging us all up and down with cords, and other sharp scourges, like naked ghaists; and we would still be crying, 'Pity, pity; mercy, mercy; our Lord.' But he would have neither pity nor mercy."

When the married witches went out to their nocturnal conventions, they left behind them in bed a besom, or three-legged stool, which assumed their shape till their return, and prevented their husbands from missing them. When they wished to ride, a corn-straw put between their legs served them as a horse, and on their crying, "Horse and hattock, in the devil's name," or pronouncing thrice the following charm—

> "Horse and hattock, horse and go,
> Horse and pellat, ho! ho!"

they are borne through the air to the place of

* Defence of Catherine Oswald, February 4, 1629.

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their destination, "even as straws would fly upon a highway." If any see these straws in motion and "do not sanctify themselves," the witches may shoot them dead. On one of their nocturnal excursions, the party feasted in Darnaway Castle, the seat of the Earl of Moray. On another occasion they went to the Downy Hills, when the hill opened, and they went into a well-lighted room, where they were entertained by the Queen of the Fairies.

The covin frequently assumed the shapes of crows, hares, cats, and other animals, by the use of some such charm as the following:—

"I sall go intill a hare,
With sorrow, sich, and mickle care,
And I sall go in the devil's name,
Aye, till I come hame again."

In this shape Isabel herself had an adventure. She was going one morning about daybreak to Auldearn in that disguise, but had the misfortune to meet Peter Papley of Kilhill's servants going to work, having his hounds with them. The dogs immediately gave chase. "I," says Isabel, "ran very long, but was forced, being weary at last, to take my own house. The door being left open, I ran in behind a chest, and the hounds followed in; but they went to the other side of the chest, and I was forced to run forth again, and wan into another house, and there took leisure to say—

'Hare, hare, God send thee care;
I am in a hare's likeness now,
But I sall be a woman even now!
Hare, hare, God send thee care.'

And so I returned to my own shape again. The dogs," she added, "will sometimes get bits of us, but will not get us killed. When we turn to our own shape, we will have the bits and rives and scarts on our bodies."

Various charms were described by Isabel, which she and her companions employed for the purpose of inflicting injury upon their neighbours. They sometimes disinterred dead bodies, and used their joints and members in the composition of magic unguents and salves. When they desired to rob some neighbour of the fruits of his fields, they made a show of ploughing his lands with a yoke of paddocks (frogs), the devil himself holding the plough. Quickens (dog-grass) formed the harness and soams (traces); and the sock and coulter were made out of a riglen's (ram's) horn. The covin accompanied the plough, praying to the devil for the fruit of that ground, and that nothing but thistles and briars might be left to the proprietor. The mode of taking away a cow's milk by sorcery was to "pull the tow (rope), and twine it, and plait it the wrong way, in the devil's name, and to draw the tether thus made in betwixt the cow's hinder feet, and out betwixt the cow's forward feet, in the devil's name." When they wished to have fish they went to the shore just before the boats came home, and said three times:—

"The fishers are gane to the sea,
And they will bring hame fish to me,
They will bring them hame intill the boat,
But they sall get of them but the smaller sort."

By employing this charm they obtained all the fish in the boats, leaving the fishermen nothing but slime behind.

Sometimes they employed the powers derived from their infernal master in curing diseases, and Isabel mentions several charms in verse which they repeated, thrice striking the sick person on the sore. More generally, however, they were engaged in laying on, or in prolonging, diseases. Isabel confessed that she and her associates shot forty or fifty persons with elf-arrow heads, manufactured by Satan himself. She attempted to shoot the Laird of Park as he was riding through a ford, but missed him, and received a great cuff from Bessie Hay for her awkwardness. The covin seem to have cherished great enmity against this gentleman, for they devoted all his male children to destruction. For this purpose they made a small effigy of a child in clay, and falling down before their master on their knees, with their hair hanging over their eyes, and looking steadily at him, repeated the following lines:—

"In the devil's name
We pour this water amang the meal,
For long dwining * and ill heal,
We put it intill the fire,
That it may be burned baith stick and steur,
It sall be burnt with our will,
As any stickle † upon a kiln."

"Then in the devil's name," says the beldame, "we did put it in in the midst of the fire. After it was red like a coal we took it out in the devil's name. Till it be broken it will be the death of all the male children that the Laird of Park shall ever get."

The covin seem to have entertained an equally strong dislike to the Laird of Lochlay, and took measures of a similar kind for the entire destruction of his family. A mixture of dogs'-flesh and sheeps'-flesh, chopped small and seethed for a whole forenoon in a pot, was put by the devil into a sheep's-bag, and stirred about for some time with his hands. A prayer was then offered up by the witches on their knees, with uplifted hands, and eyes fixed steadfastly on the devil, that this charm should destroy the Lairds of Park and Lochlay, and their male children and posterity. "We then," said Janet Braidhead, one of the covin, "came to Inshoch in the night-time, and scattered the mixture about the gate and other places where the lairds and their sons would most haunt, and then we, in the likeness of crows and rooks, stood above the gate, and on the trees opposite. It was appointed so that if any of them should touch or tramp upon it, as well as that it or any of it fall on them, it should strike them with boils, and kill them, which it did, and they shortly died. We did it to make this house heirless." Isabel Gowdie confessed that a similar attempt was made against the life of Mr. Harry Forbes, minister of Auldearn, one of the members of the commission appointed to try the witches, and who was actually present, and subscribed her confession. The instrument employed

* Pining. † Stubble.

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was "a bag filled with the flesh, and guts, and galls of toads, the liver of a hare, pickles of bear (barley), pairings of nails of feet and toes, and bits of rag," which being steeped all night, and mixed by Satan himself, was consecrated by the following charm, dictated by Satan, and repeated three times by the witches on their knees:—

"He is lying on his bed, he is lying sick and sair,
Let him lie intill his bed two months and three days mair," &c.

Such is the singular confession made by Isabel Gowdie and her associate Janet Braidhead, to which we are indebted for the most complete information anywhere to be found respecting the rites and ceremonies of Scottish witchcraft. There is no reason to doubt that these wretched creatures were under some strange hallucination, which, stimulated by the prevalent tales of sorcery, led them to mistake dreams and fancies for real events.

Infliction of torture on suspected witches.

The confession of Isabel Gowdie seems to have been made voluntarily, and without compulsion of any kind, but many unfortunate creatures were subjected to the most cruel tortures in order to compel them to bear evidence against themselves. One common mode of detecting witches was by running pins into their bodies on pretence of discovering the devil's mark, which was alleged to be set on a spot insensible to pain.* The persons who acted as "prickers" of witches were allowed to torture the persons suspected of witchcraft at their pleasure, as if they were following a lawful and useful occupation. At length this brutal practice drew down the reprobation of the privy council, and the prickers were punished as common cheats. Tortures of a much severer kind were often employed to extort from the reputed witches an acknowledgment of their guilt. Sometimes they were hung up by the thumbs, till nature being exhausted, they were fain to confess whatever was laid to their charge. At other times they were subjected to cold and hunger till their lives became a burden. In many cases the thumbikens, and other similar instruments of torture, were employed to extort a confession, until the limbs of the wretched creatures were crushed to pieces. Alison Balfour, who was accused in 1594 as an accomplice of the Master of Orkney in his attempts to kill his brother by witchcraft and poison, made her confession after forty-eight hours of the "vehement torture of the caschiclaws." By a shocking refinement of cruelty, her aged husband, who was eighty-one years of age, "together with her eldest son and her daughter, were all kept at once, and at the same instant, in ward beside her, and put to tortures at the same instant of time; the father being in the long irons of fifty stone weight, the son galled in the boots with fifty-seven strokes, and the daughter, being seven years old, put in the pilniewinks: to this effect that her said husband and bairns, being so tormented beside her, might move her to make any confession for their relief." In the same way a confession was extorted from Thomas Palpa, who was accused as an accomplice. He was "kept in the caschiclaws eleven days and eleven nights; twice in the day, by the space of fourteen days, galled in the boots, he being naked in the meantime, and scourged with tows (or ropes) in such sort that they left neither flesh nor hide on him."* The jury seem to have given no credit to the confessions thus extorted as evidence against the Master of Orkney, for they acquitted him, but they had in the meantime been regarded as conclusive proof of the guilt of the unfortunate creatures who had uttered them. Alison Balfour was burned at the heading-hill in Kirkwall, and behaved with great spirit and courage. When brought out to be executed, "she declared, and took upon her soul and conscience, as she would answer at the day of judgment, when the secrets of all hearts shall be disclosed, that she was as innocent, and would die as innocent of any point of witchcraft as a bairn newborn;" and that her false confession was wrung from her by her own sufferings, and the sight of the tortures inflicted on her husband and family.

Case of Alison Balfour.

Opinion of Sir George Mackenzie.

Sir George Mackenzie, who in the discharge of duties as Lord Advocate, had often occasion to conduct witch trials, though he seems to have had no doubt of the reality of the crime, yet speaks in strong terms of the cruel treatment given to the persons accused of it, and of the manner in which evidence was obtained against them. As an example of the way in which these unfortunate creatures might be induced to acknowledge themselves guilty, by the very infamy which the accusation had brought upon them, and the misery which they must have endured, even though their lives had been spared, "I went," he says, "when I was a justice-depute, to examine some women who had confessed judicially; and one of them, who was a silly creature, told me under secrecie that she had not confest because she was guilty, but being a poor creature who wrought for her meat, and being defamed for a witch, she knew she would starve, for no person thereafter would either give her meat or lodging, and that all men would beat her and hound dogs at her, and that therefore she desired to be out of the world: whereupon she wept most bitterly, and upon her knees called God to witness to what she said. Another told me that she was afraid the devil would challenge a right to her, after she was said to be his servant, and would haunt her, as the minister said, when he was desiring her to confess; and therefore she desired to die. And really," he adds with great justice, "ministers are ofttime indiscreet in their zeal to have poor creatures to confess in this; and I recommend to judges that the wisest ministers should

* Sir Walter Scott says, "There is room to believe that the professed prickers used a pin, the point, or lower part of which was, on being pressed down, sheathed in the upper, which was hollow for the purpose, and that which appeared to enter the body did not pierce it at all."

* Pitcairn's Criminal Trials, vol. i. p. 376.

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be sent to them, and those who are sent should be cautious in this particular." *

Another affecting case of the same kind occurred in Lauder. A woman accused, along with several companions, of witchcraft, was committed to the jail of that town, and like the others confessed herself guilty, and entreated to be put to death along with them. The clergyman, however, as well as others, was persuaded that her confession was untrue, and "therefore much pains was taken with her that she might recoil from that confession, which was suspected to be but a temptation of the devil to destroy both her soul and body; yea, it was charged home upon her by the ministers, that there was just ground of jealousy that her confession was not sincere, and she was charged before the Lord to declare the truth, and not to take her blood upon her own head. Yet she stiffly adhered to what she had said, and cried always to be put away with the rest. Whereupon, on Monday morning, being called before the judges, and confessing before them what she had said, she was found guilty, and condemned to die with the rest that same day. Being carried forth to the place of execution, she remained silent during the first, second, and third prayer, and then perceiving that there remained no more but to rise and go to the stake, she lifted up her body, and with a loud voice cried out, 'Now all you that see me this day, know that I am now to die as a witch by my own confession, and I free all men, especially the ministers and magistrates, of the guilt of my blood. I take it wholly upon myself—my blood be upon my own head; and as I must make answer to the God of Heaven presently, I declare I am as free of witchcraft as any child; but being delated (accused) by a malicious woman, and put in prison under the name of a witch, disowned by my husband and friends, and seeing no ground of hope of my coming out of prison, or ever coming in credit again, through the temptation of the devil I made up that confession on purpose to destroy my own life, being weary of it, and choosing rather to die than live'—and so died." †

Case of false confession.

In some cases accusations of witchcraft originated in malice, or other base motives of a similar kind. In 1676 six persons—one man and five women—were condemned to death, and five of them were executed on the charge of bewitching Sir George Maxwell, of Pollock, in Renfrewshire, principally on the evidence of a vagabond girl, who pretended to be deaf and dumb. Her imposture was afterwards discovered, and herself punished, but too late to save the lives of her victims. A similar case occurred at Paisley in 1697, when no less than twenty persons—one of them a girl of fourteen, another a boy of twelve—were condemned mainly upon the evidence of a girl named Christian Shaw, daughter of John Shaw, Laird of Bargarren. This girl, who was about eleven years of age, in consequence of a quarrel with a maid-servant, pretended to be possessed, and played off a series of ecstasies and convulsive fits so successfully, in the presence of the commissioners appointed by the privy council to try the case, that the persons accused were found guilty, and five of them were burnt upon the green at Paisley, and one of them, John Reed, hanged himself in prison.

The Renfrewshire witches.

The last trial for witchcraft before the Court of Justiciary was that of Elspet Rule, which took place on the Dumfries circuit, the 3rd of May, 1708. A majority of the jury found the prisoner guilty, but she was merely sentenced to be branded on the cheek, and banished Scotland for life. The last execution in Scotland for witchcraft occurred at Dornoch in 1722, by the sentence of Captain David Ross, of Littledean, sheriff-depute of Caithness. The victim was an insane old woman belonging to the parish of Loth, "who, among other crimes," says Mr. Kirkpatrick Sharpe, "was accused of having ridden upon her own daughter transformed into a pony, and shod by the devil, which made the girl ever after lame, both in hands and feet, a misfortune entailed upon her son, who was alive of late years." When the wretched crone was brought out to execution, "the weather proving very severe, she sat composedly warming herself by the fire prepared to consume her, while the other instruments of death were making ready." *

Last trial for witchcraft.

In 1735 the penal statutes against witchcraft were repealed; but the belief in the existence of this imaginary crime must still have lingered even among the educated classes in Scotland, as well as among the great body of the people, for in 1743 the Associate Presbytery enumerate among other national sins, that "the penal statutes against witches have been repealed by the parliament, contrary to the express law of God." So ends one of the darkest and most tragic chapters in the domestic history of Scotland.†

Repeal of the laws against witches.

The physical and intellectual improvement of the country had been greatly retarded by the almost incessant civil and ecclesiastical strife which raged throughout the seventeenth century. At the Revolution, according to Fletcher of Saltoun, there was "in Scotland (besides a great number of families very meanly provided for by the church-boxes, with others who with living upon bad food fall into various diseases) two hundred thousand people begging from door to door. These are not only in noways advantageous, but a very grievous burden to so poor a country; and though the number of them be perhaps double to what it was formerly, by reason of the present great

Disordered state of the country at the Revolution.

* Mackenzie's Criminal Law, p. 45.

† Sinclair's Satan's Invisible World Discovered, p. 43; Sir Walter Scott's Demonology and Witchcraft, p. 287.

* Preface to Law's Memorials, p. 107.

† See Pitcairn's Criminal Trials, Sir John Dalyell's Darker Superstitions of Scotland, and Letters on Demonology and Witchcraft, by Sir Walter Scott.

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distress, yet, in all times, there have been about one hundred thousand of these vagabonds, who have lived without any regard or submission, either to the laws of the land, or even those of God and nature. No magistrate could ever discover or be informed which way any of these wretches died, or that ever they were baptized. Many murders have been discovered among them, and they are not only an unspeakable oppression to poor tenants (who if they do not give bread, or some sort of provision, to perhaps forty such villains in one day, are sure to be insulted by them), but they rob many poor people who live in houses distant from any neighbourhood. In years of plenty many thousands of them meet together in the mountains, where they feast and riot for many days; and at country weddings, markets, burials, and other like public occasions, they are to be seen, both men and women, perpetually drunk, cursing, blaspheming, and fighting together." Such was the state of Scotland at the end of her religious wars and persecutions, when the act for the establishment of parochial schools had been repealed,* and the ministry of the gospel suspended throughout all her parishes. But no sooner did the people obtain repose from the violent dissensions by which the country had been convulsed, and the parochial system of education become general, than these disorders subsided, extreme destitution rapidly disappeared, and mendicity, though it still subsisted, was confined within comparatively narrow limits. So rapidly did this transformation take place, that De Foe, giving an account of the country in 1717, states that "the people are restrained in the ordinary practice of common immoralities, such as swearing, drunkenness, slander, and the like. As to theft, murder, and other capital crimes, they come under the cognizance of the civil magistrate, as in other countries; but in those things which the Church has power to punish, the people being constantly and impartially prosecuted, they are thereby the more restrained, kept sober, and under government; and you may pass through twenty towns in Scotland without seeing any broil, or hearing one oath sworn in the streets; whereas, if a blind man was to come from there into England, he shall know the first town he sets his foot in within the English border, by hearing the name of God blasphemed and profanely used even by the very little children in the street."

Improvement in the condition and character of the people.

The striking change that had thus taken place in the character and habits of the people, is to be attributed principally to the combined influence of the parochial schools, and of the teaching and superintendence of the clergy. Education was generally diffused throughout the community. Persons were rarely to be met with, even in the lower ranks of life, without the knowledge of reading, writing, and arithmetic. To have a relative unable to read would have been reckoned disgraceful to a whole family. The duties of family worship, and domestic instruction of the young in the principles of religion, were generally attended to, and the Bible formed part of the library of almost every family. The favourite literature of the peasantry consisted of such theological treatises as the Marrow of Modern Divinity, Boston's Fourfold State, The Cloud of Witnesses, Howie's Scotch Worthies, and other similar records of the sayings and doings of those stern Presbyterians, who, during the fierce storm of persecution, had been driven from their churches and compelled to flee with their flocks to the caves and dens of the mountains. The characters of these old champions of the Covenant were regarded with unbounded veneration; and the traditionary narratives of their struggles and sufferings were handed down from father to son with devout admiration, and exercised a most important influence upon the opinions and manners of the people.

Influence of the Church and the School.

The duties of the Sabbath were performed with great strictness. It is recorded, that even in the populous town of Paisley, the inhabitants were so universally regular in their attendance at church, and strict afterwards in keeping within doors, that, down to the close of the eighteenth century, scarcely a single individual was ever seen walking the streets after divine service. In Glasgow the people were equally strict in their observance of the sacred day. "There were families who did not sweep or dust the house, or make the beds, or allow any food to be cooked or dressed on Sunday. There were some who opened only as much of the shutters of their windows as would serve to enable the inmates to move up and down, or an individual to sit at the opening to read."*

Observance of the Sabbath.

It cannot be denied, that a good deal of asceticism mingled with the religion of this period, and that the fiery trials through which the people had passed, had given a somewhat stern and gloomy cast to the national manners and feelings, especially in connection with their religious opinions. Ecclesiastical discipline, too, was wielded with excessive rigour: standing in companies on the street on Sabbath, holding idle discourse there, taking recreation by walking through fields and meadows, giving and receiving visits, were all reckoned offences deserving of church censure. In accordance with these principles, the magistrates in most of the large towns employed officers, termed "seizers" or "compurgators," to perambulate the streets on the Saturday nights; and when, at the approach of twelve o'clock, they happened to hear any noisy conviviality going on, even in a private dwelling-house, they were authorised to enter with-

Severity of ecclesiastical discipline.

* See Appendix R.

* At the commencement of the seventeenth century in Scotland—as it is still in Norway—the Sabbath was held to commence at sunset on Saturday, and to terminate at sunset, or six o'clock, on Sunday.

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out ceremony and dismiss the company. Another office of these "seizers" was to perambulate the streets and public walks during divine service on Sundays, and to apprehend all loiterers and evil-doers.

Licentious conduct was severely punished by the kirk session. Exposure on a conspicuous seat in the church, followed by a public rebuke from the minister, a pecuniary fine, excommunication, carting, ducking, and banishment, were the penalties awarded for this crime, without the slightest respect of persons. It was enacted by parliament that "for the first fault, as well the man as the woman, shall pay the sum of forty pounds (Scotch), or than (else) he and she shall be imprisoned for the space of aucht (eight) days, their food to be bread and small drink, and, thereafter, presented to the mercat-place of the town or parochin bare headed, and there stand fastened, that they may not remove for the space of twa hours." A second offence incurred the additional penalty of cold water for food, and a shaving of the head; and a third was visited with ducking and banishment. The General Assembly ordered that, in addition to the civil penalties, married persons convicted of licentious conduct should stand on three several Sundays at the kirk door while the congregation was assembling, clad in haircloth, bare legged, and bare footed, each wearing a paper crown inscribed with his crime; they were then to enter the church before the commencement of the sermon, and take their places on the stool of repentance; and finally, at the close of public worship, they were ordered again to repair to the kirk door, and to remain there "to be ane spektakle to the haill peple," till the congregation had departed. After the close of the seventeenth century, these penalties seem to have been somewhat modified, and offenders were usually subjected only to exposure in the church, public rebuke, and a pecuniary fine. A feeling of shame induced many of the female penitents to cover their faces with their plaids while seated on the "pillar of repentance" before the congregation: injunctions were, therefore, issued that the plaids should be laid aside or taken away by the officer from each penitent "before her upganging to the pillar." The practice, however, seems to have continued, for it was subsequently found necessary to ordain, that a sitting muffled with the plaid, went for nothing.

In their anxiety to suppress all customs that might lead to immorality, the clergy placed all festivities and merrymakings under strict regulations. Public dancing and the employment of pipers at weddings, "promiscuous dancing," and "superfluous banqueting," were forbidden under severe penalties. Backbiting, slander, and scolding were rigorously punished. The session of Perth amerced "Catharine Yester and John Denite each in half a merk for flyting" (scolding); and John Tod, for slandering, was ordained to pay a like sum and to stand in the irons two hours, besides asking forgiveness of the person he had injured. In other cases offenders appear to have been exposed on the cross in default of the payment of the fine. The session of Aberdeen inflicted a pecuniary penalty on the slanderer; but "gif the injurious person be simple and of puir degree he shall ask forgiveness before the congregation of God and the party, and say, 'Tongue, ye lied,' for the first fault; for the second, he shall be put in the cockstool; and for the third fault, shall be banished the town."

Among the rural population and in the small towns, this rigorous discipline seems to have been patiently submitted to; but in the large towns, and especially in the metropolis, the authority of the Church was set at defiance by a class of the community, who were all the more reckless and daring, in consequence of the excessive strictness with which ecclesiastical censures were administered. Midnight riots in the streets were of common occurrence. Drunkenness, too, was a vice that prevailed to a great extent. In Edinburgh, no inconsiderable part of the business of life was carried on in taverns and public-houses; and there lawyers, merchants, and tradesmen might be seen regularly settling their affairs with their clients and customers, over plentiful libations of strong liquors. A similar custom prevailed in Glasgow, where no business was transacted but in the wine shops opposite to the Tontine Exchange. In both cities, dinner parties and other social entertainments usually terminated with hard drinking; and gentlemen were to be met with in a state of intoxication at most evening parties and in all public places.

Drinking customs of the period.

The domestic accommodations of the Scottish people at this period were of a very limited and inconvenient kind. Even in Edinburgh the residences of the higher classes were small, gloomy, and ill-ventilated. The streets were very narrow, and the houses raised to an enormous height, not unfrequently affording shelter within their walls to thirty or forty families. Edinburgh at that time enjoyed the unenviable distinction of being reckoned the filthiest city in Europe. The streets, especially in the mornings, were covered with all kinds of abominations; and the pigs, which many of the inhabitants kept under the outside stairs that projected from the houses, wandered about unrestrained, and played the part of scavengers. In the rural districts, the internal arrangement of the houses was at least equally inconvenient, and the same disregard of cleanliness and comfort was everywhere manifested. With regard to diet the Scotch had now, to a great extent, adopted the customs of their English neighbours. Tea was introduced into Scotland in 1681; and about the middle of the eighteenth century, it had come into common use among the middle classes of the metropolis. The dinner hour was two o'clock, tea was served at four; and hence this meal was usually termed "the four hours." The intercourse of society was principally by evening parties.

Domestic accommodation.

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The prosperity of the agricultural population was greatly retarded by the law which vested the administration of justice in the landed proprietors. By means of their hereditary jurisdictions, the barons and chiefs possessed the power of judging both in civil and criminal cases among their dependents. In all lawsuits between landlord and tenant, the former was thus constituted the judge in his own cause. Such a state of things, it is hardly necessary to say, was often productive of great oppression and injustice. The nature of the engagements between the proprietor and his tenantry also tended greatly to keep the latter in a state of poverty and dependence. The farms were usually held from year to year. Little of the rent was paid in money; and the tenants were, in almost every case, bound to grind their corn at the baron's mill (paying, of course, a much larger sum for the operation than they would have done elsewhere), and to perform field-work and other similar labours for the proprietor, while the cultivation of their own farms was left in arrear.

State of the agricultural population.

The patrimonial estates of the gentry were inherited by their eldest sons, who were not unfrequently devoted to the legal or military professions. The younger sons usually sought their fortunes abroad. Not a few of them entered into the service of foreign potentates; and during the thirty years' war in Germany, Gustavus Adolphus had in his army four lieutenant-generals, twenty colonels, and an immense number of inferior officers, who were all natives of Scotland. At a later period it was no uncommon thing for the younger sons of noble families to be instructed in some mechanical art. Some sought opportunities of advancement in England, others in the colonies, where they were in many cases successful in acquiring considerable wealth.

Younger sons of the gentry.

As might have been expected, literature was at a very low ebb in Scotland during the seventeenth century. Its voice could scarcely be heard amid the "confused noise" of civil war and the fierce wranglings of ecclesiastical polemics. In the early part of this era, however, there still flourished not a few of those learned Scotchmen who held important offices in the universities of the Continent. The celebrated ANDREW MELVILLE, the indomitable defender of Presbyterian rights and privileges, who, in his youth, filled successively chairs in the colleges of Poictiers and Geneva, ended his career as professor of divinity in the University of Sedan. His numerous works display both remarkable talent, and varied and extensive learning. WILLIAM BARCLAY, a Roman Catholic, professor of law in the University of Angers (1578—1605), was the author of several treatises which at one time enjoyed great celebrity. His largest work was written in vindication of the rights of kings against the arguments of Buchanan, Languet, and other writers on the popular side. His posthumous treatise against the power of the pope, in opposition to Bellarmine, was intended to prove that while the pontiff possesses supremacy in spiritual things, he has no title to temporal power, especially over the dominions of sovereign princes. ROBERT BALFOUR, principal of the College of Guienne, Bordeaux, who was educated at the University of St. Andrew's, was the author of a commentary on Aristotle, which was held in high estimation among his contemporaries. Balfour left behind him the reputation of a learned and excellent man, and, though a zealous adherent of the Romish faith, he showed much kindness to his countrymen, who at that time wandered over the Continent in great numbers in search of education or of literary employment. One of the most learned men of this age was WILLIAM BELLENDEN, styled Magister Supplicum Libellorum,—probably reader of private petitions to King James VI. According to Dempster he was at one time a professor in the university, and an advocate in the parliament of Paris. Bellenden's first work, entitled "Ciceronis Princeps," published in 1608, is a treatise on the duties of a prince, formed out of those passages in the writings of Cicero, which relate to the origin and progress of regal government. This was followed by "Ciceronis Consul, Senator, Senatusque Romanus," a treatise compiled in a similar way on the dignity and authority of the consuls, and on the constitution of the Roman senate. His next publication, entitled "De Statu prisci Orbis in Religione Re Politica et Literis," gives a sketch of philosophy and civil polity among the Hebrews, Egyptians, Persians, Greeks, and Romans. It is the most original of Bellenden's works. These three treatises were subsequently republished in one volume, under the general title, "De Statu Libri Tres." The last work which Bellenden himself published consists of two short poems on the marriage of Charles I. His largest and most elaborate production was a posthumous treatise, "De Tribus Luminibus Romanorum," which was intended to give, in a historical form, a digest of all the statements and reflections of Cicero, Seneca, and Pliny the Elder, respecting the civil and religious affairs of Rome. But the cento from the writings of Cicero is the only one he lived to complete. It was printed at Paris in 1631 or 1634, but it is alleged that the greater part of the impression, being shipped for England, was lost on the passage, and only a few copies remained, which had been left in France. Dr. Conyers Middleton, in his "Life of Cicero," has, without acknowledgment, laid this vast storehouse of materials extensively under contribution, and in many cases has made a mere transcript of Bellenden's work. This act of injustice was exposed by Dr. Parr, who reprinted Bellenden's treatises "De Situ," with a highly laudatory preface.

State of literature and science.

Among those distinguished Scotsmen whose names were once familiar on the Continent, mention must be made of WALTER DONALDSON, principal of the University of Sedan, and author of several learned works; of MARK DUNCAN, principal of the University of Saumur, the chief seminary of the

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French Protestants; of DUNCAN LIDDELL,* professor of physic in the University of Helmstädt, and author of various medical works held in great estimation by his contemporaries; of GILBERT JACK, professor of philosophy in the University of Leyden, and author of "Institutiones Physicæ and Institutiones Medicæ;" of JOHN CAMERON, professor of divinity in the University of Saumur, a famous theologian and Biblical expositor, whom Bishop Hall regarded as the most learned writer that Scotland had produced, and who is termed by Milton "a late writer, much applauded," "an ingenious writer, and in high esteem;" † of THOMAS DEMPSTER, professor of humanity in the University of Bologna, a voluminous and learned writer, but a man of restless and turbulent character; ‡ and of JOHN BARCLAY, son of William Barclay, and author of the celebrated Latin romance "Argênis," and various other works.

In this enumeration of Scottish writers, mention must be made of JAMES THE SIXTH, whose "Demonologie," "Basilicon Doron," and "Counterblast to Tobacco," though disfigured by pedantry, display considerable ability and extensive learning.

It is somewhat remarkable that the two greatest writers on Scottish law—Sir THOMAS CRAIG, and LORD STAIR—should have flourished during this unfruitful period. The most important work of Craig is his "Jus Feudale," written for the purpose of illustrating the principles of feudal laws as they have been applied and modified in Scotland. This treatise is of great value, and has not been superseded by any subsequent work on the subject. Sir Thomas was also the author of elaborate treatises in Latin on the "Right of Succession to the English Throne," and in vindication of the independence of the Scottish monarchy, which are still in manuscript, though translations of both were published long after the author's death. § Lord Stair was the first writer who reduced the law of Scotland into a systematic form, and his great work, "The Institutions of the Law of Scotland," still retains its paramount authority.

By far the most celebrated philosopher that flourished in Scotland during the seventeenth century was John Napier, of Merchiston, the inventor of the famous system of logarithms, which has been justly pronounced "a pre-requisite to the solution of the great numerical problems which the subsequent investigations of science have originated." Soon after the appearance of Napier's work, which was written in Latin, an English translation of it was published at Oxford by Henry Briggs, the most eminent mathematician of his day in England, whose admiration of the discovery was so great, that he undertook repeated journeys to Scotland, purposely to visit its venerable author. Besides his mathematical pursuits, Napier dabbled in alchemy, and was fond both of theological studies and of mechanical contrivances. He devised various singular expedients for the purpose of securing his native country from invasion. Among these are enumerated mirrors for burning the enemy's ships, and reflecting artificial fire; a destructive "shot for artillery;" and "a closed and fortified carriage;" besides devices of sailing under water, with divers other stratagems for harming of the enemy, "which," says the inventor, "by the grace of God and work of expert craftsmen, I hope to perform."*

Of the historical works published at this period, the most important are the "History of the Church of Scotland," by DAVID CALDERWOOD, a laborious and useful writer, who is also the author of numerous controversial treatises in theology, and the Church History of ARCHBISHOP SPOTTISWOODE, written from the episcopalian point of view. The "History of the House of Douglas," by HUME of Godscroft, and the "Annals" of Sir JAMES BALFOUR, Lord Lyon King-at-Arms, are also worthy of notice. The "Diary" of JAMES MELVILLE, nephew of Andrew Melville, contains much curious information relative to the ecclesiastical and literary history of that age. A Latin history of Great Britain and the adjacent kingdoms, from 1572 to 1628, by Dr. ROBERT JOHNSTONE, though highly commended by Lord Woodhouselee, is a work of no great merit. Another historical work of higher order, entitled "The History of Great Britain from the Revolution in 1681 to the accession of George I.," was composed also in Latin by ALEXANDER CUNNINGHAM, travelling tutor to Lord Lorn, eldest son of the Marquis of Argyll. The original is still in manuscript, but a spirited translation by Dr. William Thomson appeared in 1787. The Letters and Journals of ROBERT BAILLIE, the principal of the University of Glasgow, are of great historical value, and have preserved the memory of this profoundly learned and modest scholar, when his numerous controversial writings have fallen into oblivion. DRUMMOND, of Hawthornden, published in 1655 a "History of Scotland from the year 1423 until the year 1542," which, however, adds nothing to the reputation of the author. At a later period appeared two bulky historical works of little worth, "The Martial Achievements of the Scottish Nation," by PATRICK ABERCROMBY, and "the Lives and Characters of the Most Eminent Writers of the Scots Nation," by Dr. GEORGE MACKENZIE. A work of considerable value, entitled "Memoirs of the Court of Augustus," in three volumes quarto, was the production of Dr. THOMAS BLACKWELL, principal of Marischal College, Aberdeen, and the restorer of Greek literature in the north of Scotland.

* Dr. Liddell, who was a native of Aberdeen, was a munificent benefactor to Marischal College of that city.

† The opinions of Cameron, and his pupil and successor, Amyraut, respecting the doctrines of grace and freewill, were adopted by a large party among the French Protestants, and gave rise to lengthened controversy. An edition of Cameron's theological works, in one vol. folio, was published at Geneva in 1642.

‡ For a catalogue of his works see Irving's Literary Scotchmen, vol. i. pp. 363—370.

§ See Tytler's Account of the Life and Writings of Sir Thomas Craig.

* Domestic Annals of Scotland, by Robert Chambers, vol. i. pp. 272, 451.

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The theological treatises published at this period were for the most part controversial, and of little permanent importance. An exception, however, must be made in favour of the works of the sainted BISHOP LEIGHTON, which are models of evangelical sentiment and devotional feeling. His commentary on the First Epistle of St. Peter is probably the best expository work in the English language. The writings of Dr. FORBES, professor of divinity, King's College, Aberdeen, have been highly eulogized by Bishop Burnet and Dr. Cave. DRUMMOND of Hawthornden, the friend of Ben Jonson and Michael Drayton, must without doubt be placed at the head of the Scottish poets of the day. His poems are characterized by delicate sensibility and warmth of fancy, combined with great skill in versification, but they are frequently disfigured by Italian conceits. The works of Sir WILLIAM ALEXANDER, the poetical Earl of Stirling, are possessed of considerable merit, especially his songs and sonnets. Although his style is neither pure nor correct, his versification is in general much superior to that of his contemporaries. The poems of Sir ROBERT AYTON, private secretary to James the Sixth's queen, are written in English, and exhibit great elegance and refinement. Dr. ARTHUR JOHNSTON, physician to King Charles I., is the author of a version of the Psalms of David, and of numerous Latin poems, which have been deemed little inferior to those of Buchanan. Of a very different class are the satirical poems of DR. ARCHIBALD PITCAIRNE, a learned physician, which are less remarkable for wit or humour than for gross profaneness and indecency. His Latin poems, however, are of a higher order, and are worthy of commendation for their point and pungency, and great "felicity in clothing pictures of modern manners in classical phraseology."* The "Deliciæ Poetarum Scotorum" shows that, amid the general barrenness, there were a number of accomplished scholars in Scotland at this period. An edition of Horace, which attracted great attention, was published by ALEXANDER CUNNINGHAM, professor of civil law in the University of Edinburgh, and the antagonist of Bentley; and the editions of the classics, published by the learned RUDDIMAN, have justly attained great celebrity.

Scotland was not destitute at this time of men of eminent scientific attainments, but the scanty rewards which their native land provided for such labours, compelled the greater part of them to seek their fortunes in other countries. DAVID GREGORY, the founder of a family which has long held an eminent position in the scientific annals of Britain, and the first teacher who introduced the Newtonian philosophy into the schools, was professor of astronomy in the University of Oxford. JOHN and JAMES KEILL, the former eminent in mathematics, the latter in anatomy, followed their friend Gregory to England; and John, after an interval of four years, succeeded him in his astronomical chair. JOHN CRAIG, a distinguished mathematician, and author of numerous scientific works, was vicar of Gillingham in Dorsetshire. The celebrated ARBUTHNOT, the friend of Pope; DR. CHEYNE, an eminent physician, and author of several valuable professional works; DAVID MALLETT; Dr. ARMSTRONG, the author of the well-known poem entitled, "The Art of Preserving Health;" and his far more celebrated contemporary, JAMES THOMSON, the author of "The Seasons," and "The Castle of Indolence;" and several other scientific and literary men of great note, were in the same way constrained to seek the rewards of their talent and industry in the southern division of the island. BISHOP BURNET, the most eminent British historical writer of the age; ALEXANDER GORDON, the antiquarian; RAMSAY, the author of the "History of Turenne," and the "Travels of Cyrus;" BOWER, the able, but unprincipled, historian of the popes; and various other distinguished Scotchmen, had scarcely any other connection with their native land except the simple fact that they were born there. But the dawn of a better day was already visible, and ere long arose that brilliant galaxy of writers in almost every department of science and literature, who flourished in Scotland about the middle of the eighteenth century, and gave an impulse not only to intellectual pursuits, but also to agricultural and commercial industry, which has converted the barren wastes of their native land into fertile fields, and her poverty-stricken villages into populous and prosperous towns; and has enabled her hardy and enterprising sons to acquire wealth, power, and fame in every quarter of the world.

* Lord Woodhouselee's Essay on the Principles of Translation, p. 260. Pitcairne was the author of several medical works, which were highly commended by Boerhaave and Mead. He was at one time professor of physic in the University of Leyden.

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APPENDIX.

Note A, p. 37.

The protestation of the Earls of Huntley and Argyll touching the murder of the King of Scots.

In this document the conversation mentioned in the text is narrated, and the inference is drawn from it that Moray must have been privy to the band subscribed by Bothwell and his accomplices for the murder of Darnley. The Regent met the accusation with the following explicit and indignant denial, dated the 19th of January, 1568:—

"Because the custom of my adversaries is, and has been, rather to calumniate and backbite me in my absence than before my face, and that it may happen them when I am departit furth of this realm slanderouslie and untrewlie to report untruths of me, and namely towards some speeches haldin in my hearing at Craigmillar in the month of November, 1566. I have already declarit to the queen's majestie the effect of the haill purposes spoken in my audience at the time sincerely and trewlie, as I will answer to Almighty God. And, farther, in case any man will say and affirm that ever I was present when ony purposes was haldin at Craigmillar in my audience tending to ony unlawful or dishonourable end, or that ever I subscrivit ony band there, or that ony purpos was haldin anent the subscriving of ony band be me, to my knowledge, I avow they speak wickedlie and untrewlie, whilk I will maintain against them as becomes an honest man to the end of my life: onlie thus far the subscription of bandis by me is true, that indeed I subscrivit a band with the Earls of Huntlie, Argyle, and Bothwell, in Edinburgh, at the beginning of October, 1566, whilk was devisit in sign of our reconciliation in respect of the former grudges and displeasures that had been amongst us; whereunto I was constrained to make promise before I could be admitted to the queen's presence, or have ony show of her favour, and there was never na other band either made or subscrivit, nor yet proponit to me in ony wise before the murther of the king; nowther yet after the murther would I ever for ony persuasion agree to the subscription of ony band, howbeit I was earnestlie urgit and pressit thairto be the queen's commandment."

In the alleged confession of Bothwell, Argyll himself is accused of complicity in the murder of Darnley.

Note B, p. 42.

Mary's Letters and Sonnets to Bothwell.

The Earl of Morton, by whom these letters and sonnets were produced, affirmed, on his word of honour, that they were found in a silver casket which his servants seized on the person of George Dalgleish, one of the Earl of Bothwell's servants, who had brought them out of the Castle of Edinburgh. It was stated that "this casket was left in the Castle of Edinburgh by the Earl of Bothwell before his fleeing away, and he sent for it by one George Dalgleish, his servant, who was taken by the Earl of Morton with this small gilt coffer, not fully a foot long, garnished in sundry places with the Roman letter F under a king's crown, wherein were certain letters and writings well known, and by others affirmed, to have been written with the Queen of Scots' own hand to the Earl of Bothwell;" and a promise of marriage, avowed to be written by the Queen of Scots herself, without date, but surmised to have been written before the death of her husband, Lord Darnley. On the Earl of Moray's return from the Continent, and elevation to the regency, the original letters and sonnets were put into his hands by Morton. Moray laid them before the privy-council and parliament of Scotland, in December, 1567, and subsequently before the English commissioners at York and Westminster. After his murder these documents passed successively into the custody of the Regents Lennox, Mar, and Morton. At Morton's death they fell into the hands of the Earl of Gowrie, and are known to have been in his possession in 158[illegible]: but they disappeared after Gowrie's execution in 1584, and in all probability fell into the power of James VI., who had strong reasons for destroying the proofs of his mother's guilt. At the time that the originals were laid before the English commissioners, translations were made both into Scotch and English. The former, which was word for word, was printed by George Buchanan at Westminster with the first few lines of the original French placed at the head of each of the letters. From this translation a new French version was made, which was printed at Edinburgh in 157[illegible]. The question of the genuineness of these letters has given rise to a keen and protracted controversy, in which Laing, Robertson, Reaumer, Mignet, and other historians take the affirmative; while Chal-

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mers, the elder Tytler, Goodall, Whitaker, Bell, and Miss Strickland, affirm that these documents are spurious. It has been proved by incontrovertible evidence that the copies we now possess correspond with the alleged originals which were laid before the English commissioners. The Scottish privy-council, before which Moray produced the letters on the 4th of December, 1567, acknowledged that they were in the queen's own handwriting, calling them "her previe letters, writtin and subscrivit with her awen hand." The Scottish Parliament, which met ten days later, expressed a similar conviction; and though Argyll, Huntley, Herries, and other friends of Mary, were present, not one of them questioned the authenticity of these documents. And, finally, when they were laid before the conference at Westminster, in December, 1568, the English commissioners, after carefully collating these letters, with others which Mary had, on various occasions, written to Elizabeth, were of opinion that there was no difference between them. Earl Stanhope is of opinion that far the greater part of the letters and sonnets now produced were really written by Mary, and contain abundant proof of her blind infatuation for Bothwell, but that the passages which show her foreknowledge or participation in Darnley's murder were interpolated by her enemies. These passages nearly all occur in the first letter, which was written on several detached pages or loose pieces of paper, and therefore afforded peculiar facilities for interpolations. This opinion carries with it an air of great probability, and gets rid of the difficulties which are inseparable from either the entire admission, or the entire rejection of these documents. For a full account of the facts and arguments on both sides, see Laing's Historical Dissertation on the participation of Mary Queen of Scots in the Murder of Darnley; Principal Robertson's Dissertation on King Henry's Murder in the appendix to his *History of Scotland;* Mignet's *History of Mary Queen of Scots*, Appendix G; Goodall's *Life of Queen Mary;* and Miss Strickland's *Lives of the Queens of Scotland*, vol. v.

Mr. Tytler's account of the flight of Lutyni and the terror of Joseph Riccio, is quoted p. 39; but Miss Strickland has shown, from an intercepted letter written by Riccio to Lutyni, now in the State Paper Office, that the apprehensions of the former arose out of his attempt to throw upon Lutyni the blame of some peculations of his own, which had been discovered by the queen. See *Lives of the Queens of Scotland*, vol. v. pp. 107—110, and 195, 196.

Relying on the assertions of Blackwood, Miss Strickland, and other partizans of Mary, I have stated that David Riccio was advanced in years at the time of his death, but it turns out that, when he arrived in Scotland, in 1562, he was only twenty-eight years old, and when he was murdered he was little more than thirty-one years old.

NOTE C, p. 50.

Bothwell's Trial.

DRURY TO CECIL.

"Right Honourable, *April 15th*, 1567.

"The queen's majesty's letter directed to the Queen of Scots I received the 11th hereof, at x. of the clock, which forthwith I discharged by the Provost Marschal here, who in mine opinion was not the unmeetest I could choose for the purpose.

"He arrived at the court the 12th, at six in the morning, and then used his diligence immediately to deliver his letter, which he had in charge to the queen, attending some good space in court, procuring all that he might by the means of such as were near her person, who told him it was early, and that her majesty was asleep, and, therefore, advised him to tarry sometime thereabouts till she arose, which he did, going out of the court into the town, and shortly after returned, she being not yet risen, and, therefore, walked about till nine, or almost ten o'clock, when all the lords and gentlemen were assembled taking their horse; and then, thinking his opportunity aptest, going into the court as a little before he did (the contents of the letter he brought being conjectured and bruited to be for stay of the assize), was denied passage into the court in very uncourteous manner—not without some violence offered, which seeing he could not be permitted to have recourse as all other persons, whatsoever they were, he requested that some gentleman of credit would undertake faithfully to deliver his letter, from the queen's majesty of England, to the queen their sovereign, which none would seem to undertake.

"Upon this came to him the parson of Oldhamestock, surnamed Hepborne, who told him that the Earl Bodwell had sent him with this message, 'that the earl, understanding he had letters for the queen, would advise him to retire him to his ease, or about some other his business; for the queen was so molested and disquieted with the business of that day, that he saw no likelihood of any meet time to serve his turn till after the assize.'

"Then came the Lord of Skirling, who asked him if his letter were either from the council or the queen's majesty. He told him from the queen's majesty only. 'Then,' said he, 'ye shall be soon discharged;' and so, returning into the court, desired the said person to keep him company at the gate, which he did; and therewith espying a Scottish man, whom he had for his guide, took occasion to reprehend and threaten him of hanging for bringing English villains as sought to procure the stay of the assize, with words of more reproach.

"In this instant Ledington was coming out, and Bodwell with him, at the which all the lords and gentlemen mounted on horseback, till that Ledington came to him demanding him [of] the letter, which he delivered. Then Bodwell and he returned to the queen, and stayed there within half an

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hour, the whole troop of lords and gentlemen still on horseback, attending for his coming. Ledington seemed willing till have passed by the provost without any speech, but he pressed towards him, and asked him if the queen's majesty had perused the letter, and what service it would please her majesty to command him back again.

"He answered that as yet the queen was sleeping, and, therefore, had not delivered the letters, and thought that there would not be any meet time for it till after the assize, wherefore he willed him to attend; so giving place to the [throng] of people that passed, which was great, and by the estimation of men of good judgment, about four hundred gentlemen, besides others. The Earl Bodwell passed with a merry and lusty cheer, attended on with all the soldiers, being two hundred all harkebuzers, to the Tolbooth, and there kept the door, that none might enter but such as were more for the behoof of the one side than the other. The assize began between ten and eleven, and ended seven in the afternoon.

"The Earls of Argyll and Huntley [were] chief judges. What particularly was done or said there I cannot yet learn, more than that there were two advocates called Crawford and Cunningham, for the Earl of Lennox, who accused the Earl Bodwell for the murder of the king, alleging certain documents for the same, and desiring forty days' term longer, for the more perfect and readier collection of his proofs."

* * * * *

In another letter of Drury's, written about this time, there occurs the following statement respecting the murder of Darnley and the trial of Bothwell:—

"It was Capt. Cullen's persuasion for more surely to have the king strangled, and not only to trust to the train of powder, affirming he had known many so saved. Sir Andro Carr, with others, was on horseback near unto the place, for aid to the cruel enterprise if need had been. The Lady Coldingham, now wife to the young Mr. of Caithness, and sister to the Earl Bodwell, is in credit, and in the place of the Lady Reres, now out of court. Suspicion banished the one, and placed the other. I dare not say as others, that knows more, says.

"Great means were used to have had the Earl of Moray staid in the town till the cruel deed had been done. The Bishop of Glasco, Ambassador of Scotland in France, hath written to the queen, and to the others which the queen hath understanding of, that nothing likes her, of the death of the king. . . . . The king was long of dying, and to his strength made debate for his life. The Lord David, son of the duke, is mad, and Arbroath, his brother, has already had a show of the same disease. . . . . There accompanied the Earl of Moray to the boundary, his brother the Lord of Holyrood House, the Lord Hume, and the chief of the gentlemen of the March, and some of Lothian, as Brustone and others. The king would often read and sing the 55th Psalm, and went over it a few hours before his death. There were not many that he would of his grief deal with, but to some he would say that he should be slain, and complain him much of his being hardly dealt with. Even now by the under marshal I received this more. His own evil handling. He only kept out of the court, pushed out as it were by force, thrust upon the breast with extremity in the sight of divers gentlemen, which seemed much to mislike therewith.

"A bill set up, 'Farewell gentyll Henry, but a vengeance of Mary.' The queen sent a token and message to Bodwell, being at the assize. The queen, upon Thursday last, passed through the street unto the market, where there were women sitting that had to sell. They rysse as she came near, crying aloud, 'God save your grace, if you be sakeless of the king's deade' [of the king's death]. The queen's advocates, that should have inveighed against Bodwell, are much condemned for their silence. The like at an assize hath not been used. . . . . Bodwell rode upon the courser that was the king's when he rode to the assize. The nobility long tarried his coming a horseback to accompany him. There was that followed him above four thousand, whereof the greatest part were gentlemen, besides they that were [in] the streets, which were more in number. The streets were full from the Canongate to the castle. Ledington and others told the under-marshal that the queen was asleep, when he himself saw her looking out at a window, showed him by one of La Croke's servants, a Frenchman, and Ledington's wife with her; and Bothwell, after he was on horseback, looked up, and she gave him a friendly nod for a farewell."

NOTE D, p. 51.

Murder of Darnley and behaviour of Bothwell.

DRURY TO CECIL.

Berwick, Feb. 28th, 1566, 1567.

"May it please your honour, &c. * * *

"There hath been other bills bestowed upon the church doors, as upon a tree called the Tron, wherein they speak of a smith who should make the key, and offers (as there might be assurance of the living that by proclamation was offered) he and others will with their bodies approve these to be the devisers, and upon the same venture their lives.

"There was at the meeting at Dunkeld, the Earls Moray, Morton, Atholl, and Caithness, the L. Oglebie, the L. Glammis, Lindsay, and others. Ino. Hepburn, sometime Capt. under the Earl Bodwell of the Hermitage, is thought to be one of the executors of this cruel enterprise; there is one Hugh Leader also suspected. I am promised to understand the certainty. His servant, Sandy Duram, a Scottish man, is thought also to know some part. I will not write of so much as the

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Scots speak themselves, and some of them of credit.

* * * * *

"The Earl of Bodwell was on Thursday at Edinburgh, where he openly declared, affirming the same by his oath, that if he knew who were the setters up of the bills and writings he would wash his hands in their blood. His followers, who are to the number of fifty, follow him very near. Their gesture, as his, is of the people much noted. They seem to go near and about him, as though there were that would harm him; and his hand, as he talks with any that is not assured unto him, upon his dagger, with a strange countenance as the beholders of him thinks. Even as the L. Darnley and his servant, Wm. Taylor, lay in the house in distance one from the other, even so, as also otherwise, were they found together. Signior Francis, as I hear, minds to pass this way within six or eight days.

"I send your lordship here the copy of some of the bills set up, whereby you may see how undutifully the doers of the same doth behave themselves against their sovereign. I have thought it my part as well to send you this, as I have done in the rest, for that I would, if you should so think meet, that her majesty my sovereign should understand all that comes to my knowledge of the proceedings in these parts. The Lady Bodwell is, I am by divers means informed, extremely sick, and not likely to live. They will say there she is marvellously swollen. Even now is brought me that the queen came upon Wednesday, at night, to the Lord Whawton's house, seven miles off this side, dined by the way at a place called Tranent, belonging to the Lord Seton, where he and the Earl of Huntley paid for the dinner, the queen and the Earl Bodwell having at a match of shooting won the same of them. There is a proclamation made in Edinburgh forbidding all persons for raising up any of the stones or timber at the house where the L. Darnley was murdered. There is one of Edinburgh that affirms how Mr. Jas. Bafourde bought of him powder as much as he should have paid three score pounds Scottish, but he must parforme* it with oyle to that value. Bafourde came to Edinburgh upon Wednesday, at night, accompanied to the tower with thirty horsemen. When he was near unto the tower he lighted, and came in a secret way; [one] is now come to me of this tower that saw him when he came: he is hateful to the people. This person of this tower also assures me that yesterday, being Thursday, before he departed thence, he saw a bill, having been set up the night before, where were these letters written in Roman hand, very great, M.R. L.B., with a mallet near them, which mallet they, in their writing, called a mell."

* * * * *

* Perfume.

NOTE E, p. 80.

Narrative and confession of Bothwell.

At an early period of his imprisonment, Bothwell wrote a narrative of the leading events which terminated in his flight from Scotland in 1567, and of his subsequent adventures upon the coast of Norway. The original of this paper, which is written in old French, is preserved in the Royal Library at the Castle of Drotningholm, in Sweden. From an attestation upon the MSS. it appears to have been entrusted by Bothwell to the Chevalier de Dantzay, the French ambassador at the courts of Sweden and Denmark, for the purpose of being submitted to the King of Denmark. This interesting document has been published by the Bannatyne Club, under the title of "Les Affaires du Conte de Boduel." The ambitious views of the Earl of Moray, the murder of Riccio and Darnley, the marriage of Bothwell with the queen, her surrender to the confederate nobles at Carberry Hill, and the flight of her husband, his adventures among the Orkney Isles and upon the shores of Norway, his imprisonment at Malmoe, and his unavailing efforts to induce the King of Denmark to assist in the liberation of Mary, form the prominent topics of the narrative. As might have been expected from the character of the author, it is throughout a tissue of falsehoods. He represents the queen and himself as equally innocent of the murder of Darnley, and accuses Moray and the other confederate lords of having planned and executed this crime, which they afterwards exerted all their malice and ingenuity to fix upon him.

It is alleged by the friends of Queen Mary that Bothwell, immediately before his death, emitted another and totally different confession, in which he acknowledged his own guilt, and exonerated Mary from all foreknowledge or participation in the murder of her husband. Mr. Laing and other writers on the opposite side have represented this alleged confession as a manifest forgery. No such document is now known to exist, but several professed abridgments of it have been given. If these accounts can be relied on, Bothwell, in the presence of several witnesses, "acknowledged himself guilty of the death of the late King Henry, and declared, in the most solemn terms, that the queen was innocent of it, himself with others of the nobles having contrived and executed it." He named as his accomplices the Earls of Moray, Argyll, Crawford, Glencairn, Morton, Lord Boyd, Lethington, Buccleuch, and others, some of whom were Mary's most zealous supporters. He confessed himself also guilty of having studied necromancy from his youth, and of practising his black arts on the queen. The partizans of this unfortunate princess contend both that these accounts are authentic, and that Bothwell's second narrative is true; and they have all, except Miss Strickland, attempted to give it the weight of a death-bed confession, by representing Bothwell as having

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died immediately after he had thus avowed his own guilt and declared the innocence of the queen. This, however, is a mistake. The recent researches of some Danish antiquaries have shown that Bothwell lived two years after the date of his alleged confession, and that he died in the fortress of Draghsolm, 14th April, 1578, and was interred in the church of Faareveile, the parish church of Draghsholm. The name of this fortress has been changed to Adelersborg. It is situated on the northern coast of Zealand, between the towns of Holbek and Kallandsborg.

NOTE F, p. 253.

Credibility of the History edited by Crawford of Drumsoy.

The work referred to is styled "Memoirs of the Affairs in Scotland, containing a full and impartial account of the Revolution in that Kingdom, begun in 1567. Faithfully published from an authentic MS. by her Majesty's Historiographer for the Kingdom of Scotland." The editor of this work was David Crawford of Drumsoy, and the avowed purpose of the publication was to furnish an antidote to what he regarded as the pernicious tendency of Buchanan's Scottish history. He states that he had all the substance of the work from an ancient MS. presented to him by Sir James Baird of Saughton Hall, who purchased it by mere accident from the necessitous widow of an episcopal clergyman; and he affirms that he has compared the work with Spottiswood, Melvil, and Camden, and has marked in the margin how far the author agrees with these writers. He adds, "I declare solemnly I have not (that I know of) wrested any of his words to add to one man's credit or impair the honesty of another; and having no manner of dependence upon any party, I have neither heightened nor diminished any particular character or action, but kept as close as possible to his meaning and sense." On the faith of these assertions the "Memoirs of the Affairs of Scotland" were received by the public as the genuine composition of a contemporary writer, and as such were unsuspectingly quoted by Mr. Hume and Dr. Robertson, and implicitly relied on by Goodall, Tytler, and Whitaker; whereas, as Mr Laing has proved, "these 'Memoirs' are a downright forgery. Having found a MS. history of the times, Crawford expunged every passage unfavourable to Mary, inserted every fact or assertion which he found in Camden, Spottiswood, or Melvil, whom he quotes on the margin as collateral authorities, and after thus compiling memoirs of his own, protests that, without wresting the words, he has adhered to the sense and meaning of the original." The manuscript which Crawford thus interpolated and falsified has since been published by the Bannatyne Club, under the title of "The Historie and Life of King James the Sext." The editor of it remarks that "it is visibly tinged with the colours of passion and party spirit; that, apparently, it is not the composition of a person actually concerned in the great events which he commemorates, or even very closely allied to the great actors in this eventful period of our annals." The unsupported statement of an anonymous writer of this class ought not to be received as evidence against a man like Regent Moray, especially when the object of the statement is to palliate or extenuate an atrocious crime which had brought deserved odium on the party by whom the assassin was encouraged and protected.

NOTE G, p. 504.

The Burning of Frendraught.

This incident is one of the most mysterious in the whole history of Scotland. It was connected with a feud which arose between Gordon of Rothiemay and Crichton of Frendraught, two gentlemen of Banffshire, in consequence of a dispute about the salmon fishings in the Doveran. Frendraught obtained a legal decision in his favour, and in attempting, with the aid of his neighbours, to execute the law upon his opponent, a rencontre took place on the 1st of January, 1630, in which Rothiemay was mortally wounded and several persons hurt on both sides. In revenge for his father's death, the young Laird of Rothiemay laid waste the lands of Frendraught, who found it necessary to appeal for protection to the king and the privy council. A commission, consisting of Sir Robert Gordon, and other influential gentlemen, was sent to stanch this bloody quarrel, which was at length effected with the aid of the Marquis of Huntley, who was chief to both parties. It was arranged that Frendraught was to pay fifty thousand marks to the widow of Rothiemay as compensation for the slaughter of her husband. "And so," says Sir Robert Gordon, "all parties having shaken hands in the orchard of Strathbogie, they were heartily reconciled."

In the course of the following autumn, a new mischance befell the unfortunate Frendraught. A gentleman named John Meldrum, who had assisted him in his affray with Rothiemay, quarrelled with him for not being sufficiently rewarded for his help on that occasion, and carried off two horses from Frendraught's lands. Meldrum then took refuge with his brother-in-law, Leslie of Pitcaple, and Frendraught repaired thither to reclaim his property. The result was a scuffle between the two parties, in which a son of Leslie's was wounded with a pistol shot. Frendraught immediately repaired to Bog an Gich Castle, the seat of the Marquis of Huntley, to entreat his intercession for the healing of this new quarrel, and was closely followed by Pitcaple at the head of thirty armed men, demanding vengeance for his son's wound. The marquis seems to have acted with great discretion. He refused to allow the two lairds to meet, and endeavoured to appease the wrath of Pitcaple by representing that Frendraught was not to blame for the hurt which his son had

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received. Pitcaple, however, went away vowing vengeance; and to avert another encounter the marquis detained Frendraught all night, and next day sent him home under an escort commanded by his son, Viscount Melgum, accompanied by the young Laird of Rothiemay, so lately reconciled to Frendraught, and who, happening to be present on this occasion, generously offered to assist in protecting his former antagonist. The party reached Frendraught Castle in safety, and Lord Melgum and the rest of the escort accepted the invitation of the laird and his lady to remain for the night. After a merry supper they retired to rest. "The viscount," says Spalding, "was laid in ane bed in the old tower going off the hall, and standing upon a vault, wherein was ane round hole devised of old, just under his bed. Robert Gordon, his servitor, and English Will, his page, were both laid in the same chamber. The Laird of Rothiemay, with some servants beside him, was laid in another chamber just above Aboyne's (Melgum's) chamber; and in another room above that chamber were laid George Chalmers of Noth, and George Gordon, another of the viscount's servants. With them also was laid Captain Rolloch, then in Frendraught's own company. All being thus at rest, about midnight that dolorous tower took fire in so sudden and furious a manner, yea, and in ane clap, that the noble viscount, the Laird of Rothiemay, English Will, Colonel Wat, another of Aboyne's servants, and other two, being six in number, were cruelly burnt and tormented to the death without help or relief, the Laird of Frendraught, his lady, and haill household looking on without moving or stirring to deliver them from the fury of this fearful fire, as was reported. Robert Gordon, called Sutherland Gordon, being in the viscount's chamber, escaped this fire with the life. George Chalmers and Captain Rolloch, being in the third room, escaped this fire also; and, as was said, Aboyne might have saved himself, also, if he would have gone out of doors, which he would not do, but suddenly ran up stairs to Rothiemay's chamber, and wakened him to rise, and as he was awakening him the timber passage and lofting of the chamber hastily takes fire, so that none of them could run down stairs again; so they turned to a window looking to the close, where they piteously cried many times, 'Help! help! for God's cause.' The laird and lady with their servants, all seeing and hearing the woeful crying, made no help or manner of helping, which they perceiving, cried oftentimes mercy at God's hands for their sins, syne clasped in each other's arms, and cheerfully suffered their martyrdom. Thus died this noble viscount of singular expectation, Rothiemay, a brave youth, and the rest by this doleful fire."

Popular suspicion fell upon Frendraught and his lady, but evidently without just cause, for they had nothing to gain by a crime which in the circumstances of the case could not have been premeditated, and which from its atrocious character was certain to involve them in the most disastrous consequences; while all Frendraught's family papers, with much gold and silver, both in money and plate, to the value of a hundred thousand marks, were consumed in the fire. Four commissioners appointed by the privy council made strict inquiry on the spot into this lamentable catastrophe. They found that the fire had originated in the ground vault of the tower, where there were marks of it in three several places, one of these being directly under the round hole in the roof, which communicated with Melgum's apartment above; but they were unable to determine whether it was accidental. Meldrum, the quondam retainer of Frendraught, and brother-in-law of Pitcaple, was afterwards brought to trial on the charge of having set fire to the tower, and condemned and executed. But though he bore ill-will to Frendraught, and was proved to have uttered deadly threats against his life, his guilt is far from being clear. The Gordons, however, continued firmly persuaded that Frendraught himself had wilfully set fire to the tower, for the purpose of destroying the young Laird of Rothiemay; and taking the law into their own hands, wasted the estates of Frendraught time after time with fire and sword, until this family, which once possessed three parishes (Forgue, Inverkeithing, and Aberchirder), was reduced to poverty, and in seventy years "was stripped of all and extinguished."—See Chambers' Domestic Annals of Scotland, vol. ii. pp. 45—50, 76—79; and "The Burning of Frendraught," in Aytoun's Ballads of Scotland, vol. ii. p. 155.

NOTE H, p. 659.

Heart of Montrose.

The extraordinary fortunes of Montrose's heart are traced in a letter from the Right Hon. Sir Alexander Johnston, formerly Chief-Justice of Ceylon, which is dated July 1, 1836, and printed in the Appendix to Mr. Napier's Life of Montrose. According to Sir Alexander, the gold filigree box containing the heart of Montrose was in the possession of Francis, the fifth Lord Napier of Merchiston, and by him given, on his death-bed, to his eldest and favourite daughter, who afterwards became Mrs. Johnston and Sir Alexander's mother. She accompanied her husband to India, and during the voyage the gold box was struck by a splinter in action with a French frigate. "When in India," continues Sir Alexander, "my mother's anxiety about it gave rise to a report amongst the natives of the country that it was a talisman, and that whoever possessed it would never be wounded in battle or taken prisoner. Owing to this report it was stolen from her, and for some time it was not known what had become of it. At last she heard that it had been offered for sale to a powerful chief, who had purchased it for a large sum of money." This chief was the pollygar, or captain, of Pandlum-Courchy, a fort and district in the neighbourhood of Madura. Sir Alexander happened to pay him a visit, and induced him to

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restore the stolen property. It was again lost by Mr. and Mrs. Johnston at Boulogne, during the French Revolution, and was never recovered by them. "We can scarcely conceive a stranger turn of fate," says Earl Stanhope, "than that the same nerves and sinews which had throbbed to the eager pulse of a Scottish hero in the Highlands, should a century afterwards come to be worshipped as a talisman on an Indian idol shrine!"

NOTE I, p. 664.

Treatment of the Prisoners taken at Dunbar.

"Gentlemen, *Newcastle, Oct. 31st*, 1650.

"I received your letter, dated the 26th October. In that you desire me that 2300 of the Scots prisoners, now at Durham or elsewhere, able and fit for foot service, be selected and marched thence to Chester and Liverpool, to be shipped for the south and west of Ireland; and that I should take special care not send any Highlanders: I am necessitated, upon receipt of this, to give you a full account concerning the prisoners.

"After the battle at Dunbar, in Scotland, my lord general wrote to me, that there were about 9000 prisoners, and that of them he had set at liberty all those that were wounded, and, as he thought, disabled for future service, and their number was, as Mr. Downing wrote, 5100. The rest the general sent to Newcastle, conducted to Berwick by Major Hopson, and from Berwick to Newcastle by some foot, out of that garrison, and a troop of horse.

"When they came to Morpeth, the prisoners being put into a large walled garden, they eat up raw cabbages, leaves and roots, so many, as the very seed and labour, at 4*d.* a day was valued at £9, which cabbage (they having fasted, as they themselves said, near eight days) poisoned their bodies; for as they were coming from thence to Newcastle, some died by the way-side. When they came to Newcastle, I put them into the greatest church in the town; and the next morning, when I sent them to Durham, about 140 were sick and not able to march; three died that night, and some fell down in their march from Newcastle to Durham, and died. I having sent my lieutenant-colonel and my major with a strong guard both of horse and foot, they being there told into the great cathedral church, were counted to no more than 3000, although Colonel Fenwick wrote to me that there were about 3500. But I believe they were not told at Berwick, and as to most of those that were lost, it was in Scotland; for I heard that the officers who marched with them to Berwick, were necessitated to kill about thirty, fearing the loss of them all, for they fell down in great numbers, and said they were not able to march, and they brought them far in the night, so that doubtless many ran away.

"When I sent them first to Durham, I wrote to the mayor, and desired him to take care that they wanted for nothing that was fit for prisoners; and what he should disburse for them I would repay it. I also sent them a daily supply of bread from Newcastle, and an allowance equal to what had been given to former prisoners; but their bodies being infected, the flux increased among them. I sent many officers to look to them, and ordered those who were sick to be removed out of the cathedral church into the Bishop's Castle, which belongs to Mrs. Blackiston. Cooks were provided, and they had pottage made with oatmeal, beef and cabbage, a full quart at a meal for every prisoner. They had also coals daily brought them, as many as made about 100 fires both night and day, and straw to lie upon. I appointed the marshal to see all these things orderly done, and he was allowed eight men to help him to divide the coals, meat, bread, and pottage equally. They were so unruly, sluttish, and nasty, that it is not to be believed; they acted rather like beasts than men, so that the marshal was allowed forty men of the lustiest prisoners to cleanse and sweep them every day, who had some small thing given them extraordinary. The above provisions were for those that were in health; as to those that were sick and in the castle, they had very good mutton broth, and sometimes veal broth, and beef and mutton boiled together, and old women appointed to look to them in the several rooms: there was also a physician to let them blood, and dress such as were wounded, and give the sick physic, and I dare confidently say, there was never the like care taken for any such number of prisoners in England.

"Notwithstanding all this many of them died, and few of any other disease than the flux; some were killed by themselves, for they were exceeding cruel one towards another. If any man was perceived to have any money, it was two to one lest he was killed before morning, and robbed; and if any had good cloaths, he that wanted, if he was able, would strangle the other and put on his cloaths.

"The disease of the flux still increasing among them, I was then forced, for their preservation, if possible it might be, to send to all the next towns in Durham, within four or five miles, to command them to bring in their milk, for that was conceived to be the best remedy for stopping of their flux; and I promised them what rates they usually sold it for at the markets, which was accordingly performed by about sixty towns and places. Twenty of the next towns to Durham continue to send daily in their milk, which is boiled, some with water, some with bean flower, the physicians holding it exceeding good for the recovery of their health.

"Gentlemen, you cannot but think strange of this long preamble, and wonder what the matter will be. In short, it is this: out of the 3000 prisoners that my officers told into the cathedral church at Durham, 300 of them, and fifty from Newcastle, of the 140 left behind, were delivered by Major Clarke, by order of the council; there are about 500 sick in the castle, and about 600 yet in health in the cathedral, the most of which

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are, in all probability, Highlanders, they being hardier than the rest; and we have no other means to distinguish them. About 1600 are dead and buried, and about sixty officers are at the marshal's in Newcastle.

"My lord-general, having released the rest of the officers, and the council having given me power to make what men I thought fit, I have granted to several well-affected persons that have salt-works at Shields, and want servants, forty; they have engaged to keep them at work at their salt-pans, and I have taken out about twelve more weavers to begin a trade of linen-cloth, like the Scots cloth, and about forty labourers.

"I cannot give you on a sudden a more exact account of the prisoners, neither can any account hold true long, because they still die daily, and doubtless so they will, so long as any remain in prison. And for those that are well, if Major Clarke could have believed that they had been able to have marched on foot, he would have marched them by land; but we perceive that divers that are seemingly healthy, and have not at all been sick, suddenly die; and we cannot give any reason for it, only we apprehend they are all infected, and that the strength of some holds it out till it reaches their very hearts.

"Now you fully understand the condition and number of the prisoners. What you please to direct I shall observe, and intend not to proceed further upon this letter until I have your answer upon what I have now written.

"I am,
"Your most affectionate servant,
"AR. HASELRIGGE."

NOTE K, p. 664.

Correspondence between Cromwell and the Scottish Ministers in the Castle of Edinburgh.

"FOR THE HONOURABLE THE GOVERNOR OF THE CASTLE OF EDINBURGH.

"Sir, *Edinburgh, September 9th*, 1650.

"I received command from my lord general to desire you to let the ministers of Edinburgh, now in the castle with you, know that they have free liberty granted them, if they please to take the pains, to preach in their several churches; and that my lord hath given special command both to officers and soldiers, that they shall not in the least be molested.

"I am, sir,
"Your most humble servant,
"EDWARD WHALLEY."

"TO COMMISSARY-GENERAL WHALLEY.

"Sir, *Edinburgh Castle, September 9th*, 1650.

"I have communicated the desire of your letter to such of the ministers of Edinburgh as are with me, who have desired me to return this for answer.

"That though they are ready to be spent in their Master's service, and to refuse no suffering so they may fulfil their ministry with joy, yet, perceiving the persecution to be personal by the practice of your party upon the ministers of Christ in England and Ireland, and in the kingdom of Scotland since your unjust invasion thereof; and finding nothing expressed in yours whereupon to build any security for their persons while they are there, and for their return hither; they are resolved to reserve themselves for better times, and to wait upon Him who hath hidden His face for a while from the sons of Jacob.

"This is all I have to say, but that
"I am, sir,
"Your most humble servant,
"W. DUNDAS."

"FOR THE HONOURABLE THE GOVERNOR OF THE CASTLE OF EDINBURGH, THESE.

"Sir, *Edinburgh, September 9th*, 1650.

"The kindness offered to the ministers with you was done with ingenuity, thinking it might have met with the like; but I am satisfied to tell those with you, that, if their Master's service (as they call it) were chiefly in their eye, imagination of suffering would not have caused such a return; much less 'would' the practice of our party, as they are pleased to say, upon the ministers of Christ in England have been an argument of personal persecution. The ministers of England are supported, and have liberty to preach the Gospel, though not to rail, nor, under the pretence thereof, to overtop the civil power, or debase it as they please. No man hath been troubled in Ireland for preaching the Gospel; nor has any minister been molested in Scotland since the coming of the army hither. The speaking of truth becomes the ministers of Christ.

"When ministers pretend to a Glorious Reformation, and lay the foundation thereof in getting to themselves worldly power; and can make worldly mixtures to accomplish the same, such as their late agreement with their king; and hope by him to carry on their design, 'they' may know that the Sion promised will not be built by such untempered mortar.

"As for the unjust invasion they mention, time was when an army of Scotland came into England, not called by the supreme authority. We have said in our papers with what hearts and upon what account we come; and the Lord hath heard us, though you would not, upon as solemn an appeal as any experience can parallel.

"And although they seem to comfort themselves with being sons of Jacob, from whom (they say) God hath hid his face for a time, yet it is no wonder when the Lord hath lifted up his hand so eminently against a family as he hath done so against this, and men will not see His hand—it is no wonder if the Lord will hide His face from such, putting them to shame both for it and their hatred of His people, as it is this day. When they purely trust to the Sword of the Spirit which is the Word of God, which is powerful to bring down strongholds and every imagination that exalts itself,—which

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alone is able to square and fit the stones for the New Jerusalem,—then, and not before, and by that means and no other, shall Jerusalem, the City of the Lord, which is to be the praise of the whole earth, be built; the Sion of the Holy One of Israel.

"I have nothing to say, but that

"I am, sir,

"Your humble servant,

"OLIVER CROMWELL."

"TO THE RIGHT HONOURABLE THE LORD CROMWELL, COMMANDER-IN-CHIEF OF THE ENGLISH ARMY.

"My Lord, *Edinburgh Castle, September 9th*, 1650.

"Yours I have communicated to those with me whom it concerned, who desire me to return this answer:

"That their ingenuity in prosecuting the ends of the Covenant, according to their vocation and place, and in adhering to their first principles, is well known; and one of their greatest regrets is that they have not been met with the like. That when ministers of the Gospel have been imprisoned, deprived of their benefices, sequestrated, forced to flee from their dwellings, and bitterly threatened for their faithful declaring the will of God against the Godless and wicked proceedings of men, it cannot be accounted an imaginary fear of suffering in such as are resolved to follow the like freedom and faithfulness in discharge of their Master's message. That it savours not of ingenuity to promise liberty of preaching the Gospel, and to limit the preachers thereof, that they must not speak against the sins and enormities of civil powers; since their commission carrieth them to speak the word of the Lord unto, and to reprove the sins of persons of all ranks, from the highest to the lowest. That to impose the name of 'railing' upon such faithful freedom, was the old practice of malignants against the ministers of the Gospel, who laid open to the people the wickedness of their ways, lest men should be ensnared thereby.

"That their consciences bear them record, and all their hearers do know, that they meddle not with civil affairs farther than to hold forth the rule of the Word, by which the straightness and crookedness of men's actions are made evident. But they are sorry they have such cause to regret that men of mere civil place and employment should usurp the calling and employment of the ministry, to the scandal of the reformed kirks, and particularly in Scotland, contrary to the government and discipline therein established,—to the maintenance whereof you are bound by Solemn League and Covenant.

"Thus far they have thought fit to vindicate their return to the offer in Colonel Whalley's letter. The other part of yours which concerns the public as well as them, they conceive hath all been answered sufficiently in the public papers of the State and Kirk. Only to that of the success upon your 'solemn appeal,' they say again what was said to it before, That they have not so learned Christ as to hang the equity of their cause upon events, but desire to have their hearts established in the love of the truth in all the tribulations that befall them.

"I do only add that

"I am, my lord,

"Your most humble servant,

"W. DUNDAS."

"FOR THE GOVERNOR OF THE EDINBURGH CASTLE, THESE.

"Sir, *Edinburgh, September 12th*, 1650.

"Because I am at reasonable good leisure, I cannot let such gross mistakes and unconsequential reasonings pass without some notice taken of them. And first, their ingenuity in relation to the Covenant for which they commend themselves, doth no more justify their want of ingenuity in answer to Colonel Whalley's Christian offer, concerning which my letter charged them with guiltiness 'and' deficiency, than their bearing witness to themselves of their adhering to their first principles, and ingenuity in persecuting the ends of the Covenant, justifies them so to have done merely because they say so. They must give more leave henceforwards, for Christ will have it so,—nill they, will they,—and they must have patience to have the truth of their doctrines and sayings tried by the sure touchstone of the Word of God. And if there be a liberty and duty of trial, there is a liberty of judgment also for them that may and ought to try; which, being so, they must give others leave to think and say that they can appeal to equal judges. Who have been the truest fulfillers of the most real and equitable ends of the Covenant?

"But if these gentlemen do assume to themselves to be the infallible expositors of the Covenant, as they do too much to their auditories, 'to be the infallible expositors' of the Scriptures 'also,' counting a different sense and judgment from theirs—breach of covenant and heresy—no marvel they judge of others so authoritatively and severely. But we have not so learned Christ. We look at ministers as helpers of, not lords over, God's people. I appeal to their consciences, whether any person trying their doctrines, and dissenting, shall not incur the censure of Sectary? And what is this but to deny Christians their liberty, and assume the Infallible Chair? What doth he whom we would not be likened unto (the Pope) do more than this?

"In the second place, it is affirmed that 'the ministers of the Gospel have been imprisoned, deprived of their benefices, sequestered, forced to fly from their dwellings, and bitterly threatened, for their faithful declaring of the will of God;' that they have been limited that they might not 'speak against the sins and enormities of the civil powers;' that to 'impose the name of railing upon such faithful freedom, was the old practice of malignants against the preachers of the Gospel,' &c. Now, if the civil authority, or that part of it which continued faithful to their trust, 'and' true to the ends of the Covenant, did, in answer to their consciences, turn out a tyrant, in a way which the Christians in after times will mention with honour,

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and all tyrants in after times look at with fear; and 'if' while many thousands of saints in England rejoice to think of it, and have received from the hand of God a liberty from the like usurpations, and have cast off him who trod in his father's steps, doing mischief as far as he was able (whom you have received like fire into your bosom,—of which God will, I trust, in time make you sensible); if, 'I say,' ministers railing at the civil power, and calling them murderers and the like for doing these things, have been dealt with as you mention, will this be found a 'personal persecution?' Or is sin so, because they say so? They that acted this great business have given a reason of their faith in the action; and some are here ready further to do it against all gainsayers.

"But it will be found that these reprovers do not only make themselves the judges and determiners of sin, that so they may reprove; but they also took liberty to stir up the people to blood and arms, and would have brought a war upon England, as hath been upon Scotland, had not God prevented it. And if such severity as hath been expressed towards them be worthy of the name of 'personal persecution,' let all uninterested men judge; 'and' whether the calling of the practice 'railing' be to be paralleled with the malignants' imputation upon the ministers, for speaking against the Popish innovations in the Prelates' times, and the 'other' tyrannical and wicked practices then on foot, let your own consciences mind you!

"The Roman emperors, in Christ and his apostles' times, were usurpers and intruders upon the Jewish state; yet what footstep have ye either of our blessed Saviour's so much as willingness to the dividing of an inheritance, or their 'ever' meddling in that kind? This was not practised by the church since our Saviour's time, till Antichrist, assuming the Infallible Chair, and all that he called church to be under him, practised this authoritatively over civil governors. The way to fulfil your ministry with joy, is to preach the Gospel, which I wish some who take pleasure in reproofs at a venture, do not forget too much to do!

"Thirdly, you say, you have just cause to regret that men of civil employments should usurp the calling and employment of the ministry, to the scandal of the reformed kirks. Are you troubled that Christ is preached? Is preaching so exclusively your function? Doth it scandalise the Reformed Kirks, and Scotland in particular? Away with the Covenant, if this be so! I thought the Covenant, and these 'professors of it,' could have been willing that any should speak good of the name of Christ; if not, it is no covenant of God's approving; nor are these kirks you mention insomuch the spouse of Christ. Where do you find in the Scripture a ground to warrant such an assertion, that preaching is exclusively your function? Though an approbation from men hath order in it, and may do well, yet he that hath no better warrant than that, hath none at all. I hope He that ascended up on high may give His gifts to whom He pleases; and if those gifts be the seal of mission, be not 'you' envious though Eldad and Medad prophesy. You know who bids us covet earnestly the best gifts, but chiefly that we may prophesy; which the apostle explains there to be a speaking to instruction, and edification, and comfort, —which speaking, the instructed, the edified and comforted, can best tell the energy and effect of, 'and say whether it is genuine.' If such evidence be, I say again, take heed you envy not for your own sakes, lest you be guilty of a greater fault than Moses reproved in Joshua for envying for his sake.

"Indeed, you err through mistaking the Scriptures. Approbation is an act of convenience in respect of order; not of necessity, to give faculty to preach the Gospel. Your pretended fear lest error should step in, is like the man who would keep all the wine out of the country lest men should be drunk. It will be found an unjust and unwise jealousy, to deprive a man of his natural liberty upon a supposition he will abuse it. When he doth abuse it, judge. If a man speak foolishly, ye suffer him gladly, because ye are wise; if erroneously, the truth more appears by your conviction 'of him.' Stop such a man's mouth by sound words which cannot be gainsayed. If he speak blasphemously, or to the disturbance of the public peace, let the civil magistrate punish him; if truly, rejoice in the truth. And if you will call our speakings together since we came into Scotland, to provoke one another to love and good works, to faith in our Lord Jesus Christ, and repentance from dead works; 'and' charity and love towards you to pray and mourn for you, and for your better returns to 'our love of you,' and your incredulity of our professions of love to you, of the truth of which we have made our solemn and humble appeals to the Lord our God, which He hath heard and borne witness to; if you will call things scandalous to the kirk, and against the Covenant, because done by men of civil callings, we rejoice in them, notwithstanding what you say.

"For a conclusion: In answer to the witness of God upon our solemn appeal, you say you have not so learned Christ 'as' to hang the equity of your cause upon events. We, 'for our part,' could wish blindness have not been upon your eyes to all those marvellous dispensations which God hath lately wrought in England. But did you not solemnly appeal and pray? Did not we do so too? And ought not you and we to think, with fear and trembling, of the hand of the Great God, in this mighty and strange appearance of His, instead of slightly calling it an 'event!' Were not both your and our expectations renewed for time to time, whilst we waited upon God, to see which way He would manifest Himself upon our appeals? and shall we, after all these our prayers, fastings, tears, expectations, and solemn appeals, call these bare 'events?' The Lord pity you.

"Surely we, 'for our part,' fear; because it hath been a merciful and gracious deliverance to us. I

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beseech you in the bowels of Christ, search after the mind of the Lord in it towards you, and we shall help you by our prayers, that you may find it out; for yet (if we know our hearts at all) our bowels do, in Christ Jesus, yearn after the godly in Scotland. We know there are stumbling-blocks which hinder you: the personal prejudices you have taken up against us and our ways, wherein we cannot but think some occasion has been given, and for which we mourn; the apprehension you have that we have hindered the glorious Reformation you think you were upon; I am persuaded these and such like bind you up from an understanding and yielding to the mind of God in this great day of His power and visitation. And, if I be rightly informed, the late blow you received is attributed to profane counsels and conduct, and mixtures in your army, and such like. The natural man will not find out the course. Look up to the Lord, that he may tell it you; which that He would do, shall be the fervent prayer of

"Your loving friend and servant,
"OLIVER CROMWELL."

NOTE L, p. 730.

Murder of John Brown of Priesthill.

Mr. Aytoun, in his *Lays of the Scottish Cavaliers*, has presumed to take Lord Macaulay to task for his account of this dastardly murder, and to deny that any such crime was ever perpetrated by Claverhouse. "*For thirty-three years after the revolution*," he says, "*the details of this atrocious murder were never revealed to the public.* Nowhere in print or pamphlet, memoir, history or declaration, published previously to Wodrow, does even the name of John Brown occur, save once in the Cloud of Witnesses, a work which appeared in 1714; and in that work no details are given, the narrative being comprehended in a couple of lines. *I have searched for it amidst all the records of the so-called Martyrology, but cannot find a trace of it elsewhere until the Rev. Robert Wodrow thought fit to place the tale, with all its circumstantiality, in his History.* . . . . Claverhouse had enemies enough to insure the circulation of such a damning tale, supposing it to have been true, long before he had lain for two and thirty years in his grave. He was not without eulogists, whose tribute to his memory was as gall and wormwood to their opponents, and in whose teeth most assuredly the details of such a dastardly and unprovoked murder would have been cast. *Yet no man charged him with it.* More than a generation passed away, the two kingdoms had been united, and Mar's insurrection quelled, *before the miracle-mongering minister of Eastwood* ventured, upon no documentary authority at all, to concoct and publish the story* which Mr. Macaulay has adopted without scruple."—*Lays of the Scottish Cavaliers*, p. 334.

It is difficult, if not impossible, to characterize properly these astounding statements, without employing epithets inconsistent with the courtesies of literary controversy. In the first place, Mr. Aytoun charges Wodrow with "concocting" the story upon "no documentary authority at all," and yet admits that he had read the *Cloud of Witnesses* (published seven years before Wodrow's History), in which the story of the Priesthill tragedy is inserted in the following terms:—"The said Claverhouse, in May 1685, apprehended John Brown in Priesthill, in the parish of Moorkirk, in the shire of Ayr, being at work about his own house, and shot him dead before his own door, in the presence of his wife." Secondly, Mr. Aytoun affirms that "nowhere in print or pamphlet, memoir, history, or declaration published previously to Wodrow, does even the name of John Brown occur, save once in the Cloud of Witnesses." Mr. Aytoun thus admits that he has read the work here referred to, and it expressly quotes as its authority, "a Print intituled 'A Short Memorial of the Sufferings and Grievances of the Presbyterians in Scotland,' printed in the year 1690," in which the murder of John Brown, in 1685, occupies a conspicuous place among the barbarities perpetrated by Claverhouse. Again, in an appendix to the celebrated "Answer to the Scotch Presbyterian Eloquence," published in 1693, there is a "list of those murdered in cold blood without tryal, conviction, or any colour of law," and among these we find the following:—"May, 1685, the said Graeme of Claverhouse shot John Brown of Priesthill, in the parish of Moorkirk, in the shire of Air, as at his work before his own door, in presence of his wife." Mr. Aytoun speaks once and again of this story having been derived solely from tradition; whereas Wodrow expressly states, not only that his account of John Brown's character was derived from "people of sense and credit yet alive who knew him," but that his narrative of the murder was compiled from "informations" or written documents; and accordingly there is, in another hand than Wodrow's, a written account of the murder preserved among the historian's MSS in the library of the Faculty of Advocates at Edinburgh.

A minute account of the death of the Christian carrier is given by Patrick Walker, the travelling pedlar, whose biographies of Peden, Cameron, Cargill, and other leading covenanters, were long highly prized by the Scottish peasantry. Mr. Aytoun affirms that Walker, who received his information respecting Brown from his wife, while "sitting upon her husband's gravestone, utterly contradicts Wodrow and his follower, Mr. Macaulay, in every important particular relative to the details,"—a statement nearly as wide of the truth as the other assertions of Mr. Aytoun respecting this tragedy. So far from contradicting, the two narratives corroborate each other in a very remarkable

* Wodrow was both an honest man and a singularly painstaking and candid writer. But Mr. Aytoun attempts to discredit his testimony, because, like most men of his age, he was a believer in witches, and in the stories respecting the personal appearances of the devil: an objection which applies equally to Dr. Johnson, and to some of the most eminent men our country has produced.

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manner. "They both agree as to the date—the identity of the man murdered—his character and occupation—the work he was engaged in when Claverhouse and his troop surrounded him—the carrying him back to his own door—his prayer before his death—his wife standing by with her child in her arms—her address to Graham when all was over, and his profane reply." They differ in one particular only. Wodrow says Claverhouse himself shot Brown, while Walker says he was killed by the soldiers. As the narrative of the latter was derived from Brown's wife, it is probable that, as she "was in danger to faint," and "her eyes were dazzled," when her husband's life was taken, she could not tell distinctly from whom the shot came, and may have fallen into a mistake regarding this circumstance. But it matters nothing to the point in dispute, or to the character of the murder itself, whether the fatal shot was fired by Claverhouse himself, or by the soldiers who were but his tools, and bound by military law to obey his commands. "Whichever way it be taken, it is the same cold, passionless, remorseless murder, which it is a disgrace to British literature and to the civilization of our age and country to defend."

Sir Walter Scott, whose idolatry of Claverhouse and hatred of the covenanters has left a deep stain on his memory, attempts to palliate this deed by alleging that Brown was a rebel. He omits to state, however, that the sole act of rebellion which Brown committed, was his refusal to hear the episcopal ministers, and his affording refuge to the persecuted covenanters. Mr. Aytoun, following in Sir Walter's wake, talks of Brown being a "rebel" and "an outlaw," and refers to the fact that his name appears in a list of fugitives from the persecution of the High Commission Court, though he takes care to omit from his quotation the statement of Brown's offence as being "for reset"—that is, for harbouring the persecuted covenanters. Even though Brown had been justly proclaimed a rebel and an outlaw, Claverhouse had no authority, either from the common law of Scotland, or from any special warrant, to put him to death. The proclamation issued by the privy council to which Mr. Aytoun refers, merely requires the lieges "not only not to comfort or harbour the said persons, but likewise to do their utmost endeavours to apprehend them as far as in their power." Mr. Aytoun speaks of "the act against conventicles, which has been so much abused:" it would not be easy to abuse over much this infamous act, which declared that all who should preach in houses or in the fields, and all hearers in the fields of the presbyterian ministers, should be punished with death. But this act furnished no authority to Claverhouse for the murder of the "Christian carrier;" for, as Mr. Aytoun is compelled to admit, it was not passed until several days after the date of that event.

Mr. Aytoun is exceedingly wroth with Lord Macaulay for terming Claverhouse "rapacious." "Rapacity," he says, "is a new charge. The worst foe of Claverhouse never yet hinted that there was anything mean or sordid in his disposition. No instance of bribery can be alleged against him; *he levied no contributions;* and, with every opportunity in his reach of amassing a large fortune, he died in comparative poverty. I am certain that no man really acquainted with Scottish history will gainsay me in this; and as this particular charge has been brought forward without a shadow of authority to support it, I can only express my regret that an author who can write so well should be so reckless in the choice of his epithets." These statements are certainly of a very extraordinary kind, and Mr. Aytoun can escape conviction of the crime of wilful falsehood only by pleading guilty to the scarcely more venial offence of gross and wilful ignorance. The notorious rapacity of Claverhouse has been mentioned by every writer who enters into the history of these dismal times. Lauder of Fountainhall, a judge of the Court of Session, and no friend to the covenanters, has given, in his "Historical Notices of Scottish Affairs," a most vivid picture of the exactions of this bloody persecutor, and the mingled meanness and ferocity by which his conduct was marked. He spoiled the houses of his wretched victims, and exacted the uttermost farthing of the fines imposed upon them. He released some of those whom he had imprisoned for nonconformity, on receiving from them bonds for the payment of 1000 marks a-piece. Having obtained a gift of the forfeited estate of McDougal of Freuch, he was not contented with grasping the property of this unfortunate gentleman, but raised suits for the recovery of debts which had been due to him, and to which, under the gift of forfeiture, the rapacious persecutor had acquired a right. Sir John Dalrymple, and some others of the county gentlemen of Galloway, indignant at these oppressive proceedings, endeavoured to protect their tenants from the exactions of Claverhouse, and Sir John, as heritable bailie of the district, inflicted small fines on the persons accused of absenting themselves from the church, in order to rescue them from the clutches of their oppressor; Claverhouse, in consequence, presented a complaint to the privy council against Sir John, whom he accused of stirring up disaffection by his lenity, and of imposing "mock fynes upon delinquents, not the fiftieth or sixtieth part of what the law appointed, only to prevent Claverse's fynes, ... and had misrepresented him as one who had cheated the king's treasury, in exacting the fynes of heritors and not counting for them; at leist falsely giving in a charge to the exchequer far below his intromissions." This charge was strictly true. The crown officers were actually compelled to resort to legal proceedings in order to make him disgorge the forfeited possessions of the covenanters which he was bound to have paid into the exchequer, as, in law, they belonged to the crown until they were gifted away. Not contented with plundering the covenanters, this "honourable man," Lord Fountainhall tells us, tried to cheat his brother persecutor, the Chancellor Queensberry, out of the Barony of

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Dudhope and Constabulary of Dundee, which had been gifted to Queensberry on condition that he should sell it to Claverhouse at twenty years' purchase. Claverhouse tried to get rid of this portion of the bargain by telling a deliberate falsehood (for which he was reprimanded in open court), to the effect that Queensberry had agreed to give him the estate for nothing. So much for the integrity and generosity of this "man of high and chivalrous honour," whose worst foe, according to Mr. Aytoun, "never yet hinted that there was anything mean or sordid in his disposition."

Mr. Aytoun speaks in glowing terms of the tributes which certain eulogists paid to the memory of Claverhouse. The exact amount of credit due to these tributes, is shown by the following specimen, which proceeds from the author of the "Memoirs of Sir Ewen Cameron:"—"There was no part of the *Belles Lettres* which he [Graham] had not studyed with great care and exactness; he was much master in the epistolary way of writing." Mr. Aytoun, too, speaks of the "accomplishments" of the "noble stripling," Claverhouse; the extent and value of which may be learned from the following specimens of his "epistolary way of writing:"—

"My Lord,—They tell me that the one end of the bridge of Dumbfrich is in Galaua, and that they may hold conventicles at our nose; we not dare to dissipat them, seeing our orders confines us to Dumfriche and Anandell."

"Everybody gave out that house for a bayr, but when they saw that ther was no quarter for it, and that we was com on the place, nobody had the impodence to deny it to have been built a purpose for meeting, and that upon the expence of the comon purse of the disaffected.

"They wer not preaching, and had got away all there women and shildring, ... but, in end they perceiving that we had the better of them in skirmish, they resolved a generall engadgment, and imediatly advanced with there foot, the horse folouing; they came throght the lotche, and the greatest body of all made up against my troupe."*—(Abridged from an article on "Claverhouse, by Macaulay and Aytoun," in the *North British Review*, vol. xiii.)

NOTE M, p. 765.

Trial and Execution of Thomas Aikenhead.

Lord Macaulay has narrated this, the only instance of capital punishment for blasphemy in Scotland, in very exaggerated terms, and has done injustice especially to the ministers of Edinburgh, in stating the part which he alleges they took in this tragic incident. He accuses them of being deaf to the entreaties of the miserable youth when he entreated, not for pardon, but for a little more time to receive their instructions, and to pray to Heaven for mercy; of demanding not only the poor boy's death, but his speedy death, though it should be his eternal death, and of crying out even from their pulpits for cutting him off. And he winds up his account of the execution with this statement, "The preachers, who were the boy's murderers, crowded round him at the gallows, and while he was struggling in his last agony insulted Heaven with prayers more blasphemous than anything that he had uttered. Wodrow has told no blacker story of Dundee." The greater part of these charges rest upon no authority whatever. The eloquent and imaginative writer refers to the "Postman" and "Howell's State Trials" as the sources from which his narrative is drawn. The former makes no mention of the ministers, except that several of them assisted Aikenhead in his last moments, and that before leaving the prison they prayed with him at his own request. Howell quotes a passage from a private letter, which states that "*it was told* it (the reprieve) could not be granted unless the ministers would intercede; but they, out of a pious, though I think ignorant zeal, spoke and preached for cutting him off." This report, for it is nothing more, is flatly contradicted by a statement in the preface to "Two Discourses by William Lorimer," preached at the time of Aikenhead's execution, which shows the part the ministers really took in this unhappy affair. "I am sure," says Mr. Lorimer, "the ministers of the Established Church used him with an affectionate tenderness, and took much pains with him to bring him to faith and repentance, and to save his soul: yea, and some of the ministers, to my certain knowledge, and particularly the late reverend, learned, prudent, peaceable, and pious Mr. George Meldrum, then minister of the Tron Church, interceded for him with the government, and solicited for his pardon; and when that could not be obtained, he desired a reprieve for him, and I joined with him in it. This was the day before his execution. The chancellor was willing to have granted him a reprieve, but could not do it without the advice of the privy council and the judges; and to show his willingness he called the council and the judges, who debated the matter, and then carried it by plurality of votes for his execution, according to the sentence of the judges, that there might be a stop put to that contagion of blasphemy."

The execution of this wretched youth cannot be justified, but it is certainly unfair to judge the men of 1696 by the standard of 1856, or to assert, as Macaulay has done, that the Scottish legislators of the former period had "understandings as dark and hearts as obdurate as those of the familiars of the Inquisition at Lisbon," because, in common with the wisest and best of their contemporaries in England and other countries, they persecuted witches, and in one solitary instance carried into effect the law which made blasphemy a capital crime. The lord-chancellor at this time was Lord Polwarth (formerly Sir Patrick Hume), whom Macaulay leaves no opportunity of vituperating, and says that Aikenhead's condemnation was "the worst action of his bad life." It will be seen from the

* Letters of John Graham of Claverhouse. Printed for the Bannatyne Club.

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above statement of Mr. Lorimer, that the chancellor was willing to have granted Aikenhead a reprieve, but was outvoted by the majority of the privy council and judges.

NOTE N, p. 779.

Lord Stair's daughter, the Hon. Janet Dalrymple, termed "the Bride of Baldoon."

The tragic story of this lady has been immortalized by the genius of Sir Walter Scott, but in its actual circumstances it is scarcely less affecting than in fiction. She had engaged herself, without the knowledge of her parents, to the Lord Rutherford, who was not acceptable to them, either on account of his political principles, or his want of fortune. The young couple broke a piece of gold together, and pledged their troth in the most solemn manner; and it is said the young lady imprecated the most dreadful evils on herself should she break her plighted faith.

Shortly after a suitor who was favoured by Lord Stair, and still more so by his lady, paid his addresses to Miss Dalrymple. The young lady refused the proposal, and, being pressed on the subject, confessed her secret engagement. Lady Stair, a lady accustomed to universal submission (for even her husband did not dare to contradict her), treated this objection as a trifle, and insisted upon her daughter yielding her consent to marry the new suitor, David Dunbar, son and heir to David Dunbar of Baldoon, in Wigtonshire. The first lover, a man of very high spirit, then interfered by letter, and insisted on the right he had acquired by his troth plighted with the young lady.

Lady Stair sent him for answer, that her daughter, sensible of her undutiful behaviour in entering into a contract unsanctioned by her parents, had retracted her unlawful vow, and now refused to fulfil her engagement with him. The lover, in return, declined positively to receive such an answer from any one but his mistress in person. As she had to deal with a man who was both of a most determined character, and of too high condition to be trifled with, Lady Stair was obliged to consent to an interview between Lord Rutherford and her daughter; but she took care to be present in person, and argued the point with the disappointed and incensed lover with pertinacity equal to his own. She particularly insisted on the Levitical law, which declares that a woman shall be free from a vow which her parents dissent from: Numbers xxx. 2—5.

While the mother insisted on these topics, the lover in vain conjured the daughter to declare her own opinions and feelings. She remained totally overwhelmed, as it seemed, mute, pale, and motionless as a statue. Only at her mother's command, sternly uttered, she summoned strength enough to restore to her plighted suitor the piece of broken gold, which was the emblem of her troth. On this he burst forth into a tremendous passion, took leave of the mother with maledictions, and as he left the apartment turned back to say to his weak, if not fickle mistress, "For you, madam, you will be a world's wonder!" a phrase by which some remarkable degree of calamity is implied. He went abroad, and returned not again. If the last Lord Rutherford was the unfortunate party, he must have been the third who bore that title, who died in 1685. The marriage between Janet Dalrymple and David Dunbar of Baldoon now went forward, the bride showing no repugnance, but being absolutely passive in everything her mother commanded or advised. On the day of the marriage, which, as was then usual, was celebrated by a great assemblage of friends and relations, she was the same—sad, silent, and resigned to her destiny. A lady very nearly connected with the family told Sir Walter Scott that she had conversed on the subject with one of the brothers of the bride, a mere lad at the time, who had ridden before his sister to church. He said her hand, which lay on his as she held her arm round his waist, was as cold and damp as marble. But full of his new dress, and the part he acted in the procession, the circumstance, which he long after remembered with bitter sorrow and compunction, made no impression on him at the time. The bridal feast was followed by dancing; the bride and bridegroom retired as usual; when of a sudden the most wild and piercing cries were heard from the nuptial chamber. It was then the custom, to prevent any coarse pleasantry which old times perhaps permitted, that the key of the nuptial chamber should be intrusted to the bridesman. He was called upon, but refused at first to give it up, till the shrieks became so hideous that he was compelled to hasten with others to learn the cause. On opening the door they found the bridegroom dreadfully wounded and streaming with blood. The bride was then sought for: she was found in a corner of the large chimney, having no covering save her shift, and that dabbled in gore. There she sat grinning, mopping, and mowing,—in a word, absolutely insane. The only words she spoke were, "Tak up your bonny bridegroom." She survived this horrible scene little more than a fortnight, having been married on the 24th August, and dying on the 12th September, 1669. The unfortunate Baldoon recovered from his wounds, but sternly prohibited all inquiries respecting the manner in which he had received them. He did not very long survive the dreadful catastrophe, being killed by a fall from his horse as he rode between Leith and Holyrood House, 28th March, 1682. (Introduction to *The Bride of Lammermuir: Chambers' Domestic Annals of Scotland*, vol. ii. pp. 326—328.)

NOTE O, p. 795.

"His majestie's remarques upon the Act for Settling Church Government in Scotland.

"1st. Whereas it is said that the Church of

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Scotland was reformed from poperie by presbyters without prelacy, his majesty thinks that though this matter of fact may be true, which he doth not contradict, yett it being denyed by some who discourse much of a power that superintendents had in the beginning of the Reformation, which was like to that which bishops afterwards had, it were better it were otherwise expressed.

"2nd. Whereas it is said that their majesties doe ratify the Presbyteriall Church government to be the only government of Christ's Church in this kingdom; his majesty desires it may be expressed thus,—to be the government of the church in this kingdom established by law.

"3rd. Whereas it is said that the government is to be exercised by sound presbyterians, and such as for hereafter shall be owned by Presbyterian Church predicatories, as such his majesty thinks that the rule is too generall, depending as to its application upon the opinions of particular men; and, therefore, he desires that what is said to be the meaning of the rule in the reasons sent to him may be expressed in the act, viz.,—That such as shall subscribe to the Confession of Faith and Catechismes, and are willing to submitt to the government of the Church as established by law, being sober in their lives, sound in their doctrine, and qualifyed with gifts for the ministry shall be admitted to the government; and his majesty doth judge that the following declaration might be a good test:—I, A. B., do sincerely declare and promise that I will own and submit to the present government of the Church, as it is now by law in this kingdom; and that I will heartily concur with and under it, for the suppressing of sin and wickednesse, the promoting of piety, and the purging of the Church of all erronious and scandalous ministers; and I doe also assent and consent to the Confession of Faith, and the Larger and Shorter Catechismes, now confirmed by act of parliament, as the standard of the Protestant religion in this kingdom.

"4th. Whereas it is desired to be enacted that the generall meeting of the ministers doe appoint visitors for purging the Church, etc., his majesty thinks fitt that, for answering even those objections, which the reasons sent to him with the act doe suggest, may be against this method, that what in the mentioned reasons is expressed by a may be, as to the concern of his privy councill in that matter, and the presenting of the visitors to the commissioner, that he may see they are moderate men, be plainly and particularly enacted.

"5th. As to what concerns the meeting of synods and Generall Assemblyes his majesty is willing it should be enacted, that they meet at such and such times of the year, and as often as shall be judged necessary, provided always that they apply to him or his privy councill to know if there be any inconveniency as to publick affairs in their meeting at such times, and have his allowance accordingly; and that in all their Generall Assemblyes a commissioner in the name of his majesty be there present, to the end that nothing may be proposed but what merely concerns the Church; and in case anything relating to the civill government, or that is prejudiciall to it, should be there proposed or debated, the said commissioner may give a stop to it till he has acquainted the privy councill, and received their direction in it.

"6th. Whereas it is desired to be enacted, that the parishes of those thrust out by the people in the beginning of this Revolution be declared vacant upon this reason, because they were put upon congregations without their consent, his majesty desires it may be so expressed, as may be consistent with the right of patrons, which he thinks he hath the more reason to desire because in the reasons sent up with the act, it seems to be acknowledged that this procedure is extraordinary, and not to be drawn into consequence.

"It is his majestie's desire, that such as are of the episcopall persuasion in Scotland have the same indulgence that dissenters have in England, provided they give security to live peaceably under the government, and take the oath of allegeance."

NOTE P, p. 800.

King William's knowledge of the Massacre of Glencoe.

That William was not ignorant of the severities that were threatened in order to bring the Highland clans to terms, is clearly proved by the following, among other letters in the charter chest of the Marquis of Breadalbane. On the 21st of October, 1691, Linlithgow thus writes to the Earl of Breadalbane:—

"My dear Lord,

"We arrived safe here Wednesday night, where I had your lordship's of the 16th. I spoke fully to the secretary of the contents, but he told me he had written you a return upon the same heads; and as to the particulars of the passes he did not find the king inclinable, so that it was not proper to urge it, but you know well that how matters change often at a court, and you may be sure that every proper occasion will be laid hold of that may further your affairs. On the other hand, you would push the clans to do one thing or other, *for such as will stand it out must not expect any more offers, and in that case those who have been their friends must act with the greatest vigour against them*, and delay till the last cannot be considered as frank dealing. It is written from Edinburgh to this place that none of the clans will submit, even not Lochiel, which does harm, especially when nothing is heard to the contrary, although there be little time yet lost. Lord Raith came in last night to the secretary, and had very indiscreet language of your lordship, and they were so hot that I am afraid the secretary would not have borne it any where but in his own house. The king has been very kind to the D. Q. and me, and in a day or two we are to have our audiences of

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him. Earl Crawford and that party have changed their note, for now they say they never did any hard things, and are by no means bigot, nor will ever do anything which may disturb the king's affairs here or abroad; but I think this is too gross to pass, except with such who are altogether biassed. Business at home or abroad go as well with the king as is possible. Ireland is entirely reduced, and parliament here is going on with all the cheerfulness and frankness imaginable, so that if some of your clans do all by themselves it will be very mettled, but *the last standers out may pay for all, and, besides, I know that the king does not care that some do it, that he may make examples of them.*"

On the 3rd of November Stair thus wrote to the earl:—

"*I showed yours of the 29th of the last to the king.* I am sorry for the difficulty you find, &c. I wrott to you formerly that if the rest were willing to concur as the crows do, *to pull down Glengarry's nest this winter, so that the king be not hindered to draw four regiments from Scotland, in that case the destroying him and his clan, and garrisoning his house as a midle for communication betwixt Inverlochy and Inverness, will be full as acceptable as if he had come in. This answers all ends, and satisfyes thos who complain of the king's too great gentleness. The king hath said to D. Q. that he will very shortly end all Scots affairs,* bot if you be here any tim in November you will not com after the mercat. I need not tell you how your enimys insult on the apprehensions that the Hylanders will say the sham articles wer trew, and therfor I am sur you will all that's possible so confutt thes matters, and lett me hear the meathods you think best to reduce Glengarry, and what assistance you are sure of, and what of the forces you will need."

Linlithgow writes on the 5th of November:—

"I can add little to my last, knowing how fully the Secretary wrote you by the last post. The D. of Queensbury has spoken to the king, and finds him in his just sentiments as he could wish. I am to speak to him to-morrow. So that these ten who have been against the settling a government with us see now that they will get it delayed no longer. *Only they beg that the K. may delay the doing of it till he see what effect your treaty with the Highlanders produces;* and it is too probable that will be granted to them, and your lordship knows what inconveniences there are in delays. I acknowledge that it is little to be wondered at to see the Highlanders shift and delay coming in, considering the encouragement they have got to stand it out. But I always thought that these shams would not have taken the wise men, such as Lochiel, and if he began ance, I would little doubt of most of the others following him; and I wish some of the most obstinate of them would stand it out, that they might be made examples of."

NOTE Q, p. 830.

Alleged Bribery of the members of the Scottish parliament.

Lockhart affirms that in the course of a financial investigation which he made in 1711, he discovered that the sum of £20,540 17*s.* 7*d.* was distributed in bribes among the members for the purpose of inducing them to vote for the union; and he gives the following list of the receivers, with the sum which each received:—

	£	s.	d.
To the Earl of Marchmont	1104	15	7
" Earl of Cromarty	300	0	0
" Lord Prestonhall	200	0	0
" Lord Ormiston, Lord Justice-clerk	200	0	0
" Duke of Montrose	200	0	0
" Duke of Atholl	1000	0	0
" Earl of Balcarres	500	0	0
" Earl of Dunmore	200	0	0
" Lord Anstruther	300	0	0
To Mr. Stewart of Castle Stewart	300	0	0
To the Earl of Eglinton	200	0	0
" Lord Fraser	100	0	0
" Lord Cesnock (now Polwarth)	50	0	0
To Mr. John Campbell	200	0	0
To the Earl of Forfar	100	0	0
To Sir Kenneth Mackenzie	100	0	0
To the Earl of Glencairn	100	0	0
" Earl of Kentore	200	0	0
" Earl of Findlater	100	0	0
To John Muir, Provost of Ayr	100	0	0
To the Lord Forbes	50	0	0
" Earl of Seafield, Lord Chancellor	490	0	0
" Marquis of Tweeddale	1000	0	0
" Duke of Roxburgh	500	0	0
" Lord Elibank	50	0	0
" Lord Banff	11	2	0
To Major Cunningham of Ecket	100	0	0
To the Messenger that brought down the Treaty of Union	60	0	0
To Sir William Sharp	300	0	0
To Patrick Coultrain, Provost of Wigton	25	0	0
To Mr. Alexander Wedderburn	75	0	0
To the Commissioner for Equipage and Daily Allowance	12,325	0	0
	£20,540	17	7

On the overthrow of the whig administration, in 1711, this affair received a very minute investigation by the new ministry, who were eager to find some ground of accusation against their predecessors. It was clearly proved that the money was advanced by the English treasury to the Scottish government, but Godolphin affirmed that it had been advanced by way of loan for the purpose of paying arrears of salaries and various other debts due to creditors of the crown. The Earl of Glasgow, by whom the money was distributed, asserted that "it consisted with his own proper knowledge that £12,325 were paid back after the union." There can be no doubt of the fact that the salaries of the public officers were at this time greatly in arrears. The Earl of Marchmont, whose name heads Lockhart's list, is found complaining to the Duke of Argyll that he cannot obtain payment of arrears of his salary as lord chancellor. Cunningham of Ecket, another of the recipients of the alleged bribe, is found earnestly beseeching parliament to repay to him £275 expended out of his own means in the support of officers under his com-

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mand. The presumption, therefore, is that all the other persons named in the list were in one way or other public creditors, who received only what was their due, especially when we find among them the Duke of Atholl, who was a most strenuous opponent of the union, and Cunningham of Ecket, who was prepared to take up arms against it. It is certain that the government of Harley and St. John, with every disposition to find that bribery had been employed to carry the union, could discover no evidence whatever to warrant this conclusion. See Burton's *History of Scotland*, vol. i. chap. xii.

NOTE R, p. 967.

Establishment of Parochial Schools in Scotland.

The first effort of the Scottish parliament to promote the education of the people was made in the year 1494, when it was enacted, under a penalty of twenty pounds Scotch, that all barons and substantial freeholders should send their eldest sons to school, to be instructed in classical literature, and afterwards to other seminaries to obtain a knowledge of the laws of the realm. The Reformation took place shortly after, and John Knox proposed, in his "Book of Discipline" that schools should be established in every parish, grammar schools in every town, and universities in the cities. In 1616 the privy council empowered the bishops, in conjunction with the heritors, to establish a school in every parish in their respective dioceses, and to assess the lands for that purpose, for the advancement of true religion, and the training of children "in civility, godliness, knowledge, and learning." This act, however, was not vigorously carried out, and in 1626 an effort was made by Charles I. to remedy the defect. The act of the privy council in 1616 was confirmed by the parliament in 1633, and under its authority schools were instituted in the more cultivated districts of the country. Five years later the General Assembly of the Scottish Church gave directions for "the settling of schools in every parish, and providing entertainment for men able for the charge of teaching youth." A representation was made to his majesty that "the means hitherto appointed for schools of all sorts have both been little and ill paid;" and in 1642 presbyteries were ordained to see "that every parish should have a school, where children are to be bred in reading, writing and grounds of religion." The dissensions which soon after broke out in Scotland unfortunately prevented the nation from reaping the fruits of these wise enactments, and threatened to reduce the whole country to a state of absolute barbarism; but after the Revolution had established peace and order in the kingdom, an act was passed in 1696, which declared that there should be a school instituted, and a schoolmaster appointed in every parish, and salaries provided for the teachers. The maximum salary was fixed at two hundred marks (£11 2*s.* 2*d.*), and the minimum at one hundred marks. The right of appointing the teachers and superintending the school was vested in the heritors and the minister of the parish. This famous act laid the foundation of Scotland's proudest distinction, and proved the great source of her subsequent prosperity; and it is owing, not indeed solely, but principally to the national system of education, which this act established, that Scotland, as Lord Macaulay remarks, "in spite of the barrenness of her soil, and the severity of her climate, made such progress in agriculture, in manufactures, in commerce, in letters, in science, in all that constitutes civilization, as the Old World has never seen equalled, and as even the New World has scarcely seen surpassed." For more than a century after the passing of the law of 1696, the Scottish parochial schools were wholly overlooked by the legislature. In consequence the emoluments remained stationary, while those of every other profession and trade increased, and, therefore, the social status, the acquirements, and influence of the teachers were greatly deteriorated. Their depressed condition at length attracted the attention of the legislature, and in 1803 an act was passed which raised the maximum salary to £22 4*s.* 5*d.*, and the minimum to £16 13*s.* 4*d.*, exclusive of fees, and declared that a dwelling-house of *not more* than two rooms should be provided for the schoolmaster; but at the same time deprived all heritors, except those who possessed a hundred pounds of valued rent, of all share in the election of the teacher and the management of the school, and placed the teachers wholly under the jurisdiction of their respective presbyteries, depriving them of the right of appeal to the superior courts. The act further provided that the salaries are to be revised every twenty-five years, the average price of grain during the preceding twenty-five regulating the salary during the succeeding twenty-five. At the first revision in 1828 an addition was made to the salaries of the parochial teachers; the maximum was raised to £34 4*s.* 4*d.*, the minimum to £25 13*s.* 3*d.*; but at the second revision in 1853 these sums were reduced nearly one third. Various attempts have been made of late in parliament to increase the emoluments of the teachers, and to adapt the parochial system of education to the existing state of the country, but unfortunately, owing to petty sectarian jealousies and dissensions, these efforts have hitherto been fruitless.

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Vol. I.,	page 224,	2nd col.,	sentence, "In addition," &c., *dele* last clause.	
,,	,, 239,	1st ,,	line 28, *for* James *read* David.	
,,	,, 325,	2nd ,,	,, 48, ,, Isabella *read* Margaret.	
,,	,, 403,	1st ,,	side note, *for* Owen *read* Arran.	
,,	,, 418,	1st ,,	line 29, side-note, *for* Arran *read* Angus.	
,,	,, 440,	1st ,,	,, 52, *for* Pathhead *read* Parkhead.	
,,	,, 443,	2nd ,,	,, 39, ,, Henderson *read* Henderland.	
,,	,, 613,	1st ,,	lines 14 and 31, *for* Gray *read* Grey.	
Vol. II.,	,, 259,	2nd ,,	line 23, *for* Andrews *read* St. Andrew's.	
,,	,, 569,	1st ,,	third side-note, *for* retraction *read* retractation.	
,,	,, 691,	1st ,,	line 43, third side-note, *for* vicars and *read* presbyterian.	
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